

199—39.8(476) Relinquishment of ETC designation.

39.8(1) The board may permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give 30 days' advance notice to the board of such relinquishment. A carrier that is granted ETC status in connection with a connect America fund Phase II auction or other similar conditional support mechanism but that ultimately does not receive the support shall, within 30 days after the Federal Communications Commission issues a public notice regarding the award of support, file a notice of relinquishment of the carrier's designation for any service areas where the carrier is not awarded funds and does not plan to offer service.

39.8(2) Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the board shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The board shall establish a time, not to exceed one year after the board approves such relinquishment under this rule, within which such purchase or construction shall be completed.

[ARC 1899C, IAB 3/4/15, effective 4/8/15; ARC 4254C, IAB 1/16/19, effective 2/20/19]