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Docket No. 57364

In Re: Application of Planters Communications, LLC for Designation as an Eligible Telecommunications Carrier to Receive Rural Digital Opportunity Fund Phase I Auction (Auction 904) Support for Voice and Broadband Services

ORDER ON APPLICATION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

Background

On October 1, 2026, Planters Communications, LLC ("Planters") filed with the Georgia Public Service Commission ("Commission") its Application for Designation as an Eligible Telecommunications Carrier pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(2); Sections 54.201 and 54.202 of the rules and regulations of the Federal Communications Commission ("FCC"), 47 C.F.R. §§ 54.201 and 54.202; and in accordance with the requirements of this Commission as set forth in Ga. Comp. R. & Regs. r. 515-12-1-.35.

Planters requests designation as a High-Cost and Low-Income Eligible Telecommunications Carrier ("ETC") for a service area comprising the census blocks in the State of Georgia listed on Attachment A hereto (475 locations) (the "Assigned Census Blocks"), which are located within Georgia Study Area Code ("SAC") 223037. Planters seeks this designation in order to assume the Rural Digital Opportunity Fund ("RDOF") obligations of Windstream Communications, LLC and its affiliate Windstream Georgia Communications, LLC (collectively, "Windstream") for the Assigned Census Blocks pursuant to a Joint Application for Consent to Partial Assignment of Domestic Section 214 Authorization now pending before the FCC (the "Section 214 Application"). Planters requests that the designation be granted effective upon, and conditioned upon, consummation of the assignment approved in the Section 214 Application.

The Commission designated Windstream Communications, LLC as an ETC for the Assigned Census Blocks by Order dated May 18, 2021, in Docket No. 43837. Planters

understands that Windstream will relinquish that designation upon the Commission's approval of this Application and consummation of the assignment.

In its Application, Planters states:

On November 5, 2025, Planters and Windstream entered into an Assignment and Assumption Agreement (the "Agreement") under which Windstream agreed to assign to Planters all remaining RDOF support and the RDOF obligations for the Assigned Census Blocks, and Planters agreed to accept that support and assume those obligations, subject to required regulatory approvals. Upon consummation, Planters will receive the remaining RDOF support associated with the Assigned Census Blocks, in the amount of $1,676,406, and will assume the associated deployment, performance, and reporting obligations. Planters will use the RDOF support to construct, operate, and maintain a fiber optic network capable of providing voice service and high-speed broadband Internet access at speeds of at least 1 Gbps downstream and 500 Mbps upstream throughout the Assigned Census Blocks.

Planters further states that it currently provides limited service in Jenkins County that slightly overlaps the edges of the Assigned Census Blocks; that, as set forth in the Section 214 Application, the parties have committed to avoid duplicate recovery of RDOF support at any location where one party receives RDOF support and the other makes qualifying broadband service available; and that the proximity of its existing operations will allow it to build out the Assigned Census Blocks rapidly and cost-effectively.

To be designated as an ETC, an applicant must be a common carrier as provided in Section 214(e)(1) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(1), and must offer the supported services throughout the designated service area either using its own facilities or a combination of its own facilities and resale of another carrier's services, and advertise the availability of and charges for those services using media of general distribution. 47 U.S.C. § 214(e)(1)(A)-(B); 47 C.F.R. § 54.201(d). An ETC is designated for a service area established by the State commission. 47 U.S.C. § 214(e)(5); 47 C.F.R. § 54.207(a). Where more than one common carrier is designated as an ETC for a service area, the designation must be consistent with the public interest, convenience, and necessity, and, in the case of an area served by a rural telephone company, the Commission must find that the designation is in the public interest. 47 U.S.C. § 214(e)(2); 47 C.F.R. § 54.201(c).

For voice service, 47 C.F.R. § 54.101(a) requires ETCs to provide the following services and functionality: voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organization, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers. An ETC subject to a high-cost public interest obligation to offer broadband Internet access service must offer that service within the areas in which it receives high-cost support. 47 C.F.R. § 54.101(c).

Section 54.405(a) of the FCC's rules requires an ETC to offer Lifeline service to qualifying low-income consumers, and Section 54.401(a)(2) defines Lifeline service to include voice telephony service or broadband Internet access service. 47 C.F.R. §§ 54.400, 54.401(a)(2), 54.405(a). Read together, these rules require an ETC to offer discounted Lifeline voice and broadband services, including a standalone voice offering, to qualifying low-income consumers within its designated service area.

In addition to the statutory requirements, Section 54.202 of the FCC's rules requires an applicant for ETC designation to certify that it will comply with the service requirements applicable to the support it receives, to submit a five-year service quality improvement plan, to demonstrate that its network will remain functional in emergency situations, to demonstrate that it will satisfy applicable consumer protection and service quality standards, and to demonstrate its financial and technical capability to provide the supported services. 47 C.F.R. § 54.202(a)(1)-(4). The FCC has waived the five-year plan requirement of Section 54.202(a)(1)(ii) and the consumer protection and service quality showing of Section 54.202(a)(3) for carriers seeking designation in order to receive support awarded through the RDOF Auction.

Planters asserts that it meets all the requirements of the FCC for designation as an ETC for voice and broadband services.

Planters committed to comply with the Commission's rules on eligible telecommunications carriers, Ga. Comp. R. & Regs. r. 515-12-1-.35: Eligible Telecommunications Carriers. Planters addressed the requirements of that Rule, and represented that it satisfies or will satisfy them, in Section VI.B of its Application.

Staff Recommendation

Staff recommended that the Commission designate Planters as an ETC in order to receive Rural Digital Opportunity Fund support for voice and broadband services in the census blocks shown in Attachment A. Staff further recommended that Planters' ETC designation be conditioned upon FCC approval of Planters' and Windstream's Section 214 Application and consummation of the assignment of the Assigned Census Blocks from Windstream to Planters.

Commission Decision

The Commission has jurisdiction over this matter pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(2); O.C.G.A. §§ 46-2-20, 46-2-30, and 46-5-160 through 46-5-174; and Ga. Comp. R. & Regs. r. 515-12-1-.35.

The Commission finds that Planters satisfies the requirements of 47 U.S.C. § 214(e)(1). Planters holds Georgia Certificate of Authority No. L-0415, has provided voice and broadband

service in Georgia as a competitive local exchange carrier since 2006, and will offer the supported services on a common carrier basis. Planters will offer those services throughout the Assigned Census Blocks over facilities that it owns, and has committed to advertise the availability of, and the charges for, those services using media of general distribution. 47 U.S.C. § 214(e)(1)(A)-(B); 47 C.F.R. § 54.201(d).

The Commission further finds that the Assigned Census Blocks constitute an appropriate service area for this designation, the Commission having designated Windstream Communications, LLC as an ETC for the same census blocks by Order dated May 18, 2021, in Docket No. 43837. 47 U.S.C. § 214(e)(5); 47 C.F.R. § 54.207(a).

The Commission further finds that Planters has committed to offer the voice and broadband services supported by the federal universal service support mechanisms throughout the Assigned Census Blocks. 47 C.F.R. § 54.101.

The Commission further finds that Planters has committed to offer Lifeline service to qualifying low-income consumers within the Assigned Census Blocks. 47 C.F.R. §§ 54.401(a)(2), 54.405(a).

The Commission further finds that Planters has made the certifications required of an applicant for designation under 47 C.F.R. § 54.202(a), including the certification that its network will remain functional in emergency situations under § 54.202(a)(2) and the showing of financial and technical capability under § 54.202(a)(4), the FCC having waived the five-year plan requirement of § 54.202(a)(1)(ii) and the consumer protection and service quality showing of § 54.202(a)(3) for recipients of auction support.

The Commission further finds that Planters has committed to comply with Ga. Comp. R. & Regs. r. 515-12-1-.35.

The Commission further finds that designation of Planters as an ETC for the Assigned Census Blocks is consistent with the public interest, convenience, and necessity. 47 U.S.C. § 214(e)(2); 47 C.F.R. § 54.201(c). The designation permits RDOF support to be applied to the construction of fiber facilities capable of delivering voice service and broadband Internet access service at speeds of at least 1 Gbps downstream and 500 Mbps upstream to 475 locations in the Assigned Census Blocks, and preserves the continuity of the RDOF deployment, performance, and reporting obligations associated with those locations.

The Commission finds the Staff's recommendation reasonable and hereby adopts the Staff's recommendation for the reasons stated therein, subject to the conditions set forth below.

* * * * *

WHEREFORE, it is

ORDERED, that Planters is hereby designated an ETC in order to receive Rural Digital Opportunity Fund support for voice and broadband services in the census blocks shown in Attachment A to this Order.

ORDERED FURTHER, that Planters' ETC designation is conditioned upon FCC approval of Planters' and Windstream's Section 214 Application and shall become effective upon consummation of the assignment of the Assigned Census Blocks from Windstream to Planters.

ORDERED FURTHER, that Planters shall notify the Commission in writing within ten (10) days after consummation of the assignment approved in the Section 214 Application, and shall likewise notify the Commission in writing if the Section 214 Application is denied, dismissed, or withdrawn, or if the Agreement is terminated, in which event the designation granted by this Order shall be void and of no effect.

ORDERED FURTHER, that the designation granted by this Order is limited to the Assigned Census Blocks identified in Attachment A.

ORDERED FURTHER, that a motion for reconsideration, rehearing, oral argument, or any other motion shall not stay the effective date of this Order, unless otherwise ordered by the Commission.

ORDERED FURTHER, that jurisdiction over this matter is expressly retained for the purpose of entering such further Order(s) as this Commission may deem just and proper.

The above by action of the Commission in Administrative Session on the 20th day of October 2026.

Sallie Tanner
Executive Secretary

10-28-26
DATE

Jason Shaw
Chairman

10-28-26
DATE