

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: PETITION OF I-WIRELESS, LLC :
FOR DESIGNATION AS AN ELIGIBLE : DOCKET NO. 4427
TELECOMMUNICATIONS CARRIER IN THE :
STATE OF RHODE ISLAND FOR THE :
PURPOSE OF OFFERING LIFELINE SERVICE :
TO QUALIFIED HOUSEHOLDS :

ORDER

WHEREAS, On July 16, 2013, i-wireless, LLC (“i-wireless” or “Company”) filed with the Public Utilities Commission (“PUC”) 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)¹ 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, i-wireless will offer handsets to lifeline participants free of charge (only one participant per household) on a month-to-month basis without requiring a security deposit or credit check. The Company does not assess activation or connection of service charges²; and

WHEREAS, i-wireless will offer two Lifeline Plan choices including the 250 Anytime Minutes Plan, with a free handset and 250 anytime minutes, and the Retail Discount Plan, under which the customer may choose from any i-wireless monthly retail plan at a \$15 discount, giving the customer access to unlimited voice, text messaging, and 2.0 GB of data³; and

¹ 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.

² i-wireless Petition at 4, 6.

³ i-wireless Petition at 5.

WHEREAS, Because it is a pre-paid service, there is no concern that customers will not be protected from long-distance charges as there is with landline ETC service; and

WHEREAS, As part of its Petition, i-wireless filed with the PUC the Federal Communications PUC's ("FCC") approval of its Revised Compliance Plan filed with the FCC pursuant to the Lifeline Reform Order;⁴ and

WHEREAS, As part of its Petition, i-wireless represented that it has been allowed ETC status in thirty-two other states; and

WHEREAS, As part of its Petition, i-wireless filed with the PUC a copy of its Rhode Island-specific Enrollment Form which includes the federal eligibility and state-specific eligibility requirements along with its marketing materials and call center script; and

WHEREAS, On July 30, 2013, the PUC issued a Notice to Solicit Comments on i-wireless's Petition with an August 20, 2013 deadline for filing comments. No comments were received in response to the Notice; and

WHEREAS, On August 27, 2013, the Division of Public Utilities and Carriers filed a Memorandum with the PUC recommending approval of i-wireless's Petition on the basis that the Company had adequately met all of the PUC's requirements in the ETC Rules; and

⁴ i-wireless Petition at Exhibit 5. Section 214(e)(1)(A) of the Communications Act of 1934 as amended requires Eligible Telecommunications Carriers to offer universal service supported services, at least in part, over its own facilities. The FCC has determined that it can grant forbearance from this requirement. The FCC's Order states, "In approving the i-wireless Revised Compliance Plan, we find that it adequately implements the conditions of forbearance established in the i-wireless Forbearance Order. Accordingly, i-wireless is eligible to seek designation as a non-facilities based ETC for Lifeline-only support provided it fulfills the commitments in its Revised Compliance Plan in each state where it is designated to provide Lifeline service, and otherwise is in compliance with the [Communications Act of 1934 as amended] and [FCC] rules." *i-wireless Request to Approve Revised Compliance Plan*, CC Docket No. 96-45, WC Docket No. 09-197, Order 26 FCC Rcd at 14121, para 1 (2011)

WHEREAS, The PUC is of the opinion that i-wireless'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

(21148) ORDERED:

- 1) i-wireless, LLC is hereby designated as an Eligible Telecommunications Carrier throughout its service area to solely provide Lifeline to qualifying Rhode Island low-income households such that i-wireless, LLC may receive universal service support.
- 2) To the extent 47 C.F.R. § 54.401 requires any additional information to be filed with the FCC or Universal Service Administration Company, i-wireless Communications Corp. is hereby ordered to make such a filing.

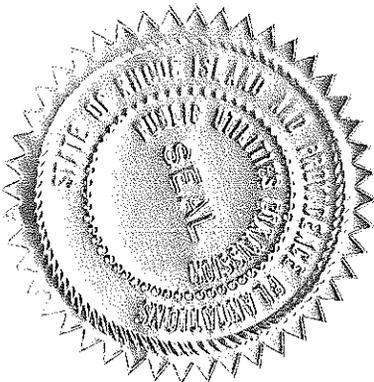
EFFECTIVE AT WARWICK, RHODE ISLAND ON AUGUST 29, 2013.
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
SEPTEMBER 17, 2013.

PUBLIC UTILITIES COMMISSION


Margaret E. Curran, Chairperson


Paul J. Roberti, Commissioner


Herbert F. DeSimone, Jr., Commissioner



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.