

## EXECUTIVE ORDER NO. 215

*Designating the Palau National Communications Corporation  
as an Eligible Telecommunications Carrier  
for Purposes of Federal Universal Service Support*

**WHEREAS**, it is in the national interest of the Republic of Palau to promote the development of our telecommunications infrastructure and the deployment of modern and advanced telecommunications technologies as broadly as possible; and

**WHEREAS**, it is in the national interest of the Republic of Palau to make telecommunications services as widely available as possible to the people of Palau at just and reasonable rates; and

**WHEREAS**, the Compact of Free Association between the United States and the Republic of Palau provides that the U.S. Federal Communications Commission has jurisdiction pursuant to the U. S. Communications Act of 1934 (“Communications Act”), as amended, over telecommunications common carriers in Palau under specified circumstances; and

**WHEREAS**, the Palau National Communications Corporation, with the support of the Government of Palau, has filed a petition with the U.S. Federal Communications Commission seeking confirmation that it satisfies the criteria set forth in the Compact for the exercise of such jurisdiction, and for participation in the federal universal service program and the National Exchange Carriers Association (“NECA”); and

**WHEREAS**, Section 214(e) of the Communications Act and Part 54 of the Federal Communications Commission’s rules authorize the commission, board, or official with regulatory jurisdiction over communications carriers in each State and Territory to designate common carriers as “eligible telecommunications carriers” and to make related certifications regarding such carriers; and

**WHEREAS**, the Olbiil Era Kelulau passed RPPL No. 6-33 designating the President of the Republic of Palau as the “State commission” for the Republic of Palau for the purpose of discharging the responsibilities delegated to “state commissions” under 47 U.S.C. 153(41), 214(e) and other provisions of the U. S. Communications Act, including designating common carriers as “eligible telecommunications carriers” and making related certifications regarding such carriers, and further granted all regulatory jurisdiction with respect to intrastate operations of carriers in the Republic of Palau necessary for the President to carry out such duties.

**NOW THEREFORE**, by virtue of the authority vested in me as President of the Republic of Palau, pursuant to the Constitution and applicable laws of the Republic, it is hereby ordered as follows:

1. I hereby FIND that the Palau National Communications Corporation is a common carrier; that it offers the services that are supported by federal universal service support

mechanisms throughout its service area using its own facilities; and that it advertises the availability of such services and the charges therefor using media of general distribution. Accordingly, I hereby FIND that the Palau National Communications Corporation satisfies the criteria required for eligible telecommunications carriers under 47 U.S.C. § 214(e)(1).

2. I hereby FIND that the Palau National Communications Corporation offers each of the services and functionalities supported by federal universal service support mechanisms, including voice grade access to the public switched network; local usage; dual tone multi-frequency signaling or its functional equivalent; single party service or its functional equivalent; access to emergency services; access to operator services; access to interexchange service; and access to directory assistance. I also FIND that exceptional circumstances exist that justify granting the Palau National Communications Corporation an additional three years to complete the network upgrades needed to provide enhanced 911 service and toll limitation for qualifying low-income consumers. Accordingly, I hereby FIND that the Palau National Communications Corporation satisfies the criteria required for eligible telecommunications carriers under 47 C.F.R. § 54.101.

3. In light of the findings above, and consistent with the public interest, convenience, and necessity, I hereby DESIGNATE the Palau National Communications Corporation as an eligible telecommunications carrier, pursuant to 47 U.S.C. § 214(e)(2).

4. I hereby DESIGNATE the service area of the Palau National Communications Corporation, for federal universal service support purposes, as consisting of the inhabited islands of the Republic of Palau in which the Palau National Communications Corporation currently provides service. The states to which service is provided, which include all inhabited islands include the following:

- Aimeliik State
- Airai State
- Angaur State
- Hatohobei State
- Kayangel State
- Koror State
- Melekeok State
- Ngaraard State
- Ngarchelong State
- Ngardmau State
- Ngaremlengui State
- Ngatpang State
- Ngchesar State
- Ngiwal State
- Peleliu State
- Sonsorol State

5. I hereby CERTIFY that the Palau National Communications Corporation will use all of the federal universal service support revenues that it receives only for the provision,

maintenance, and upgrading of facilities and services for which the support is intended, consistent with 47 U.S.C. § 254(e) and 47 C.F.R. §§ 54.314(a) and 54.904(a).

***IN WITNESS WHEREOF***, I have hereunto set my hand and affixed my official seal this 13th day of May, 2003, at the State of Koror, Republic of Palau.

/s/

---

Tommy E. Remengesau, Jr.  
President of the Republic of Palau