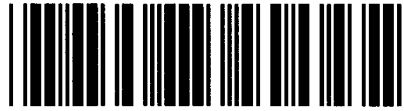




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2013 JUN 24 AM 9:32

June 21, 2013

Filing Clerk
Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, TX 78701

Re: Project No. 41505 – *Compliance Proceeding for Eligible Telecommunications Carriers to Submit Five-Year Plans Pursuant to P.U.C. Subst. R. 26.402*

Dear Filing Clerk:

GCEC Telecom (“GCEC”) with this letter hereby informs the Commission that it believes that it is not required to file a new five year plan with the Commission pursuant to P.U.C. SUBST. R. 26.402 because it is not required to file a new five year plan with the FCC at all and has not previously filed a five year plan with the FCC or the Commission.

GCEC is a competitive local exchange carrier (“CLEC”). GCEC was designated by the Commission as both an Eligible Telecommunications Provider (“ETP”) and an Eligible Telecommunications Carrier (“ETC”) on December 11, 2000, which enabled GCEC to qualify to receive federal and state Universal Service Fund (“USF”) high cost support.

In 2012, the Commission adopted 26.402 to comport with and coordinate with the FCC’s requirements that certain ETC’s submit a new five-year plan. The Commission, in its order adopting the amendments to rule 26.402, stated that the “commission confirms that these subparagraphs are applicable only to those carriers which are required by the FCC to file identical information with the FCC and rejects the Coalition’s recommendation that language be added to require a Texas ETP to also file a TUSF-specific five year plan or update. The commission declines to burden carriers who would not otherwise be doing so with preparation of five-year plans and annual updates.”

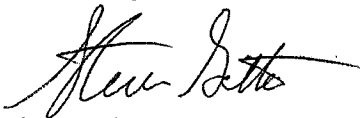
On March 5, 2013, the FCC clarified that competitive ETCs whose support is being phased down are not required to file new five year plans with the FCC. Moreover, the FCC noted that only competitive ETCs that had previously filed a five year plan must continue to file annual updates of the existing five year plan with the FCC.

As a result of the FCC's clarification concerning the five year plan and the Commission's intent in ordering the implementation of 26.402, GCEC believes that the five year plan filing requirements set forth in 26.402 (d) (1) and 26.402 (d) (2) are not applicable to GCEC because GCEC is a competitive ETC whose support is being phased down and the carrier has not previously filed a five year plan with the FCC or the Commission. Therefore, GCEC is neither required to file a new five year plan with the FCC nor any annual update to a previously filed five year plan.

To require GCEC to file a five year plan with the Commission would be contrary to the Commission's own intent in implementing 26.402 as it would cause a burden on GCEC to prepare a five year plan when it is not otherwise required by the FCC to do so. Thus, GCEC believes that the above analysis supports its belief that the filing requirements in 26.402 are not applicable to GCEC and the carrier does not intend to file a five year plan in Docket 41505.

Please feel free to contact me at 830.895.7226 if you have any questions about this letter or if Staff would like to discuss the applicability of the requirements set forth in 26.402 to GCEC.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Gatto", with a stylized flourish extending from the end of the name.

Steve Gatto

Authorized Representative for GCEC Telecom