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**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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**IN THE MATTER OF THE  
RESOLUTION OF CERTAIN ISSUES  
RELATED TO THE DESIGNATION OF  
A COMMON CARRIER AS AN  
ELIGIBLE TELECOMMUNICATIONS  
CARRIER**

Docket No. 10-2528-01

**DIVISION RESPONSE TO VIRGIN  
MOBILE USA, L.P. MOTION FOR  
EXTENSION OF TIME TO  
COMPLY WITH INTERIM  
COMPLIANCE PROCESSES**

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Pursuant to Utah Code Ann. § 54-4a-1 and Utah Admin. Code r746-100-4 the Division of Public Utilities (Division) submits this following Response to Virgin Mobile USA, L.P. Motion for Extension of Time to Comply with Interim Compliance Processes:

On April 12, 2010 Virgin Mobile USA, L.P. (Virgin Mobile) filed a petition for designation as and eligible telecommunications carrier (ETC) in Docket No. 10-2521-01. The Commission in its May 25, 2011 Report and Order stated on page 10 that “favorable action on this Petition is conditioned on Virgin Mobile’s compliance with the relevant laws, rules, and orders governing eligibility verification, as they presently exist and as amended following our examination of this subject in Docket no. 10-2528-01.” Similarly in the July 13, 2011 Order on Reconsideration the Commission re-affirmed that Virgin Mobile’s “ETC status is conditioned on compliance with the relevant laws, rules, and orders governing eligibility verification, as they

presently exist and as amended following our decision in Docket No. 10- 2528-01.”

Changes have been made to the certification and verification process in Docket No. 10-2528-01 as contemplated in the settlement stipulation. On August 26, 2013 the Commission issued a Notice of Action and Invitation to Comment in this docket primarily directed toward those ETCs participating in the Utah lifeline program. While not directly requiring action by the federal lifeline only ETCs such as Virgin Mobile, this Notice should have served as an indication of the type of information that would be required for eligibility verification. Moreover, the August 26 Notice, while not mandatory did make eligibility verification access available to all ETCs.

On December 20, 2013 the Commission issued a Notice of Interim Compliance Process to address the National Lifeline Accountability Database (NLAD), new applications, and annual eligibility certification compliance processes. This Notice required, among other things, the ETCs submit a full list of 2013 year-end customers with accompanying data by February 28, 2014.

Virgin Mobile has requested a waiver for 6 months to comply with this requirement. The December 20, 2013 Notice provided 70 calendar days to meet the February 28, 2014 deadline. One wireless ETC who was diligent in monitoring this docket was able to provide the data timely. Given that Virgin Mobile is aware of the December 20, 2013 Notice, the Division does not see a significant reason to grant such a long period to make the appropriate inquiries. The Division suggests a 70 day extension to provide an additional period of time to compile and submit the data.

Submitted this 12th day of March, 2014.

/s/ Justin C. Jetter  
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