

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: PETITION OF AMERICAN BROADBAND :
AND TELECOMMUNICATIONS COMPANY :
FOR DESIGNATION AS AN ELIGIBLE :
TELECOMMUNICATIONS CARRIER IN THE : DOCKET NO. 4559
STATE OF RHODE ISLAND FOR THE :
PURPOSE OF OFFERING LIFELINE SERVICE :
TO QUALIFIED HOUSEHOLDS :

ORDER

WHEREAS, On April 8, 2015, American Broadband and Telecommunications Company (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. § 214(e)¹ in order to provide discounted service to low income customers and receive certain subsidies from the Federal Universal Service Fund; and

WHEREAS, Under this pre-paid wireless telecommunications service, the Company 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.²; and

WHEREAS, the Company will offer four Lifeline Plan choices with various mixes of voice and text messaging;³ and

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

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 American Broadband and Telecommunications Company Petition at 2-3, Exhibits B,C.

³ *Id.* at 8-9, Exhibit C.

WHEREAS, As part of its petition, the Company represented that it has been allowed ETC status in ten other states, with petitions pending in several others; and

WHEREAS, On April 16, 2015, the Company filed 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, The Company offered that it has several measures in place to protect against duplicate enrollments, waste and fraud;⁴ and

WHEREAS, On May 6, 2015, the PUC issued a Notice to Solicit Comments on the Company's petition with a May 18, 2015 deadline for filing comments; and

WHEREAS, On April 22, 2015, the Division of Public Utilities and Carriers filed a letter with the PUC recommending approval of the Company's Petition, subject to PUC approval of the Company's Class VI carrier application, on the basis that the Company had adequately met all of the PUC's requirements in its Rules and Regulations Governing the Certification and Verification Procedures for Telecommunications Carriers Eligible to Receive Payments from the Federal Universal Service Fund;⁵ and

WHEREAS, The Company's Class VI application was approved by the PUC on May 7, 2015;⁶ and

WHEREAS, The PUC is of the opinion that the Company's petition for ETC designation is proper, complies with the federal and state requirements, and is in the best interest of ratepayers.

⁴ *Id.* at 14-15.

⁵ Letter from Leo Wold, Assistant Attorney General to Luly Massaro, Clerk (Apr. 22, 2015).

⁶ On May 7, 2015, the PUC approved American Broadband and Telecommunications Company's Class VI carrier application. Open Meeting Minutes (May 7, 2015).

Accordingly, it is hereby

(21913) ORDERED:

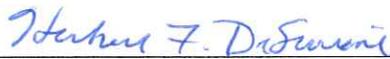
- 1) American Broadband and Telecommunications Company is hereby designated as an Eligible Telecommunications Carrier throughout its service area to solely provide lifeline service to qualifying Rhode Island low-income households such that American Broadband and Telecommunications Company may receive 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, American Broadband and Telecommunications Company is hereby ordered to make such a filing.
- 3) American Broadband and Telecommunications Company shall comply with all reporting requirements set forth in the PUC's Rules and Regulations Governing the Certification and Verification Procedures for Telecommunications Carriers Eligible to Receive Payments from the Federal Universal Service Fund.

EFFECTIVE AT WARWICK, RHODE ISLAND ON MAY 20, 2015
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
MAY 20, 2015.

PUBLIC UTILITIES COMMISSION


Margaret E. Curran, Chairperson

*Paul J. Roberti, Commissioner


Herbert F. DeSimone, Jr., Commissioner



*Commissioner Roberti did not participate in the open meeting decision.

NOTICE OF RIGHT OF APPEAL: Pursuant to R.I. Gen. Laws § 39-5-1, any person aggrieved by a decision or order of the PUC may, within seven days (7) 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.