In the Matter of

Federal-State Joint Board on Universal Service

Petition of Smith Bagley, Inc., to redefine Local Exchange Carrier Service Area Definitions of Navajo Communications Company, Citizens Communications Company of the White Mountains and Century Tel of the Southwest, Inc. Within the State of Arizona as Set Forth in Part 36 of the Commission's Rules

To:  Chief, Common Carrier Bureau

**Amendment to Petition to Redefine Local Exchange Carrier Service Areas**

Smith Bagley, Inc. ("SBI"), by counsel and pursuant to Section 54.207(c)(1) of the Commission's Rules, 47 C.F.R. §54.207(c)(1), hereby submits this Amendment to its Petition to Redefine Local Exchange Carrier Service Areas filed February 2, 2001 ("Petition"), to include that portion of the Sanders exchange of the Table Top Telephone Company ("Table Top") located on Native American lands.

In its Petition, SBI requested that the service areas of the local exchange carriers within its area of ETC designation, with the exception of Table Top, be redefined to be consistent with

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1 See, Public Notice, D.A. No. 01-409 (released February 15, 2001).
the Arizona Corporation Commission's ("ACC") Order granting SBI ETC status. In response to a last minute request by Table Top, SBI agreed to carve Table Top out of the Order so as to address Table Top's desire to enter into an agreement for terminating SBI's traffic within Table Top's service area. SBI and Table Top recently finalized this agreement and on March 9, 2001 the ACC approved an Order designating Table Top's service area within the Navajo reservation as a part of SBI's ETC service area. A copy of the ACC's Order of March 9 is attached hereto as Exhibit A.

In its March 9 Order, the ACC proposed to redefine SBI's ETC boundary to include reservation lands located within Table Top's Sanders exchange stating:

It is therefore Ordered that the SBI ETC service area modification to include those reservation lands within Table Top's Sanders exchange be and hereby is granted.

Pursuant to the ACC's directive, SBI hereby amends its Petition and requests the FCC to agree with the ACC's amended definition of SBI's ETC service area. Specifically, SBI requests the FCC to include that portion of the Sanders exchange located on the Navajo Reservation, within SBI's ETC service area in Arizona and redefine such area as a separate service area for Table Top. In its Petition, SBI set forth good cause why the FCC should agree with the ACC's

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4 Id., at p.3.
proposed ETC service area definition. Those arguments apply with equal force to this Amendment and are incorporated by reference herein.

Pursuant to Section 54.207(c)(2) of the Commission's rules, SBI respectfully requests the agency to place this Amendment on Public Notice within 14 days of its submission. We understand that this Amendment will not affect the processing of SBI's previously filed Petition.

Respectfully submitted,

SMITH BAGLEY, INC.

By: [Signature]

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March 28, 2001
EXHIBIT A

ACC Order of March 9, 2001
BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

MAR 09 2001

DOCKET NO. T-02556A-99-0207
DECISION NO. 63421
ORDER

DOCKETED BY 0d

IN THE MATTER OF APPLICATION OF SMITH
BAGLEY, INC., FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER
UNDER 47 U.S.C. § 214(e)(2) AND A.A.C.
R14-2-1203

OPEN MEETING
March 6 and 7, 2001
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On December 15, 2000, the Commission, in Decision No. 63269, granted designation
as an Eligible Telecommunications Carrier ("ETC") to Smith Bagley, Inc. ("SBI") and defined its
service area to be that portion of its existing cellular service contour which encompasses that portion
of the Navajo Indian Reservation located in Navajo and Apache Counties, that portion of the Hopi
Indian Reservation located in Navajo County, on the Pueblo of Zuni Reservation located in Apache
County and that portion of the White Mountain Apache Reservation located in Navajo, Apache and
Gila Counties, with the exception of the Sanders exchange of Table Top Telephone Company ("Table
Top").

2. As an ETC, SBI will be eligible to receive Federal universal service support throughout
the service area for which the designation is received.

3. Per Decision No. 63269, the Sanders exchange was to be subject to an expedited hearing
or comment process as agreed to by the parties to determine whether the Sanders exchange should be
included in SBI's ETC service area.

4. On February 20, 2001, Table Top filed a letter stating that contingent upon SBI's signing
of a letter agreement, and the negotiation of the interconnection agreement described in the letter...
agreement. Table Top has no objection to including those reservation lands located within the Sanders
Exchange in SBI's ETC designated serving area.

5. On February 23, 2001, the parties filed a signed copy of the letter agreement and the
parties support placing this matter before the Commission.

6. Accordingly, Staff recommends that the ETC service area definition for SBI be modified
to now include those reservation lands located within the Sanders exchange and be defined to be that
portion of its existing cellular service contour which encompass that portion of the Navajo Indian
Reservation located in Navajo and Apache Counties, that portion of the Hopi Indian Reservation
located in Navajo County, on the Pueblo of Zuni Reservation located in Apache County and that
portion of the White Mountain Apache Reservation located in Navajo, Apache and Gila Counties.

CONCLUSIONS OF LAW

1. SBI is a telecommunications corporation as defined in A.R.S. § 40-201, 47 U.S.C.
   Section 153(44), 47 C.F.R. Section 51.5 and Part 54 of the FCC's Rules, 47 U.S.C. Section 54 et seq.
   SBI is also a Commercial Mobile Radio Service provider as defined in 47 U.S.C. § 153(27) and
   A.A.C. R14-2-1201.

2. The Commission has jurisdiction over the subject matter in this application.

3. It is in the public interest to grant ETC status to Smith Bagley for those areas within its
   existing service contour, which encompass Native American Reservation lands, including those
   Reservation lands located within the Sanders Exchange.

4. Staff's recommendations, which are set forth herein, are reasonable and should be
   adopted.
ORDER

IT IS THEREFORE ORDERED that the SBI ETC service area modification to include those reservations lands located within Table Top's Sanders exchange be and hereby is granted.

IT IS FURTHER ORDERED that this decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN

COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 9th day of March, 2001.

BRIAN C. McNEIL
Executive Secretary

DISSENT: ____________________________

DRS:RLB:jbc/MAS

Decision No. 63481
SERVICE LIST FOR: SMITH BAGLEY, INC

DOCKET NO: T-02556A-99-0207

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BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

CERTIFICATE OF SERVICE

I, Janelle Wood, hereby certify that I have, on this 28th day of March, 2001, sent via hand delivery, a copy of the foregoing AMENDMENT TO PETITION filed today to the following:

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