Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Federal-State Joint Board on Universal Service

Guam Cellular and Paging, Inc. d/b/a Saipancell

Petition for Designation as an Eligible Telecommunications Carrier on the island of Saipan in Commonwealth of the Northern Mariana Islands

To: Common Carrier Bureau

Second Amendment to Petition for Designation as an Eligible Telecommunications Carrier on the Island of Saipan

Guam Cellular and Paging, Inc. ("Saipancell"), by counsel, hereby amends its Petition for Designation as an Eligible Telecommunications Carrier ("ETC") on the island of Saipan. Specifically, Saipancell amends its application to include a copy of a letter from Norman T. Tenorio, Chairman of the Commonwealth Telecommunications Commission ("CTC"), which confirms that the CTC does not regulate commercial mobile radio ("CMRS") services and does not intend to exercise jurisdiction for purposes of designating CMRS carriers as ETCs in the Commonwealth of the Northern Mariana Islands.

Saipancell filed its Petition for Designation as an ETC with the FCC on February 19, 2002. As part of its original Petition, Saipancell included a letter from the Commonwealth Utilities Corporation which explained that it did not exercise jurisdiction over CMRS carriers such as Saipancell. Subsequently, Saipancell learned that the CTC is the appropriate authority to issue
statements regarding jurisdictional matters. Accordingly, on April 15, 2002, Saipancell amended its application to include a letter, signed by Juan N. Babauta, Governor of the Commonwealth of the Northern Mariana Islands, confirming that the CTC does not regulate CMRS carriers such as Saipancell. Staff of the FCC recently informed Saipancell that a more specific letter directly from the CTC would assist the Commission in processing this application. Therefore, by this second amendment, Saipancell amends its application to include a letter signed by Norman T. Tenorio, Chairman for the CTC, attached hereto as Exhibit A. This letter states that the CTC does not intend to exercise jurisdiction over CMRS carriers for purposes of ETC designation and that, “the Commission finds that §214(e)(6) of the Telecommunications Act, 47 U.S.C. 214(e)(6), is applicable to Guam Cellular and Paging, Inc.’s Petition for Designation as an ETC.”

The attached letter from the CTC constitutes an “affirmative statement” as required under Section 214(e)(6), that the FCC is the appropriate authority to consider Saipancell’s Petition for Designation as an ETC.

Therefore, Saipancell hereby amends its original application to include the recent statement from the CTC that it does not have jurisdiction over CMRS carriers.

Respectfully submitted,

Guam Cellular and Paging, Inc.

David A. LaFuria
Allison M. Jones
Its Attorneys

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May 8, 2002
EXHIBIT A
COMMONWEALTH TELECOMMUNICATIONS COMMISSION
Call Box 10007
Saipan, MP 96950

J. Michael Fitzgerald, Commissioner
Norman T. Tenorio, Chairman
Josephine Del Guasta, Commissioner

May 6, 2002

Mr. Jay Shedd
Guam Cellular and Paging, Inc.
Century Plaza
219 South Marine Drive
Suite 206
Tamuning, Guam 96911

Dear Mr. Shedd:

Re: Guam Cellular and Paging, Inc., Petition for Designation as an Eligible Telecommunications Carrier on the Island of Saipan
Docket No. 96-45, DA 02-510

This letter is provided in reference to the Petition for Designation as an Eligible Telecommunications Carrier on the Island of Saipan filed by Guam Cellular and Paging, Inc. in the above-referenced docket. By this letter we confirm that the Commonwealth Telecommunications Commission (CTC) does not intend to exercise jurisdiction for purposes of designating Commercial Mobile Radio Service Providers (CMRS) such as Guam Cellular and Paging, Inc. as Eligible Telecommunications Carriers (ETC) in the Commonwealth of the Northern Mariana Islands.

Historically, this Commission has not asserted jurisdiction over CMRS carriers, and the CTC does not intend to exercise jurisdiction over CMRS carriers for purposes of ETC designation. Accordingly, the Commission finds that §214 (c) (6) of the Telecommunications Act, 47 U.S.C. 214 (c) (6), is applicable to Guam Cellular and Paging, Inc.'s Petition for Designation as an ETC. It is, therefore, appropriate for Guam Cellular and Paging, Inc. to apply directly to the FCC for ETC designation.

Sincerely,

NORMAN T. TENORIO
Chairman
CERTIFICATE OF SERVICE

I, Janelle Wood, a secretary in the law office of Lukas, Nace, Gutierrez & Sachs, hereby certify that I have, on this 8th day of May, 2002, placed in the United States mail, first-class postage pre-paid, a copy of the foregoing Second Amendment to Petition for Designation as an Eligible Telecommunications Carrier on the Island and Saipan filed today to the following:

*Katherine Schroder
Chief, Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 5-A423
Washington, D.C. 20554

*Richard Smith
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 5-A660
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Commonwealth Telecommunications Commission
Caller Box 10007
Saipan, MP 96950

Micronesian Telephone Corporation
c/o Verizon Pacifica
P.O. Box 500306
Saipan, MP 96950-0306

Lawrence W. Katz
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[Signature]
Janelle T. Wood

* Via Hand Delivery