

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: PETITION OF BLUE JAY WIRELESS, LLC. :  
FOR DESIGNATION AS AN ELIGIBLE : DOCKET NO. 4375  
TELECOMMUNICATIONS CARRIER IN THE :  
STATE OF RHODE ISLAND FOR THE :  
PURPOSE OF OFFERING LIFELINE SERVICE :  
TO QUALIFIED HOUSEHOLDS :

ORDER

WHEREAS, On December 5, 2012, Blue Jay Wireless, LLC, (“Blue Jay” or “Company”) filed with the Public Utilities Commission (“Commission”) a Petition for Designation as an Eligible Telecommunications Carrier (“ETC”) throughout its service area in the State of Rhode Island pursuant to 47 U.S.C. Section 214(e)<sup>1</sup> in order to provide discounted service to low income customers and receive certain subsidies from the Federal Universal Service Fund (“Petition”); and

WHEREAS, Under this pre-paid wireless telecommunications service, Blue Jay will offer handsets to lifeline participants free of charge (only one participant per household) with the option to upgrade to a smartphone and will offer four plans that include free minutes and texting, with the option to add a data plan, two for non-Tribal residents and two for Tribal residents<sup>2</sup>; and

WHEREAS, Because it is a pre-paid service, there is no concern that customers be protected from long-distance charges as there is with landline ETC service; and

WHEREAS, on December 28, 2013 and January 2, 2013, Blue Jay filed with the Commission the FCC’s approval of its Final Compliance Plan filed with the FCC pursuant to the Lifeline Reform Order; and

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<sup>1</sup> 47 U.S.C. 214(e) imposed statutory responsibility upon the Commission to certify telecommunications service providers as “eligible” to receive funds from the Federal Universal Service Fund.

<sup>2</sup> Blue Jay Petition at 7-9.

WHEREAS, On January 18, 2013, the Division of Public Utilities and Carriers (“Division”) filed a Memorandum with the Commission recommending approval of Blue Jay’s Petition on the basis that the Company had adequately met all of the Commission’s requirements in the ETC Rules; and

WHEREAS, On March 12, 2013 Blue Jay notified the Commission that it has been allowed ETC status in two other states; and

WHEREAS, On March 13, 2013, Blue Jay filed with the Commission a copy of its Rhode Island-specific Enrollment Form which includes the federal eligibility and state-specific eligibility requirements; and

WHEREAS, The Commission is of the opinion that Blue Jay’s petition for ETC designation is proper, complies with the federal and state requirements, and is in the best interest of ratepayers; and

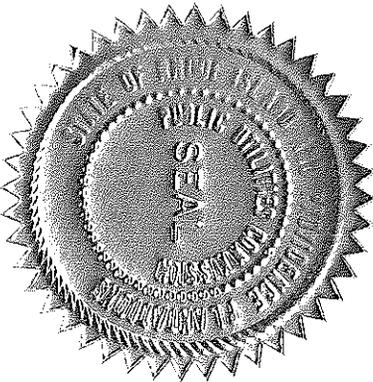
Accordingly, it is hereby

(20989) ORDERED:

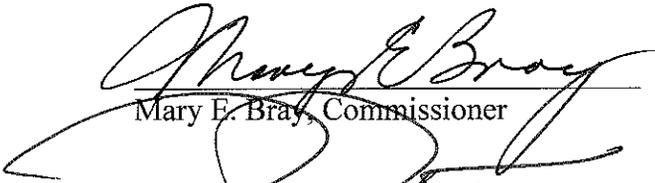
- 1) Blue Jay Wireless, LLC. is hereby designated as an Eligible Telecommunications Carrier throughout its service area for receiving universal service support.
- 2) To the extent 47 C.F.R. § 54.401 requires any additional information to be filed with the FCC or USAC, Blue Jay Wireless, LLC is hereby ordered to make such a filing.

EFFECTIVE AT WARWICK, RHODE ISLAND ON MARCH 14, 2013  
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON  
MARCH 18, 2013.

PUBLIC UTILITIES COMMISSION



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\*Elia Germani, Chairman

  
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Mary E. Bray, Commissioner

  
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Paul J. Roberti, Commissioner

\*Chairman Germani did not participate at Open Meeting.

**NOTICE OF RIGHT OF APPEAL** PURSUANT TO R.I.G.L. SECTION 39-5-1, ANY PERSON AGGRIEVED BY A DECISION OR ORDER OF THE COMMISSION MAY, WITHIN SEVEN DAYS (7) DAYS FROM THE DATE OF THE ORDER, PETITION THE SUPREME COURT FOR A WRIT OF CERTIORARI TO REVIEW THE LEGALITY AND REASONABLENESS OF THE DECISION OR ORDER.