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January 24, 2012

VIA OVERNIGHT DELIVERY

Utah Public Service Commission
160 East 300 South
Salt Lake City, UT 84114
Attn: Ms. Julie Orchard
Commission Administrator

Re: Q LINK WIRELESS LLC - Petition for Designation as an Eligible
Telecommunications Carrier in the State of Utah

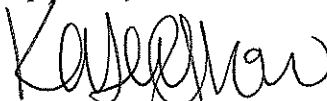
Dear Ms. Orchard:

Enclosed please find for filing an original and five (5) copies of Q LINK WIRELESS LLC's Petition for Designation as an Eligible Telecommunications Carrier in the State of Utah, including the Company's Direct Testimony as Exhibit 7 to the Petition. An electronic version has also been filed in Word format to Trixie Behr at tbehr@utah.gov on January 24, 2012.

APPLICANT HAS ALSO ENCLOSED ONE COPY OF FACILITIES SCHEMATIC IN A SEPARATE ENVELOPE MARKED "CONFIDENTIAL AND PROPRIETARY" AND RESPECTFULLY REQUESTS CONFIDENTIAL TREATMENT OF THE ENCLOSED FACILITIES INFORMATION. APPLICANT EXPECTS THAT THIS INFORMATION WILL BE RESTRICTED TO COUNSEL, AGENTS AND EMPLOYEES WHO ARE SPECIFICALLY ASSIGNED TO THIS APPLICATION BY THE COMMISSION.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me. Thank you for your attention to this matter.

Respectfully submitted,



Kasey Chow, Associate to Lance J.M. Steinhart
Attorney for Q LINK WIRELESS LLC

Enclosures

cc: Issa Asad
Trixie Behr via e-mail (tbehr@utah.gov)

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of Q LINK WIRELESS)
LLC)
)
for Designation as an Eligible Telecommunications)
Carrier in the State of Utah)
_____)

Docket No. _____

**PETITION OF Q LINK WIRELESS LLC
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER
IN THE STATE OF UTAH**

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January 24, 2012

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**PETITION OF Q LINK WIRELESS LLC
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER
IN THE STATE OF UTAH**

I. INTRODUCTION

Q LINK WIRELESS LLC (“Q LINK” or the “Company”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)¹, Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),² and the rules and regulations of the Public Service Commission of Utah (“Commission”), hereby submits this Petition for Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Utah. Q LINK seeks ETC designation solely to provide Lifeline and Link-Up service to qualifying Utah consumers; it will not seek access to funds from the federal or state Universal Service Fund (“USF”) for the purpose of providing service to high cost areas.³ As demonstrated herein, and as certified in Exhibit 1 to this Petition, Q LINK meets all the statutory and regulatory requirements for designation as an

¹ 47 U.S.C. § 214(e)(2)

² 47 C.F.R. §§ 54.101-54.207.

³ Given that Q LINK only seeks support from the low-income program and does not seek any high-cost support, ETC certification requirements for the high-cost program are not applicable to the Company. Q LINK has been designated as an ETC in Maryland and currently has applications for ETC designation pending with the Federal Communications Commission, Arizona, Arkansas, Colorado, Georgia, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, Pennsylvania, South Carolina, Texas, West Virginia, and Wisconsin; no such petitions have been denied.

ETC in the State of Utah. Rapid grant of Q LINK's request, moreover, would advance the public interest because it would enable the Company to commence much needed Lifeline and Link-Up services to low-income Utah residents as soon as possible. Accordingly, the Company respectfully requests that the Commission expeditiously approve this Petition for ETC designation.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Petition should be addressed to:

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II. BACKGROUND

A. Company Overview

Q LINK is a Delaware Limited Liability Company.⁴ Its principal office is located at 499 Sheridan Street, Suite 300, Dania, Florida 33004. Q LINK is a provider of commercial mobile radio service ("CMRS") throughout the United States and was acknowledged as a CMRS provider in the State of Utah on January 9, 2012. Q LINK provides prepaid wireless telecommunications services to consumers by using the Sprint Nextel ("Sprint") network on a wholesale basis to offer nationwide service, and obtains from Sprint the network infrastructure and wireless transmission facilities to allow the Company to operate as a Mobile Virtual Network Operator ("MVNO").

⁴ Q LINK was organized in the State of Delaware on August 25, 2011.

Q LINK's prepaid wireless services that are affordable and easy to use are attractive to low-income and lower-volume consumers, providing them with access to emergency services and a reliable means of communication that can be used both at home and while traveling to remain in touch with friends and family and for contacting prospective employers. Q LINK offers consumers simple and affordable prepaid calling plans, a variety of prepaid service plans, easy-to-use handsets and high-quality customer service. Given its pricing and marketing strategy and the demographics of other, similar MVNOs' customers, Q LINK anticipates that many of its customers will be from low-income backgrounds and will not previously have enjoyed access to wireless service because of economic constraints, poor credit history, or sporadic employment. Q LINK does not conduct credit checks or require customers to enter into long-term service contracts as a prerequisite to obtaining wireless service.

By providing affordable wireless plans and quality customer service to consumers who are otherwise unable to afford them, or were previously ignored by traditional carriers, Q LINK will expand the availability of wireless services to many more consumers, which is the principal reason that Congress created the universal service program.

B. Proposed Universal Service Offering

Q LINK has the ability to provide all services and functionalities supported by the universal service program, as detailed in Section 54.101(a) of the FCC's Rules (47 C.F.R. § 54.101(a)) throughout Utah. The Company will provide Lifeline and Link-Up services to qualifying customers requesting this service throughout Utah pursuant to the universal service program and in accordance with 47 C.F.R. § 54.202(a)(1). Q LINK intends to be a leader in the prepaid marketplace by offering consumers exceptional value and competitive amounts of voice usage at all price points.

i. **Lifeline Offering.** The Company's Lifeline service offering will provide customers with the same features and functionalities enjoyed by all other Q LINK prepaid customers, with one notable exception: prepaid Lifeline services will be free of charge. As Exhibit 2 demonstrates, the Company's Lifeline service will provide customers with one of the following three (3) Lifeline Plans:

- a. Plan 1: 68 Monthly Minutes. Under Plan 1, eligible customers enjoy 68 anytime minutes that rollover and free international long distance.⁵ Text messaging is at the rate of one-third of one minute (3 texts = 1 minute).
- b. Plan 2: 125 Monthly Minutes. Under Plan 2, eligible customers enjoy 125 anytime minutes that rollover. Text messaging is at the rate of one minute (1 text = 1 minute).
- c. Plan 3: 250 Monthly Minutes. Under Plan 3, eligible customers enjoy 250 anytime minutes. Minutes do not rollover. Text messaging is at the rate of one minute (1 text = 1 minute).

Customers have the capability of purchasing additional bundles of minutes in denominations as low as \$9.99, \$19.99, \$29.99, and \$59.99.⁶ Airtime replenishment cards will be made available at retail outlets frequented by low income customers throughout the Company's Service Area. In addition to free voice services, all of Q Link's Lifeline plans will include a free handset and the following Custom Calling features: Caller ID, Call Waiting, and Voicemail. Customers may use their minutes to place domestic long distance calls at no

⁵ If you are on Plan 1, there is no additional charge for international long distance to countries designated at www.qlinkwireless.com.

⁶ \$9.99 = 50 minutes, \$19.99 = 120 minutes, \$29.99 = 200 minutes, and \$59.99 = 450 minutes.

additional charge. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes. Calls to Q Link customer service are also free.

Customers can change their plan on their monthly plan date, without penalty, should they determine that another plan better meets their needs or if their needs change. Q Link does not impose burdensome credit checks, long-term service contracts, or roaming charges

ii. **Link-Up Offering.** Link-Up Assistance is in the form of a “reduction in the carrier’s customary charge for commencing telecommunications service for a single telecommunications connection” and “shall be half of the customary charge or \$30.00, whichever is less”.⁷ Consistent with FCC requirements, Q LINK will use Link-Up support to reduce the Company’s \$60.00 standard wireless activation charge by \$30.00. Qualifying subscribers may request a deferred payment schedule for the remaining installation charges, thus allowing subscribers to obtain service without being required to pay any fees to activate service with Q LINK. As such, there is no up-front connection charge applicable to Q LINK Lifeline and Link-Up customers.

Attached hereto as Exhibit 2 is a summary table of the Company’s proposed Lifeline and Link-up service offerings. As Exhibit 2 demonstrates, the Company’s Lifeline and Link-up offerings will not only allow feature-rich mobile connectivity for qualifying subscribers at no cost to the subscriber, but also will bring a variety of rate plans into the reach of eligible customers that are comparable in minutes and features to those available to post-paid wireless subscribers – but at low Lifeline rates and without a the burden of credit checks or service contracts. Q LINK’s prepaid offering will be an attractive alternative for consumers who need

⁷ 47 C.F.R. § 54.411(a)(1).

the mobility, security, and convenience of a wireless phone, but who are concerned about usage charges or long-term contracts.

C. Plan Enrollment

Customers interested in obtaining information on the Lifeline and Link-Up programs will be directed to a toll-free telephone number and to the Company's website, which will contain information regarding the Company's Lifeline and Link-Up service plans, including a detailed description of the programs and state-specific eligibility criteria. Customers may then request that an enrollment form be mailed to them, or they can download a form from the internet. Applicants must complete the enrollment form, which will include a place where applicants must attest and certify under penalty of perjury that they satisfy the requisite eligibility criteria. In addition, each applicant is required to certify under penalty of perjury, at the time of application and annually thereafter, that they are head of their household and receive Lifeline-supported service only from Q LINK. If not applying in person, the applicant must return the signed enrollment form and all supporting documentation to the address provided by Q LINK. Processing of consumers' applications, including review of all application forms and relevant documentation, will be performed under the Company's supervision by managers experienced in the administration of the Lifeline and Link-Up programs.

D. Prevention of Waste, Fraud and Abuse

Q LINK recognizes the importance of safeguarding the USF. Therefore, the Company has implemented the following 60-day non-usage policy in an effort to avoid waste, fraud, and abuse of the program. If no usage appears on a Q LINK Lifeline customer's account during any continuous 60-day period, the Company will promptly notify the customer that the customer is no longer eligible for Q LINK Lifeline service subject to a 30-day grace period. During the 30-day grace period, the customer's account will remain active, but Q LINK will engage in outreach

efforts to determine whether the customer desires to remain on the Company's Lifeline service. If the customer's account does not show any customer-specific activity during the grace period, Q LINK will promptly deactivate Lifeline services and cease to seek reimbursement from the USF for that customer. Customers that have been deactivated may participate in the Company's Lifeline service in the future by reapplying and re-establishing eligibility.

III. THE COMMISSION HAS JURISDICTION TO DESIGNATE WIRELESS ETCs

Section 214(e)(2) of the Act provides state public utility commissions with the "primary responsibility" for the designation of ETCs.⁸ Although Section 332(c)(3)(A) of the Act prohibits states from regulating the entry of or the rates charged by any provider of commercial mobile service or any private mobile service, this prohibition does not allow states to deny wireless carriers ETC status.⁹ Therefore, the Commission has the authority to designate Q LINK as an ETC. Pursuant to this authority, the Commission has historically participated in determining whether to grant ETC status to an applying carrier, including any requesting wireless carrier.¹⁰ Under the Act, a state public utility commission with jurisdictional authority over ETC designations must designate a common carrier as an ETC if the carrier satisfies the requirements of section 214(e)(1). Q LINK recognizes that Section 214(e)(1)(A) of the Act states that ETCs shall offer services, at least in part, over their own facilities and that Section 54.201(i) of the FCC's Rules (47 C.F.R. § 54.201(i)) prohibits state commissions from designating as an ETC a telecommunications carrier that offers services exclusively through the resale of another carrier's services. As discussed in Section IV.A below, Q LINK has the capability to provide some of the supported services using its own facilities, and will thus fulfill the requirement that it provide

⁸ 47 U.S.C. § 214(e)(2).

⁹ *USF Order*, at 8858-59, ¶ 145.

¹⁰ *See In the Matter of the Petition of WWC Holding Co., Inc., for Designation as an Eligible Telecommunications Carrier*, Report and Order, Docket No. 98-2216-01 (July 21, 2000).

service using a combination of its own facilities and resale of another carrier's services. Therefore, the Commission has the authority to act under Section 214(e)(2) of the Act and to grant Q LINK's request for designation as an ETC throughout the State of Utah.

A. The ETC Designation Request Is Consistent with Recent Commission Precedent

Q LINK's request for ETC designation to participate in the Lifeline and Link-Up programs is consistent with the Commission's recent designation of Virgin Mobile as an ETC.¹¹ In its decision, the Commission determined that Virgin Mobile satisfied all of the necessary eligibility requirements and that designation of a prepaid wireless provider as an ETC would serve the public interest. Q LINK requests that the Commission expeditiously process its ETC Petition so that it can quickly commence providing qualifying low-income Utah customers with affordable USF-supported wireless services during these challenging economic times for all state residents. Designation of Q LINK as an ETC would further competition for wireless Lifeline and Link-Up services and would offer eligible consumers an additional choice of providers for accessing telecommunications services, representing a significant step towards ensuring that all low-income consumers share in the many benefits associated with access to wireless services.

IV. Q LINK SATISFIES THE REQUIREMENTS FOR DESIGNATION AS AN ETC

Section 254(e) of the Act provides that "only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support." Section 214(e)(2) of the Act authorizes state commissions, such as the Commission, to designate ETC status for federal universal service purposes and authorizes the Commission to

¹¹ See *In the Matter of Virgin Mobile USA, L.P. Petition for Limited Designation as an Eligible Telecommunications Carrier*, Docket No. 10-2521-01, Report and Order (May 25, 2011).

designate wireless ETCs.¹² Section 214(e)(1) of the Act and Section 54.201(d) of the FCC's rules provide that applicants for ETC designation must be common carriers that will offer all of the services supported by universal service, either using their own facilities or a combination of their own facilities and the resale of another carrier's services. Applicants also must commit to advertise the availability and rates of such services.¹³ As detailed below, Q LINK satisfies each of the above-listed requirements.

A. Q LINK Will Provide Service Through Resale And Its Own Facilities

Q LINK, in its provision of wireless services, will rely on a combination of resold services which the Company will obtain from underlying wireless providers that currently operate their own networks, as well as Company-owned facilities, thus allowing Q LINK to meet the FCC's test that requires an ETC to provide services, at least in part, through a "combination of its own facilities and resale of another carrier's services".¹⁴ Q LINK's facilities¹⁵ provide the Company the ability to route interexchange services, operator services, directory assistance services, as well as minutes of use for local service provided at no additional charge to end users, which satisfies the FCC's definition for supported services.¹⁶

Currently, there is no state or federal definition or requirement as to the number of, or the amount of, the supported services that an ETC must offer via its "own facilities." Additionally,

¹² See *Federal-State Joint Board on Universal Service, First Report and Order*, 12 FCC Rcd 8776, 8858-59, ¶ 145 (1997) ("USF Order").

¹³ See 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d)(2).

¹⁴ See 47 U.S.C. § 214(e)(1)(A).

¹⁵ See Exhibit 3 for the Company's Facilities Schematic.

¹⁶ See *In the Matter of Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing an Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 01-92, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking, (rel. Nov. 18, 2011) ("USF/ICC Transformation Order"), para. 78; see also Revised Section 47 C.F.R. § 54.101(a) (redefining supported services).

Federal law does not require any particular level of facilities. The FCC stated in its Universal Service Order, 12 FCC Rcd 8853, FCC 97-157 (“USF Order”), at para. 169 that:

We adopt the Joint Board’s analysis and conclusion that a carrier need not offer universal service wholly over its own facilities in order to be designated as eligible because the statute allows an eligible carrier to offer the supported services through a combination of its own facilities and resale. Although the Joint Board did not reach this issue, we find that the statute does not dictate that a carrier use a specific level of its “own facilities” in providing the services designated for universal service support given that the statute provides only that a carrier may use a “combination of its own facilities and resale” and does not qualify the term “own facilities” with respect to the amount of facilities a carrier must use. For the same reasons, we find that the statute does not require a carrier to use its own facilities to provide each of the designated services but, instead, permits a carrier to use its own facilities to provide at least one of the supported services.

In affirming its own decisions, the FCC chose to continue to define the term “own facilities” as “any physical components of the telecommunications network that are used in the transmission of the services that are designated for support”¹⁷ (emphasis added). The Communications Act’s definition of “network element” matches that of the FCC and defines a “network element” as “a facility or equipment used in the provision of a telecommunications service. Such term also includes features, functions, and capabilities that are provided by means of such facility or equipment, including subscriber numbers, databases, signaling systems, and information sufficient for billing and collection or used in the transmission, routing, or other provision of a telecommunications service.”¹⁸ All facilities-based carriers have and use network elements.¹⁹

¹⁷ See 47 C.F.R. § 54.101; 47 C.F.R. § 54.201(e).

¹⁸ See 47 U.S.C. § 153(29).

¹⁹ Only ILEC network elements can be designated as “unbundled” under 47 U.S.C. § 251(c)(3) using the criteria in 47 U.S.C. § 251(d)(2), but all facility-based carriers, including nondominant wireline and wireless carriers also have “network elements.”

B. Q LINK Is a Common Carrier

CMRS providers like Q LINK are treated as common carriers for regulatory purposes.²⁰

C. Q LINK Will Provide All Required Services and Functionalities

Q LINK offers, or will offer upon designation as an ETC in Utah, all of the services and functionalities required by Section 54.101(a) and Section 54.202(a) of the FCC's Rules (47 C.F.R. § 54.101(a) and 47 C.F.R. § 54.202(a)) including the following:

1. Voice Grade Access to the Public Switched Network

Q LINK provides voice grade access to the public switched telephone network ("PSTN").

2. Minutes of Use for Local Service

As part of the voice grade access to the PSTN, an ETC must provide minutes of use for local service at no additional charge to end users. The FCC has determined that a carrier satisfies the local usage requirements when it offers customers rate plans containing varying amounts of local usage.²¹ The Company offers a variety of rate plans that provide its customers with minutes of use for local service at no additional charge.

3. Access to Emergency Services

Q LINK provides 911 and E911 access for all of its customers, to the extent the local government has implemented 911 or E911 systems. The Company also complies with the FCC's

²⁰ *Implementation of Sections 3(n) and 332 of the Communications Act, Regulatory Treatment of Mobile Services*, GN Docket No. 93-252, Second Report and Order, 9 FCC Rcd 1411, 1425 ¶ 37, 1454-55 ¶ 102 (1994) (wireless resellers are included in the statutory "mobile services" category, and providers of cellular service are common carriers and CMRS providers); 47 U.S.C. § 332(c)(1)(A) ("mobile services" providers are common carriers); *see also PCIA Petition for Forbearance for Broadband PCS*, WT Docket No. 98-100, Memorandum Opinion and Order and Notice of Proposed Rulemaking, 13 FCC Rcd 16857, 16911 ¶ 111 (1998) ("We concluded [in the *Second Report and Order*] that CMRS also includes the following common carrier services: cellular service, ... all mobile telephone services and resellers of such services.")

²¹ *See e.g., Farmers Cellular, Inc.*, CC Docket No. 96-45, Memorandum Opinion and Order, 18 FCC Rcd 3848, 3852 ¶ 9 (2003); *Pine Belt Cellular, Inc. and Pine Belt PCS, Inc.*, CC Docket No. 96-45, Memorandum Opinion and Order, 17 FCC Rcd 9589, 9593 ¶ 10 (2002); *Western Wireless Corp., Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, CC Docket No. 96-45, Memorandum Opinion and Order, 16 FCC Rcd 48, 52 ¶ 10 (2000).

regulations governing the deployment and availability of E911 compatible handsets.

4. Toll Limitation for Qualified Low-Income Customers

Toll limitation allows customers to block the completion of outgoing long distance calls to prevent them from incurring significant long distance charges and risking disconnection. As described above, Q LINK provides its wireless service on a prepaid, or pay-as-you-go, basis. Q LINK's service, moreover, is not offered on a distance-sensitive basis and minutes are not charged separately for local or domestic long distance services. Customers also must specifically authorize access for international services, for which additional charges may apply. As the FCC found in its grant of ETC designation to Virgin Mobile, "the prepaid nature of [a prepaid wireless service provider's] service offering works as an effective toll control."²² The nature of Q LINK's service, therefore, mitigates any concerns that low-income customers will incur significant charges for long distance calls resulting in disconnection of their service.

5. Other Services

While no longer required, Q LINK provides dual tone multi-frequency ("DTMF") signaling to expedite the transmission of call set up and call detail information throughout the network, single party service to its customers for the duration of each telephone call and not multi-party (or "party-line") services, access to operator services, the ability to make interexchange, or long distance, telephone calls, and the ability to reach directory assistance services from customers' provided wireless handsets.

²² See *Federal-State Joint Board on Universal Service; In the Matter of Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Designation as an Eligible Telecommunications Carrier in the States of New York, North Carolina, Pennsylvania, Tennessee and Virginia*, Order, FCC 09-18 (rel. March 5, 2009) ("Virgin Mobile Order"), 24 FCC Rcd at 3394 ¶ 34.

D. Q LINK Will Advertise the Availability of Supported Services

Q LINK will broadly advertise the availability and rates for the services described above using media of general distribution as required by Section 54.201(d)(2) of the FCC's regulations.²³ The Company will advertise its services in a manner reasonably designed to reach those likely to qualify for Lifeline and Link-up services, using many mediums for outreach including internet, radio, television and local kiosks. The Company will engage in advertising campaigns specifically targeted to reach those likely to qualify for Lifeline and Link-Up services, promoting the availability of cost-effective wireless services to this neglected consumer segment. Q LINK will also promote the availability of its Lifeline and Link-up offerings by distributing brochures at various state and local social service agencies, and intends to partner with nonprofit assistance organizations in order to inform customers of the availability of its Lifeline and Link-Up services.

In addition, Q LINK will utilize its network of retail partners to help promote the availability of its Lifeline and Link-Up plans, especially those retail outlets that are frequented by low income consumers. Q LINK will provide retail vendors with signage to be displayed where Company products are sold, and with printed materials describing the Company's Lifeline and Link-Up programs.²⁴ Given the relationship that exists between Q LINK, low income consumers, and retail outlets that are often visited by low income consumers, the Company expects to be able to inform consumers of the availability of Lifeline and Link-Up service in a manner that will result in significantly higher participation by qualified consumers than has been the case in the past.

²³ See 47 C.F.R. § 54.201.

²⁴ See attached Exhibit 4 for sample advertisements.

Statistics suggest that there are many eligible customers who are not yet aware of the programs. According to the best data available to Applicant, as of December 31, 2010, fewer than 20% of consumers eligible for Lifeline and Linkup Services in the State of Utah were being provided such services.²⁵ Q LINK believes that its advertising and outreach efforts detailed above will result in increased participation in the Lifeline and Link-Up programs.

E. Q LINK Requests Designation Throughout Its Service Area in Utah

Q LINK is not a rural telephone company as defined in Section 153(37) of the Act (47 U.S.C. § 153(37)). Accordingly, the Company is required to describe the geographic area(s) within which it requests designation as an ETC. Q LINK requests designation as an ETC that is statewide in scope, subject to the existence of its underlying carrier's facilities and corresponding coverage.²⁶ Q LINK understands that its service area may overlap with rural carriers in Utah, but maintains that the public interest factors described below justify its designation in these carriers' service areas, especially because it seeks ETC designation solely to utilize USF funding to provide Lifeline and Link-Up service to qualified low-income consumers. It does not seek and will not accept high cost support.

F. Service Commitment Throughout the Proposed Designated Service Area

Q LINK provides service in Utah through a combination of its own facilities and by reselling service which it obtains from its underlying facilities-based provider. The provider's network is operational and largely built out. Thus, Q LINK will be able to commence offering its Lifeline and Link-Up service to all locations served by its underlying carrier very soon after

²⁵ See attached Exhibit 5, 2010 Lifeline Participation Rates by State, which was obtained from the Universal Service Administrative Company ("USAC"), an independent not-for-profit corporation designated as the administrator of the federal Universal Service Fund by the FCC. USAC administers Universal Service Fund (USF) programs for high cost companies serving rural areas, low-income consumers, rural health care providers, and schools and libraries. Also attached is an FCC News Release dated September 14, 2009.

²⁶ A list of wire centers in which the Company requests ETC designation is attached hereto as Exhibit 6.

receiving approval from the Commission. Therefore, the Company will be able to provide Lifeline and Link-Up service to all qualified customers on a timely basis or within a reasonable period of time in accordance with 47 C.F.R. § 54.202(a)(1). Q LINK further commits to provide service throughout its proposed ETC-designated service area to all customers making a reasonable request for service, as required in 47 C.F.R. § 54.202(a)(1)(i).

G. Five-Year Network Improvement Plan

Under FCC guidelines, an ETC applicant must submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network on a wire center-by-wire center basis throughout its proposed designated service area. This guideline has no application where an applicant's requested ETC serving territory would qualify it to receive no "high cost" USF support, but only "low income" USF support. Because Q LINK seeks ETC designation solely for purposes of reimbursement for provision of subsidized Lifeline and Link-Up services to eligible customers, submission of a Five-Year Network Improvement Plan is not required. Since Lifeline support is designed to reduce the monthly cost of telecommunications services for eligible consumers, is distributed on a per-household basis and is directly reflected in the price that the eligible customer pays, it is assured that all support received by the carrier is used to provide Lifeline services to consumers, thus promoting Lifeline and the availability of telephone service to low income users, which is clearly in the public interest.

H. Ability to Remain Functional in Emergency Situations

In accordance with 47 CFR §54.202(a)(2), Q LINK has the ability to remain functional in emergency situations. Through its agreement with its underlying carrier, Q LINK provides to its customers the same ability to remain functional in emergency situations as currently provided by the ILECs to their own customers, including access to a reasonable amount of back-up power rerouting of traffic around damaged facilities, and the capability of managing traffic spikes

resulting from emergency situations. Q LINK does not own or operate any cell sites or microwave hubs, and facilities owned by the Company are collocated on a Tier 1 carrier's switching center, which is capable of remaining fully functional with both generator and battery back-up.

I. Commitment to Consumer Protection and Service Quality

Under FCC guidelines, an ETC applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards.²⁷ The Company commits to satisfying all such applicable state and federal requirements related to consumer protection and service quality standards. Specifically, Q LINK commits to comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service.

J. Local Usage Requirement

An applicant for ETC designation must demonstrate that it offers a local usage plan that is "comparable" to the plan offered by the ILEC in the relevant service territory.²⁸ In analyzing whether an ETC applicant's plan is comparable to the underlying ILEC's, the FCC reviews all aspects of the plan on a case-by-case basis, including the nature of the supported service, the size of the local calling area, the inclusion of additional services (e.g., caller I.D., etc.) and the amount of local usage.²⁹

Not only will the Company's offering be comparable to the underlying ILEC plans, but it also will exceed them in several respects. Q LINK will offer customers a certain amount of service free of charge. In contrast to the ILEC plans, which contain relatively small local calling areas, Q LINK customers can use these free minutes to place calls statewide, nationwide, or even

²⁷ See 47 C.F.R. § 54.202(a)(3).

²⁸ 47 C.F.R. § 54.202(a)(4).

²⁹ See *Federal-State Joint Board on Universal Service*, Report and Order, 20 FCC Rcd 6371, 6385 (2005).

internationally,³⁰ because Q LINK does not constrict customers' use by imposing a local calling area requirement. Q LINK will also provide Lifeline customers with E911 capabilities and access to voice mail, caller I.D., and call waiting services at no cost. The very nature of the wireless phone, i.e. mobility, has a tremendous benefit to many consumers, a benefit to which a monetary value cannot be easily assigned.

K. Equal Access Requirement

The FCC's Rules also require an applicant for ETC status to provide a certification that it acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area (47 C.F.R § 54.202(a)). Q LINK acknowledges that it may be required to provide equal access to long distance carriers within its designated service area, and will abide by such a requirement

L. Q LINK Will Comply with Certification and Verification Requirements

Section 54.416 of the FCC's Rules requires ETCs to certify a consumer's qualification for Link-Up, and Section 54.410 of the FCC's Rules requires ETCs to certify and verify a Lifeline customer's initial and continued eligibility. Q LINK will certify and verify consumer eligibility in accordance with the FCC's requirements and with applicable Commission rules, and will comply with the outcome of Commission Docket No. 10-2528-01.

M. Q LINK Will Comply With All Regulations Imposed By The Commission

By this Petition, Q LINK hereby asserts its willingness and ability to comply with all the rules and regulations that the Commission may lawfully impose upon the Company's provision of service contemplated by this Petition. Q LINK commits to pay into funds that receive monies from telecommunications surcharges, such as the Utah USF, 911 Emergency Services Fund, and

³⁰ International calling included in Plan 1; charges apply for adding international calling on other plans.

Poison Control Fund. Upon Commission request, the Company is prepared to answer questions or present additional testimony or other evidence about its services within the state.

V. DESIGNATION OF Q LINK AS AN ETC WOULD PROMOTE THE PUBLIC INTEREST

One of the principal goals of the Act, as amended by the Telecommunications Act of 1996, is “to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies” to all citizens, regardless of geographic location or income.³¹ There is no question that designation of Q LINK as an ETC in Utah will further the public interest by providing Utah consumers, especially low-income consumers, with lower prices and higher quality services. Many low-income customers in Utah have yet to reap the full benefits of the intensely competitive wireless market. Whether because of financial constraints, poor credit history or intermittent employment, these consumers often lack the countless choices available to most consumers.

The instant request for ETC designation must be examined in light of the Act’s goal of providing low-income consumers with access to telecommunications services. The primary purpose of universal service is to ensure that consumers—particularly low-income consumers—receive affordable and comparable telecommunications services. Given this context, designating Q LINK as an ETC would significantly benefit low-income consumers eligible for Lifeline and Link-Up services in the State of Utah—the intended beneficiaries of universal service.

The public interest benefits of the Company’s wireless service include larger local calling areas (as compared to traditional wireline carriers), the convenience and security afforded by mobile telephone service, the opportunity for customers to control cost by receiving a preset amount of monthly airtime at no charge, the ability to purchase additional usage at flexible and

³¹ *Telecommunications Act of 1996*, Pub. L. No. 104-104, 110 Stat. 56.

affordable amounts in the event that included usage has been exhausted, 911 service and, where available, E911 service in accordance with current FCC requirements. The Company's Lifeline customers will receive the same high-quality wireless services and exceptional customer service provided to all Company customers. Q LINK's Lifeline rate plans will not only allow feature-rich mobile connectivity for qualifying subscribers at no cost to the subscriber, but also will bring a variety of rate plans into the reach of Lifeline customers that are comparable in minutes and features to those available to post-paid wireless subscribers – but at low Lifeline rates and without the burden of credit checks or contracts.

Q LINK's Lifeline and Link-Up programs will provide low-income Utah residents with the convenience and security offered by wireless services—even if their financial position deteriorates. The economic circumstances indicate that low-income individuals, now more than ever, can greatly benefit from the advantages offered by the Company's Lifeline and Link-Up service, thus allowing those adversely impacted by the failing economy or job loss to have access to a free wireless service to assist in emergency situations, facilitate job search efforts, and to maintain contact with family members.

It is also a commonly accepted fact that in today's market all consumers, including qualified Lifeline and Link-Up customers, view the portability and convenience of wireless service not as a luxury, but as a necessity. Mobile service allows children to reach their parents, wherever they may be, allows a person seeking employment the ability to be contacted by potential employers, and provides end users with the ability to contact emergency service providers, regardless of location. Providing Q LINK with the authority necessary to offer discounted Lifeline and Link-up services to those most in danger of losing wireless service altogether undoubtedly promotes the public interest.

Moreover, grant of Q LINK's Petition will serve the public interest in increasing the number of ETCs in Utah. By granting ETC status to Q LINK, the Commission will enable the Company to increase the number of Utah residents receiving Lifeline and Link-Up support, thereby increasing the amount of USF money flowing into Utah. In sum, ETC designation in the State of Utah would enable Q LINK to provide all of the public benefits cited by the FCC in its analysis in the *Virgin Mobile Order*. Namely, Q LINK would provide "increased consumer choice, high-quality service offerings, and mobility,"³² as well as the safety and security of effective 911 and E911 services.³³

A. The Benefits of Competitive Choice

The benefits to consumers of being able to choose from among a variety of telecommunications service providers have been acknowledged by the FCC for more than three decades.³⁴ Designation of Q LINK as an ETC will promote competition and innovation, and spur other carriers to target low-income consumers with service offerings tailored to their needs and to improve their existing networks to remain competitive, resulting in improved services to consumers. Designation of Q LINK as an ETC will help assure that quality services are available at "just, reasonable, and affordable rates" as envisioned in the Act.³⁵ Introducing Q LINK into the market as an additional wireless ETC provider will afford low income Utah residents a wider choice of providers and available services while creating a competitive marketplace as ETCs compete for a finite number of Lifeline-eligible customers. Increasing the competitive marketplace of providers has the potential to effectively increase the penetration rate and reduce the number of individuals not connected to the PSTN.

³² See *Virgin Mobile Order*, 24 FCC Rcd at 3395 ¶ 38.

³³ See *Id.* at 3391 ¶ 23.

³⁴ See, e.g., *Specialized Common Carrier Services*, 29 FCC Rcd 870 (1971).

³⁵ See 47 U.S.C. § 254(b)(1).

B. Impact on the Universal Service Fund

Q LINK's request for designation as an ETC solely for purposes of participating in the low-income programs of the USF would not unduly burden the USF or otherwise reduce the amount of funding available to other ETCs. According to the Joint-Board's most recent monitoring report, Lifeline funding totaled approximately \$974 million in 2009 while high-cost program expenditures amounted to approximately \$4.3 billion—more than four times the amount of Lifeline funding.³⁶ With Lifeline and Link-Up, ETCs only receive support for customers they obtain. The amount of support available to an eligible subscriber is exactly the same whether the support is given through a company such as Q LINK or the Incumbent LEC operating in the same service area. Q LINK will only increase the amount of USF Lifeline funding in situations where it obtains Lifeline customers not enrolled in another ETC's Lifeline program. Significantly, the Company's designation as an ETC will not increase the number of persons eligible for Lifeline support. Q LINK's ability to increase the Lifeline participation rate of qualified low-income individuals will further the goal of Congress to provide all individuals with affordable access to telecommunications service, and thus any incremental increases in Lifeline and Link-Up expenditures are far outweighed by the significant public interest benefits of expanding the availability of affordable wireless services to low-income consumers.

VI. ANTI-DRUG ABUSE CERTIFICATION

Q LINK certifies that no party to this Petition is subject to denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

³⁶ See *Universal Service Monitoring Report*, CC Docket 98-202, Tables 2.2 and 3.1 (2010).

VII. CONCLUSION

Based on the foregoing, designation of Q LINK as an ETC in the State of Utah accords with the requirements of Section 214(e)(2) of the Act and is in the public interest.

WHEREFORE, Q LINK respectfully requests that the Commission promptly designate Q LINK as an ETC in the State of Utah.

Respectfully submitted,



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(770) 232-9208 (Fax)
E-Mail: lsteinhart@telecomcounsel.com

Attorney for Q LINK WIRELESS LLC

January 24, 2012

EXHIBIT 1

**Certification of Issa Asad, Managing Member of QUADRANT HOLDINGS GROUP
LLC, Managing Member of Q LINK WIRELESS LLC**


State of Florida)

County of Broward)

Certification

Personally appeared before the undersigned, an officer duly authorized to administer oaths, Issa Asad, who first being duly sworn, deposes and states that he is the Managing Member of QUADRANT HOLDINGS GROUP LLC, Managing Member of Q LINK WIRELESS LLC of Q LINK WIRELESS LLC, Applicant in this Application, and has read the same and knows the contents thereof, and confirms that the statements made herein are true to the best of his knowledge and belief.

Dated: 1/17/12



Issa Asad

Managing Member of QUADRANT HOLDINGS GROUP LLC,
Managing Member of Q LINK WIRELESS LLC

Subscribed and sworn to before me this 17th day of JANUARY 2012.





(Signature of person authorized to administer oath)

My Commission Expires: November 7th, 2015

EXHIBIT 2

Proposed Lifeline and Link-Up Offering

Lifeline Service Rates

Plan 1: 68 Monthly Minutes Plan*

68 anytime minutes per month

(texts are one-third of one minute, i.e. 3 texts = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 68 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance
- Free International Long Distance to countries designated at www.qlinkwireless.com (listed below)

Plan 2: 125 Monthly Minutes Plan*

125 anytime minutes per month

(texts are one minute, i.e. 1 text = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 125 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance

Plan 3: 250 Monthly Minutes Plan*

250 anytime minutes per month

(texts are one minute, i.e. 1 text = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 250 anytime minutes (unused minutes *do not* rollover)
- Free Domestic Long Distance

International Long Distance

Free International Calling Destinations on the 68 Monthly Minutes Plan

(Certain special or off-network locations may be excluded from the Free International Long Distance. Calls to cellular phones are not included unless the word "Cellular" is specifically listed next to the country name. Numbers in parentheses () indicate the Country Code.)

Albania-Tirana (355)	France (33)	Mexico (52)
Andorra (376)	French Antilles (594)	Monaco (377)
Argentina (54)	French Guiana-Cellular (594)	Netherlands (31)
Australia (61)	French Guiana (594)	New Zealand (64)
Austria (43)	Georgia (995)	Norway (47)
Bahamas-Cellular (1)	Germany (49)	Panama (507)
Bahamas (1)	Gibraltar (350)	Paraguay (595)
Bangladesh-Cellular (880)	Greece (30)	Peru (51)
Bangladesh-Chittagong (880)	Guadeloupe (590)	Poland (48)
Bangladesh-Dhaka (880)	Guatemala-Telgua (502)	Portugal (351)
Bangladesh-Sylhet (880)	Hong Kong-Cellular (852)	Romania (40)
Belgium (32)	Hong Kong (852)	Russia-Cellular (7)
Bermuda-Cellular (1)	Hungary (36)	Russia (7)
Bermuda (1)	Iceland (354)	San Marino-Cellular (378)
Bolivia-La Paz (591)	India-Cellular (91)	San Marino (378)
Bolivia-Santa Cruz (591)	India (91)	Saudi Arabia-Riyadh (966)
Brazil (55)	Indonesia-Cellular (62)	Singapore-Cellular (65)
Brunei-Cellular (673)	Indonesia-Jakarta (62)	Singapore (65)
Brunei (673)	Indonesia-Surabaya (62)	Slovakia (421)
Bulgaria (359)	Iraq-Baghdad (964)	Slovenia (386)
Canada-Cellular (1)	Ireland (353)	South Korea-Cellular (82)
Canada (1)	Israel (972)	South Korea (82)
Chile (56)	Italy (39)	Spain (34)
China-Cellular (86)	Japan (81)	Sweden (46)
China (86)	Jordan (962)	Switzerland (41)
Columbia-Cellular (57)	Kazakhstan (7)	Taiwan-Cellular (886)
Columbia (57)	Kenya-Nairobi (254)	Taiwan (866)
Costa Rica (506)	Lithuania (370)	Thailand (66)
Croatia (585)	Luxembourg-Cellular (352)	Turkey (90)
Cyprus-Cellular (357)	Luxembourg (352)	United Kingdom (44)
Cyprus (357)	Macao-Cellular (853)	Uzbekistan (7)
Czech Republic (420)	Macao (853)	Venezuela (58)
Denmark (45)	Malaysia-Cellular (60)	Vietnam-Ho Chi Minh City (84)
Dominican Republic (1)	Malaysia (60)	Zambia (260)
Estonia (372)	Malta (356)	
Finland (358)		

Link-Up Service Rates

Standard Activation Rate: \$60.00

Link-Up Discount: \$30.00

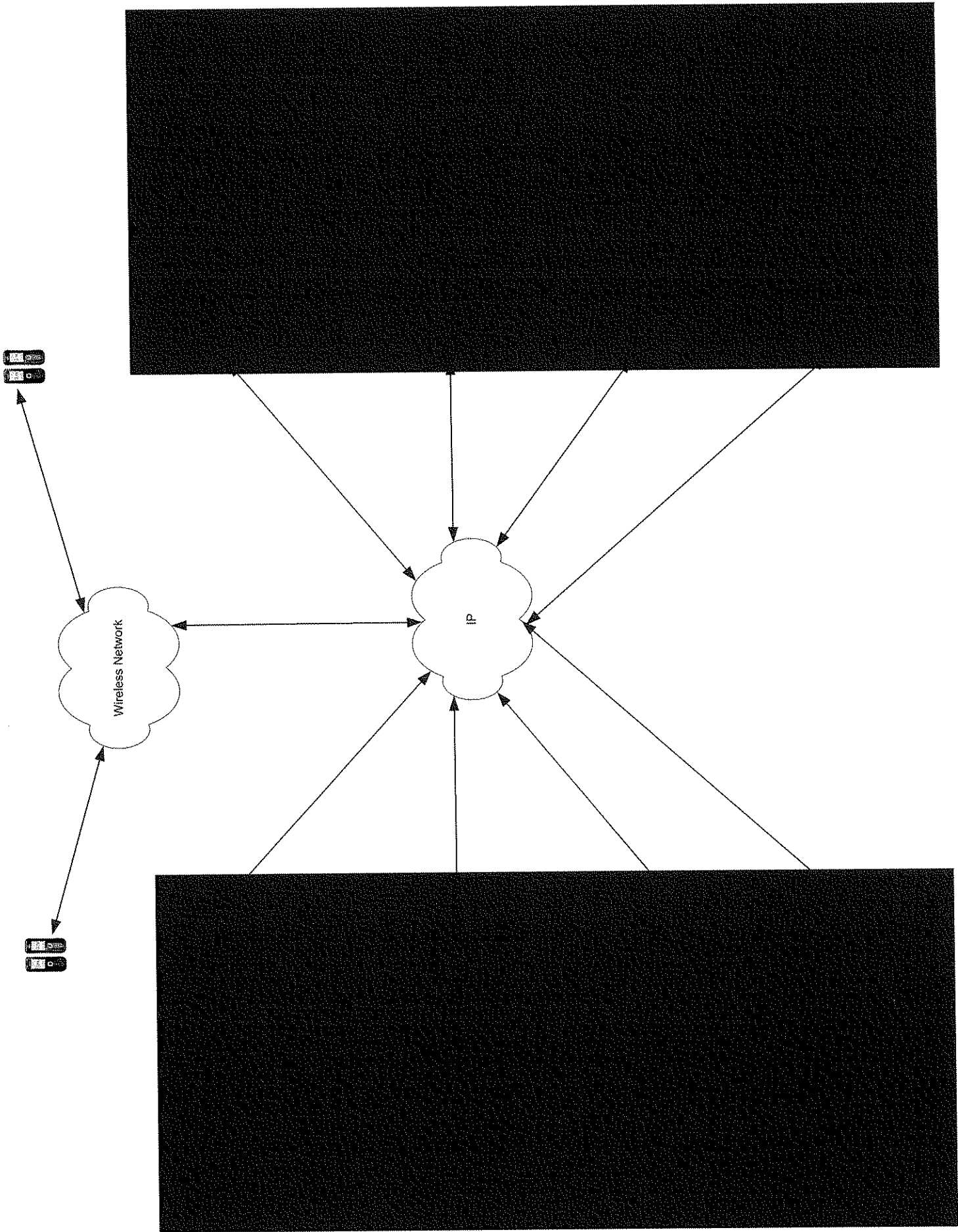
Net cost to Link-Up Customer: **\$30.00***

*Qualifying subscribers may request a deferred payment schedule for the remaining installation charges, thus allowing subscribers to obtain service without being required to pay any fees to activate service with Q LINK.

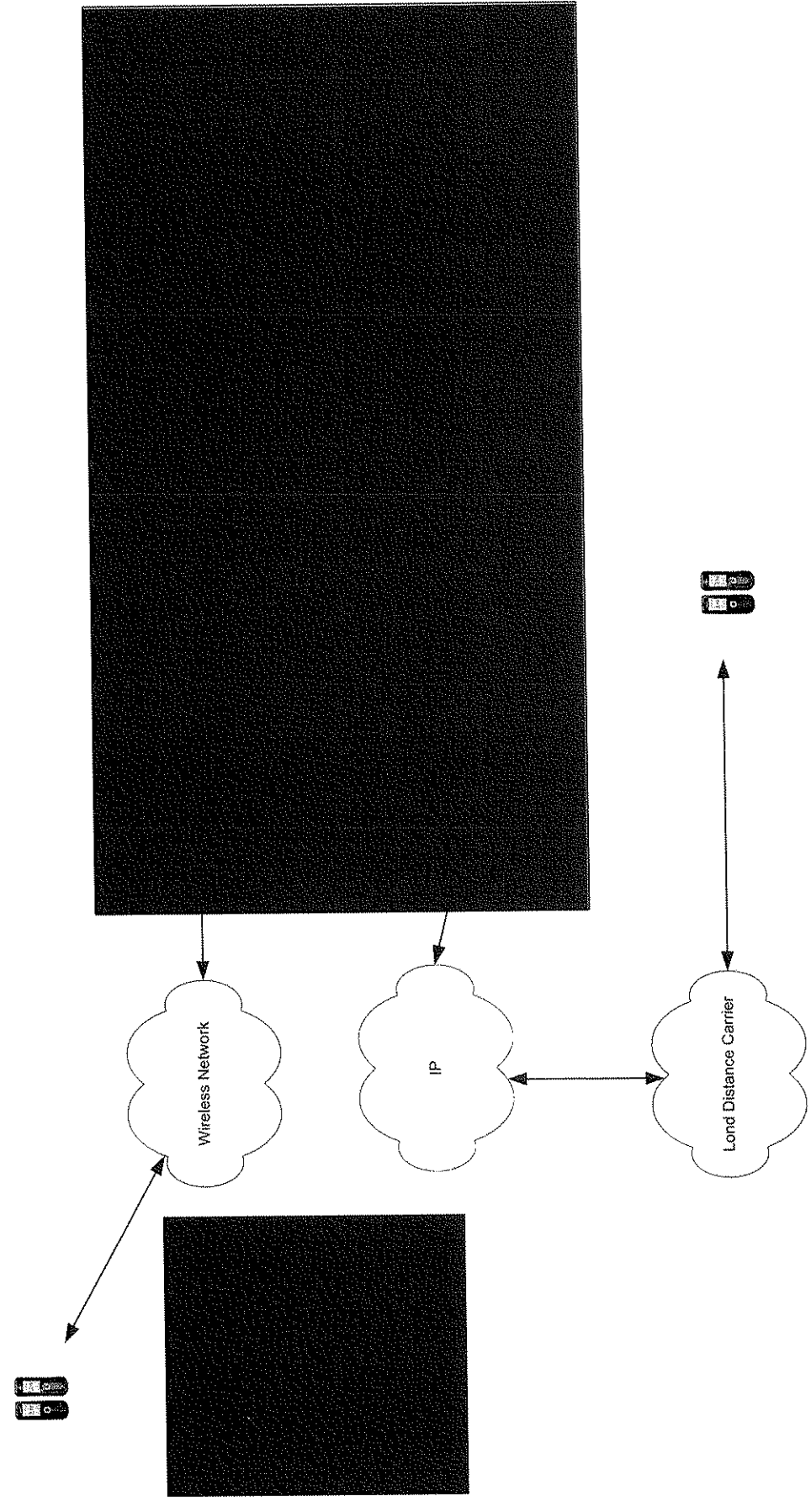
EXHIBIT 3

Confidential Facilities Schematic

CONFIDENTIAL AND PROPRIETARY



QLINK WIRELESS- Local footprint



QLINK WIRELESS- Nationwide footprint

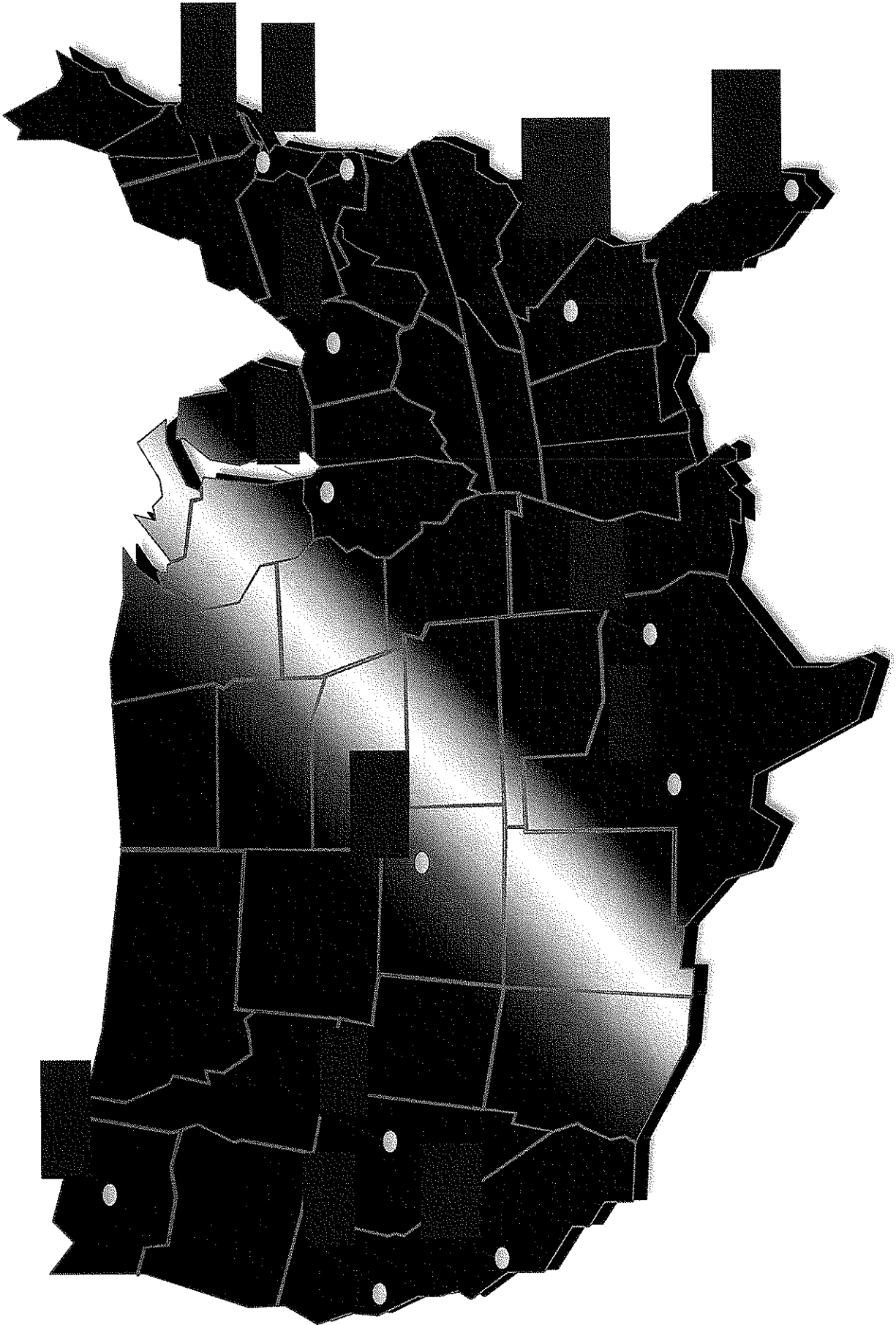


EXHIBIT 4

Sample Advertisements

Free Cell Phone GOVERNMENT PROGRAM

SEE IF YOU QUALIFY

QLink Wireless provides FREE cell phone service and FREE Monthly Minutes through a Government based program to qualifying families and individuals. Pay Nothing! No Contracts, No Credit Checks, No Fees.

Get Started Now!



GET YOUR FREE CELL PHONE NOW!

QLINK
WIRELESS

The FREE Cell Phone & Minutes Program!

250

**Free Minutes
Every Month!
Pay Nothing**

**for Local & Long
Distance Calls,
Texting and More!**



No Contracts



No Fees



QLINK
WIRELESS

The FREE Cell Phone & Minutes Program!

250

**Free Minutes
Every Month!
Pay Nothing**

**for Local & Long
Distance Calls,
Texting and More!**



Pay Nothing!

• No Contracts • No Credit Checks • No Fees

250

**Free Minutes
Every Month!
Pay Nothing**

**for Local & Long
Distance Calls,
Texting and More!**

**You may qualify if you participate in
programs like Food Stamps and Medicaid.
For additional eligibility programs
see reverse side application.**

**To get your phone faster visit
the website below**



QlinkWireless.com/FreeCellPhone

FREE CELL PHONE GOVERNMENT PROGRAM



GET YOUR FREE CELL PHONE NOW!

QLink Wireless provides FREE cell phone service and FREE Monthly Minutes through a Government based program to qualifying families and individuals. Pay Nothing! No Contracts, No Credit Checks, No Fees.

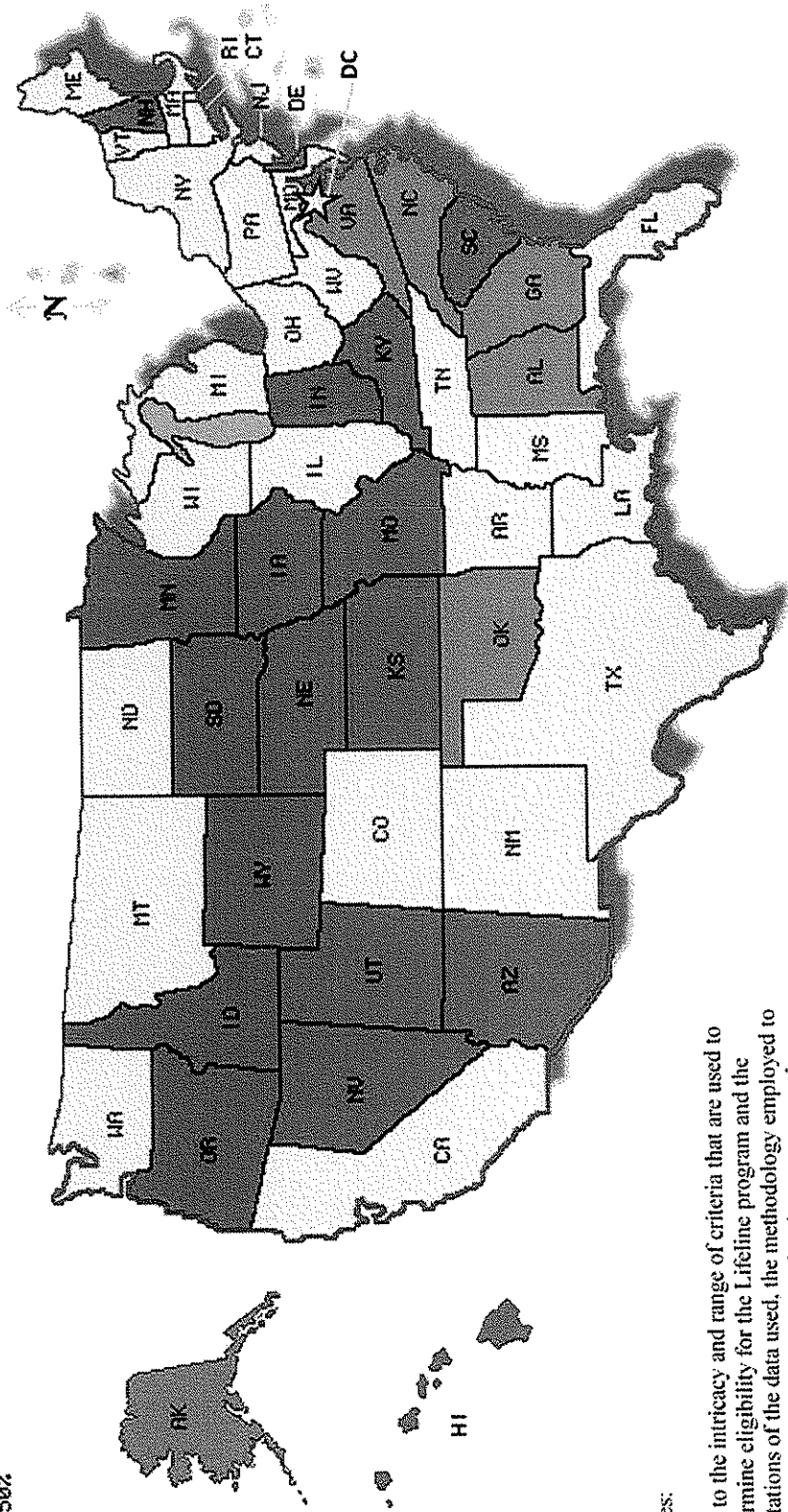
SEE IF YOU QUALIFY!

EXHIBIT 5

2010 Lifeline Participation Rates by State and FCC News Release

2010 Lifeline Participation Rates by State

- - Below 10%
- - 10% - 20%
- - 20% - 50%
- - Above 50%



Notes:

Due to the intricacy and range of criteria that are used to determine eligibility for the Lifeline program and the limitations of the data used, the methodology employed to create this map involves several estimates, assumptions, simplifications, and omissions. Therefore, the rates generated on this map should be treated as estimates only.



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE:
September 14, 2009

NEWS MEDIA CONTACT:
Rosemary Kimball (202) 418-0511
Email: rosemary.kimball@fcc.gov

FCC SUPPORTS "NATIONAL LIFELINE AND LINK UP TELEPHONE DISCOUNT AWARENESS WEEK" - SEPTEMBER 14 - 20, 2009

WASHINGTON, DC -- Today, the Federal Communications Commission (FCC) joined the effort to call attention to the "National Lifeline and Link Up Telephone Discount Awareness Week," which takes place September 14 - 20, 2009. Various state and local agencies throughout the country will be participating with outreach activities and events. The "Lifeline" and "Link Up" programs provide financial assistance to low-income consumers in connecting a residential phone line and paying their monthly bill. The programs have been active for years and are administered by the FCC and state public utility commissions, but at least half of eligible consumers nationwide do not take advantage of this assistance.

"Lifeline" involves discounts on monthly charges for a primary residential telephone line, including wireless service. "Link Up" involves a discount on the cost of initiating the primary telephone service for a residence, including the activation of a wireless phone that serves as the primary residential telephone. The discounts are available throughout the country, including an enhanced discount on Tribal lands. In general, consumers at or below 135% of the federal poverty guidelines, or who participate in one or more of a number of other assistance programs, are eligible for Lifeline and Link Up.

To help call attention to the availability of these programs, the FCC joins the National Association of Regulatory Utility Commissioners (NARUC) and the National Association of State Utility Consumer Advocates (NASUCA), and urges government agencies and non-profit organizations to help disseminate information on Lifeline and Link Up to their constituents. More information about the programs and how to apply is available at www.lifeline.gov or <http://www.usac.org/li/low-income/apply-for-support.aspx>.

-- FCC --

EXHIBIT 6

Wire Centers

CLLI	WIRE CENTERS	ILEC
KAMSUTXC	HEBER	ALL WEST - UT, INC.
CLVLUTMA	COALVILLE	ALL WEST COMMUNICATIONS, INC. - UTAH
RNDHUTXC	RANDOLPH	ALL WEST COMMUNICATIONS, INC. - UTAH
GRCYUTXC	GARDEN CITY	BEAR LAKE COMMUNICATIONS
CDCYUT08	CEDAR CITY	BEEHIVE TEL CO - UT
IBPHUTXC	IBAPAH	BEEHIVE TEL CO - UT
KOLBUTXC	KOLOB	BEEHIVE TEL CO - UT
VERNUTXC	VERNON	BEEHIVE TEL CO - UT
ECRCUTMA	PRICE	CARBON/EMERY TELECOM, INC. - UT
HLPRUTMA	PRICE	CARBON/EMERY TELECOM, INC. - UT
PRICUTMA	PRICE	CARBON/EMERY TELECOM, INC. - UT
WNDVUTMA	WENDOVER	CENTRAL TELCOM SVCS DBA CENTRACOM INTERA
FRVWUTXC	FAIRVIEW	CENTRAL UTAH TELEPHONE, INC.
BRCYUTXC	BEAR RIVER CITY	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
DELTUTXC	DELTA	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
FDNGUTXC	FIELDING	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
FLMRUTXC	FILLMORE	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
HLDNUTXC	HOLDEN	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
HOWLUTXC	HOWELL	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
KNSHUTXC	KANOSH	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
LASLUTXC	LA SAL	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
LYNDUTXC	LYNNDYL	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
MEDWUTXC	MEADOW	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
MOABUTXC	MOAB	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
OKCYUTXC	OAK CITY	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
PRTGUTXC	PORTAGE	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
SCIPUTXC	SCIPIO	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
SNVLUTXC	SNOWVILLE	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
THSNUTXC	THOMPSON	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
THTCUTXC	THATCHER	CITIZENS TELECOM-UTAH DBA FRONTIER COMM
EGMTUTAA	EAGLE MTN-CEDAR VALLEY	DIRECT COMMUNICATION CEDAR VALLEY, LLC
CSDLUTXC	CASTLEDALE	EMERY TELEPHONE DBA EMERY TELECOM
GNSNUTXC	GUNNISON	GUNNISON TELEPHONE CO.
SLKCUTMA	RICHFIELD	PAC - WEST TELECOMM, INC. - UT
ALTAUTMA	ALTA-SNOWBIRD	QWEST CORPORATION
AMFKUTMA	AMERICAN FORK	QWEST CORPORATION
BEVRUTMA	BEAVER	QWEST CORPORATION
BNTFUTMA	BOUNTIFUL	QWEST CORPORATION
NSLKUTMA	BOUNTIFUL	QWEST CORPORATION
BGCYUTMA	BRIGHAM CITY	QWEST CORPORATION
CRNNUTMA	BRIGHAM CITY	QWEST CORPORATION
CLFDUTMA	CLEARFIELD	QWEST CORPORATION
LYTNUTMA	CLEARFIELD	QWEST CORPORATION
ROY UTMA	CLEARFIELD	QWEST CORPORATION
CTWDUTMA	COTTONWOOD	QWEST CORPORATION

CLLI	WIRE CENTERS	ILEC
FRTNUTMA	FARMINGTON	QWEST CORPORATION
GTVLUTMA	GRANTSVILLE	QWEST CORPORATION
HBCYUTMA	HEBER	QWEST CORPORATION
HLDYUTMA	HOLLADAY	QWEST CORPORATION
HYRMUTMA	HYRUM	QWEST CORPORATION
KYVLUTMA	KAYSVILLE	QWEST CORPORATION
KRNSUTMA	KEARNS	QWEST CORPORATION
LEHIUTMA	LEHI	QWEST CORPORATION
LOGNUTMA	LOGAN	QWEST CORPORATION
MAGNUTNM	MAGNA	QWEST CORPORATION
DRPRUTMA	MIDVALE	QWEST CORPORATION
MDVAUTMA	MIDVALE	QWEST CORPORATION
WJRDUTMA	MIDVALE	QWEST CORPORATION
MONRUTMA	MONROE	QWEST CORPORATION
MTGNUTMA	MORGAN	QWEST CORPORATION
MRGNUTMA	MOUNTAIN GREEN	QWEST CORPORATION
MRRYUTMA	MURRAY	QWEST CORPORATION
NEPHUTMA	NEPHI	QWEST CORPORATION
HNVIUTMA	OGDEN MAIN	QWEST CORPORATION
OGDNUTSO	OGDEN MAIN	QWEST CORPORATION
OGDNUTMA	OGDEN NORTH	QWEST CORPORATION
OGDNUTNO	OGDEN NORTH	QWEST CORPORATION
OGDNUTWE	OGDEN SOUTH	QWEST CORPORATION
OREMUTMA	OREM	QWEST CORPORATION
PRCYUTMA	PARK CITY	QWEST CORPORATION
PRWNUTMA	PAROWAN	QWEST CORPORATION
PYSNUTMA	PAYSON	QWEST CORPORATION
PLGVUTMA	PLEASANT GROVE	QWEST CORPORATION
PROVUTMA	PROVO	QWEST CORPORATION
RCFDUTMA	RICHFIELD	QWEST CORPORATION
RCMDUTMA	RICHMOND	QWEST CORPORATION
RVTNUTMA	RIVERTON	QWEST CORPORATION
SALNUTMA	SALINA	QWEST CORPORATION
SLKCUTEA	SALT LAKE EAST	QWEST CORPORATION
SLKCUTWE	SALT LAKE MAIN	QWEST CORPORATION
SLKCUTSO	SALT LAKE SOUTH	QWEST CORPORATION
SNTQUTMA	SANTAQUIN	QWEST CORPORATION
SMFDUTMA	SMITHFIELD	QWEST CORPORATION
SALMUTMA	SPANISH FORK	QWEST CORPORATION
SPFKUTMA	SPANISH FORK	QWEST CORPORATION
SPVLUTMA	SPRINGVILLE	QWEST CORPORATION
HRCNUTMA	ST GEORGE	QWEST CORPORATION
LEDSUTMA	ST GEORGE	QWEST CORPORATION
SPDLUTMA	ST GEORGE	QWEST CORPORATION
STGRUTMA	ST GEORGE	QWEST CORPORATION
VEYOUTMA	ST GEORGE	QWEST CORPORATION

CLLI	WIRE CENTERS	ILEC
TOOLUTMA	TOOELE	QWEST CORPORATION
DGWYUTMA	DUGWAY	SKYLINE TELECOM
EURKUTXC	EUREKA	SKYLINE TELECOM
GSHNUTXC	GOSHEN	SKYLINE TELECOM
ANTMUTXC	ANTIMONY	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
APVYUTXC	APPLE VLLY	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
BRYLUTAA	BERYL	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
BRCNUTXC	BRYCE CANYON	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
CAVLUTXC	CANNONVL	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
ENTRUTXC	ENTERPRISE	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
ESCLUTXC	ESCALANTE	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
HATCUTXC	HATCH	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
KSHRUTAA	KOOSHAREM	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
MRVAUTXC	MARYSVALE	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
MLFRUTXC	MILFORD	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
MNVIUTXC	MINERSVILLE	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
PNGTUTXC	PANGUITCH	SOUTH CENTRAL UTAH TELEPHONE ASSOCIATION
ALMTUTXC	ALTAMONT	UBTA-UBET COMMUNICATINS, INC.
DCHSUTMA	DUCHESNE	UBTA-UBET COMMUNICATINS, INC.
FTBTUTXC	FLATTOP BUTTE	UBTA-UBET COMMUNICATINS, INC.
FRLDUTXC	FRUITLAND	UBTA-UBET COMMUNICATINS, INC.
LAPNUTXC	LA POINT	UBTA-UBET COMMUNICATINS, INC.
NEOLUTXC	NEOLA	UBTA-UBET COMMUNICATINS, INC.
RNDTUTXC	RANDLETT	UBTA-UBET COMMUNICATINS, INC.
RSVTUTMA	ROOSEVELT	UBTA-UBET COMMUNICATINS, INC.
TABNUTXC	TABIONA	UBTA-UBET COMMUNICATINS, INC.
DTJHUTXC	DUTCH JOHN	UNION TELEPHONE CO. - WY
GNDLUTXC	GREENDALE	UNION TELEPHONE CO. - WY
MANLUTXC	MANILA	UNION TELEPHONE CO. - WY

EXHIBIT 7

**Direct Testimony of Issa Asad, Managing Member of QUADRANT HOLDINGS GROUP
LLC, Managing Member of Q LINK WIRELESS LLC**


BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of Q LINK WIRELESS)
LLC)
)
for Designation as an Eligible Telecommunications)
Carrier in the State of Utah)
_____) Docket No. _____

**Q LINK WIRELESS LLC'S SUBMISSION OF
DIRECT TESTIMONY AND EXHIBITS**

Q LINK WIRELESS LLC, by counsel, files its Direct Testimony and Attachments with the Public Service Commission of Utah in the above-referenced docket. Q LINK's Direct Testimony and Attachments include the testimony of Issa Asad and Attachments 1-2, inclusive, identified therein.

Respectfully submitted this 24th day of January, 2012.



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Attorney for Q LINK WIRELESS LLC

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Petition of Q LINK WIRELESS
LLC
for Designation as an Eligible Telecommunications
Carrier in the State of Utah

)
)
)
)
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Docket No. _____

DIRECT TESTIMONY OF ISSA ASAD

1 **Q1: WHAT IS YOUR NAME AND OCCUPATION?**

2 **A:** My name is Issa Asad. I am the Managing Member of QUADRANT HOLDINGS
3 GROUP LLC, which is the entity Managing Member of Q LINK WIRELESS
4 LLC (hereinafter sometimes referred to as “Q LINK” or the “Company”). Prior to
5 my involvement with Q LINK, I led some of the nation’s premier
6 telecommunications providers in the United States, representing VoIP, wireless
7 and prepaid service providers, manufacturers and suppliers in the new world of
8 Internet-based and wireless communications and entertainment. I have over 15
9 years of telecommunications expertise.

10 **Q2: WHAT IS Q LINK WIRELESS LLC?**

11 **A:** Q LINK is a Delaware Limited Liability Company organized on August 25, 2011.
12 The Company’s principal office is located at 499 Sheridan Street, Suite 300,
13 Dania, Florida 33004. Q LINK is a provider of commercial mobile radio service
14 (“CMRS”) throughout the United States and provides prepaid wireless
15 telecommunications services by using the Sprint Nextel (“Sprint”) network.

1 **Q3: WHAT TYPES OF SERVICES DOES THE COMPANY PROVIDE?**

2 **A:** The Company provides prepaid wireless services. In addition to voice services, Q
3 LINK offers text and multimedia messaging. Q LINK's prepaid wireless services
4 are affordable, easy to use, and attractive to lower-income and lower-volume
5 consumers, providing them with access to emergency services and a reliable
6 means of communication that can be used both at home and while traveling to
7 remain in touch with friends and family and for contacting prospective employers.

8 **Q4: HOW ARE Q LINK'S WIRELESS SERVICES DIFFERENT FROM**
9 **OTHER CARRIERS' OFFERINGS?**

10 **A:** Unlike many carriers, Q LINK does not impose burdensome credit checks, long-
11 term service contracts, activation fees or roaming charges. Q LINK customers are
12 from lower-income backgrounds and will not previously have had access to high
13 quality wireless services because of financial constraints or poor credit history.
14 Also unlike many carriers, Q LINK does not charge for balance inquiries, calls to
15 911 emergency services or calls to Q LINK customer service. Q LINK customers
16 enjoy the benefit of unused minutes carrying over from one month to the next. Q
17 LINK will offer Lifeline customers a certain amount of service free of charge. Q
18 LINK customers can use their minutes to place calls nationwide because Q LINK
19 does not constrict customers' use by imposing a local calling area requirement. In
20 addition to free voice services, Q LINK will provide Lifeline customers with
21 access to a variety of other features at no additional cost, including voice mail,
22 caller I.D., call waiting, and 3-way calling.

23

1 **Q5: DOES Q LINK CURRENTLY PROVIDE TELECOMMUNICATIONS**
2 **SERVICE IN UTAH?**

3 **A:** No; however Q LINK was acknowledged as a CMRS provider in the State of Utah
4 on January 9, 2012. Through its agreement with its underlying carrier, Sprint, Q
5 LINK is able to offer services wherever Sprint offers services in Utah.

6 **Q6: WILL Q LINK CONTRIBUTE TO THE UTAH ENHANCED 911 FUND?**

7 **A:** Yes. Q LINK will remit E-911 fees in Utah.

8 **Q7: WILL Q LINK CONTRIBUTE TO THE FUNDING FOR UNIVERSAL**
9 **SERVICE?**

10 **A:** Yes. Q LINK will contribute to the funding of both the federal and state universal
11 service funds ("USF").

12 **Q8: WHAT IS THE NATURE OF Q LINK'S ETC DESIGNATION REQUEST?**

13 **A:** Q LINK requests Eligible Telecommunications Carrier ("ETC") designation in
14 Utah solely to provide Lifeline and Link-Up service to qualifying Utah
15 consumers; it will not seek access to funds from the federal USF high cost
16 program.

17 **Q9: IN WHAT SERVICE AREAS IS Q LINK SEEKING DESIGNATION AS**
18 **AN ETC?**

19 **A:** Q LINK requests ETC designation in the wire centers in which Q LINK has
20 network coverage. These wire centers were included as Exhibit 6 of the
21 Company's Petition.

22

23

1 **Q10: DOES Q LINK SATISFY THE REQUIREMENTS FOR ETC**
2 **DESIGNATION IN UTAH?**

3 **A:** Yes. Q LINK satisfies all of the requirements for ETC designation contained in
4 both federal and Utah state regulations. Q LINK recognizes that Section
5 214(e)(1)(A) of the Communications Act of 1934, as amended (the "Act"), states
6 that ETCs shall offer services, at least in part, over their own facilities and that the
7 Federal Communications Commission's (FCC) Rules (47 C.F.R. § 54.201(i))
8 prohibit state commissions from designating as an ETC a telecommunications
9 carrier that offers services exclusively through the resale of another carrier's
10 services. Q LINK offers services through a combination of its own facilities and
11 resale.

12 **Q11: HAS Q LINK BEEN DESIGNATED AS AN ETC IN ANY OTHER**
13 **STATES?**

14 **A:** Yes. Q LINK has been designated as an ETC in Maryland on December 21, 2011.
15 Q LINK currently has applications for ETC designation pending in the following
16 states: Arizona, Arkansas, Colorado, Georgia, Kansas, Kentucky, Massachusetts,
17 Michigan, Minnesota, Mississippi, Missouri, New Jersey, Pennsylvania, South
18 Carolina, Texas, West Virginia, and Wisconsin. Q LINK has not been denied ETC
19 status by any regulatory authority.

20 **Q12: WHAT FUNCTIONS WILL Q LINK OFFER TO SUBSCRIBERS ONCE**
21 **GRANTED ETC STATUS?**

22 **A:** Q LINK offers, or will offer upon designation as an ETC in Utah, all of the
23 services and functionalities required by the FCC's rules:

1 a. *Voice-grade access to the public switched network.* The FCC has
2 concluded that voice grade service means the ability to make and receive
3 phone calls, within a specified bandwidth and frequency range. Q LINK
4 meets this requirement by providing voice-grade access to the public
5 switched telephone network. Through its interconnection agreements, all
6 customers of Q LINK are able to make and receive calls on the public
7 switched telephone network within the specified bandwidth.

8 b. *Minutes of Use for Local Service.* ETCs must provide minutes of
9 use for local service provided at no additional charge to end users. Q
10 LINK includes specified quantities of usage in its rate plans and thereby
11 complies with the requirement. It is important to note that currently, the
12 FCC has not adopted any minimum local service requirements. FCC
13 rules further require an ETC applicant to show it has a local usage plan
14 comparable, although not identical, to that offered by the ILEC in the
15 same service area.

16 c. *Access to emergency services.* ETCs must provide access to the
17 emergency services provided by local government or other public safety
18 organizations, such as 911 and enhanced 911 (E911), to the extent the
19 local government in an eligible carrier's service area has implemented
20 911 or E911 systems. Q LINK currently provides 911 and E911 access
21 for all of its customers, and will continue to comply with all FCC E911
22 requirements applicable to wireless resellers. Furthermore, through its

1 underlying carrier(s), Q LINK has the ability to remain functional in
2 emergency situations.

3 d. *Toll limitation for qualifying low-income consumers.* Toll
4 limitation allows customers to block the completion of outgoing long
5 distance calls to prevent them from incurring significant long distance
6 charges and risking disconnection. The nature of Q LINK's service
7 mitigates the need for toll control. Q LINK's service is not offered on a
8 distance-sensitive basis and minutes are not charged separately for local
9 or domestic long distance services. Since Q LINK's service is a prepaid
10 service, no customers will be disconnected for failure to pay toll charges.

11 **Q13: HOW QUICKLY CAN Q LINK COMMENCE SERVICE?**

12 **A:** Upon designation as an ETC, Q LINK will be able to provide Lifeline service to
13 qualified customers within a reasonable period of time. Q LINK's provider's
14 network is operational and largely built out. Thus, Q LINK will be able to
15 commence offering its service to all locations served by its underlying carrier very
16 soon after receiving approval from the Commission.

17 **Q14: HOW RELIABLE IS Q LINK'S QUALITY OF SERVICE?**

18 **A:** Q LINK's service is of the same quality and reliability as that of its underlying
19 carrier. To demonstrate its commitment to high service quality, Q LINK commits
20 to comply with the Cellular Telecommunications and Internet Association's
21 (CTIA) Consumer Code for Wireless Service. A copy of the CTIA Code is
22 attached as Attachment 1.

23

1 **Q15: HOW DOES Q LINK INTEND TO ADVERTISE THE AVAILABILITY OF**
2 **THE SUPPORTED SERVICES?**

3 **A:** Q LINK will broadly advertise the availability and rates for the services described
4 above using media of general distribution as required by Section 54.201(d)(2) of
5 the FCC's regulations. The Company will advertise its services in a manner
6 reasonably designed to reach those likely to qualify for Lifeline and Link-up
7 services, using many mediums for outreach including internet, radio, television
8 and local kiosks. The Company will engage in advertising campaigns promoting
9 the availability of cost-effective wireless services to this neglected consumer
10 segment. Q LINK will provide retail vendors with signage to be displayed
11 wherever Q LINK products are sold, and with printed materials describing the
12 Company's Lifeline and Link-Up programs. Q LINK will promote the availability
13 of its Lifeline and Link-up offerings by distributing brochures at various state and
14 local social service agencies, and intends to partner with nonprofit assistance
15 organizations in order to inform customers of the availability of its Lifeline and
16 Link-Up services.

17 **Q16: WILL Q LINK COMPLY WITH THE LIFELINE CERTIFICATION AND**
18 **VERIFICATION REQUIREMENTS?**

19 **A:** Yes. Q LINK will comply with the FCCs certification and verification
20 requirements, and with Commission determined methods or processes to establish
21 initial eligibility, to complete annual recertification and to determine that
22 customers do not take service from multiple lifeline providers.

23

1 **Q17: HOW WILL Q LINK CERTIFY THAT A CUSTOMER IS ELIGIBLE FOR**
2 **THE FEDERAL LIFELINE DISCOUNT?**

3 **A:** During the enrollment process, applicants will be directed to a toll-free telephone
4 number and to Q LINK's website, which will contain information regarding the
5 Company's Lifeline and Link-Up services, including a detailed description of the
6 programs and state-specific eligibility criteria. Customers may then request that an
7 enrollment form be mailed to them, or they can download a form from the
8 internet. Applicants must complete the enrollment form, which will include a
9 place where applicants must attest and certify under penalty of perjury that they
10 satisfy the requisite eligibility criteria. In addition, each applicant is required to
11 certify under penalty of perjury, at the time of application and annually thereafter,
12 that they are head of their household and receive Lifeline-supported service only
13 from Q LINK. If not applying in person, the applicant must return the signed
14 enrollment form and all supporting documentation to the address provided by Q
15 LINK. Processing of consumers' applications, including review of all application
16 forms and relevant documentation, will be performed under the Company's
17 supervision by managers experienced in the administration of the Lifeline and Link-
18 Up programs. Q LINK maintains records of its compliance with federal
19 certification rules in accordance with the FCC's rules regarding record retention.

20 **Q18: HOW WILL Q LINK VERIFY A CUSTOMER'S CONTINUED**
21 **ELIGIBILITY FOR THE FEDERAL LIFELINE DISCOUNT?**

22 **A:** Customers must self-certify, under penalty of perjury, at the time of service
23 activation and annually thereafter, that they remain head of household and receive

1 Lifeline-supported service only from Q LINK. Furthermore, customers chosen to
2 participate in the additional random survey of continued eligibility will be
3 required to attest and certify under penalty of perjury that they continue to satisfy
4 the requisite program or income based eligibility criteria. Q LINK will require
5 and obtain all such certifications as a condition for continued Lifeline support, and
6 will maintain certification records for auditing purposes.

7 **Q19: DOES Q LINK USE A THIRD PARTY ADMINISTRATOR TO ASSIST**
8 **WITH ITS LIFELINE SERVICES?**

9 **A:** Yes. Q LINK has contracted with CGM, LLC of Roswell, Georgia, a lifeline
10 service bureau, to edit all subsidy request data. CGM will process and validate
11 the Company's subsidy data to prevent: (1) Duplicate Same-Month Lifeline
12 Subsidies (Double Dip): any name/address that is already receiving a lifeline
13 subsidy from the Company will be automatically prevented from receiving a
14 second lifeline subsidy in that same month; and (2) Inactive lines receiving
15 subsidy: CGM's systems compare all subsidy requests to underlying network
16 status to ensure that subsidies are requested only for active lines. Through the
17 process described above, Q LINK ensures that it does not over-request from
18 support funds.

19 **Q20: WHAT MEASURES DOES Q LINK PLAN TO TAKE TO PREVENT**
20 **RECOVERY OF THE FEDERAL LIFELINE DISCOUNT FOR**
21 **CUSTOMERS ALREADY RECEIVING THE DISCOUNT FOR THEIR**
22 **LANDLINE TELEPHONE?**

23 **A:** Q LINK application forms will require each applicant to provide their name,

1 primary residential address and an alternate telephone number (if any). Q LINK
2 will incorporate this information into its customer information database. As
3 previously mentioned, the Company will check the name and address of each
4 Lifeline applicant against its database to determine whether or not it is associated
5 with a customer that already receives Q LINK Lifeline service, and will then review
6 the application to ascertain whether the applicant is attempting to receive Lifeline-
7 supported service for more than one handset associated with the address. Q LINK
8 will deny the Lifeline application of any such individual and advise the applicant of
9 the basis for the denial. As mentioned above, applicants must self-certify, under
10 penalty of perjury, at the time of service activation and annually thereafter, that
11 they remain head of household and receive Lifeline-supported service only from
12 Q LINK. In addition, Q LINK will utilize the Department of Community and
13 Culture's knowledge and databases (or the provider of verification services
14 established through Docket No. 10-2508-01) to ensure as accurately as possible
15 that only one individual per household is receiving the subsidy, and that
16 applicants are not already receiving Lifeline support from any other carrier.

17 **Q21: WHAT MEASURES DOES Q LINK PLAN TO TAKE TO PREVENT**
18 **RECOVERY OF LIFELINE FUNDS FOR PREPAID CUSTOMERS WHO**
19 **CEASE USING Q LINK PHONES AND AIRTIME?**

20 **A:** Q LINK will adhere to its non-usage policy. Q LINK recognizes the importance
21 of safeguarding the USF. Therefore, the Company has implemented the
22 following 60-day non-usage policy in an effort to avoid waste, fraud, and abuse of
23 the program. If no usage appears on a Q LINK Lifeline customer's account

1 during any continuous 60-day period, the Company will promptly notify the
2 customer that the customer is no longer eligible for Q LINK Lifeline service
3 subject to a 30-day grace period. During the 30-day grace period, the customer's
4 account will remain active, but Q LINK will engage in outreach efforts to
5 determine whether the customer desires to remain on the Company's Lifeline
6 service. If the customer's account does not show any customer-specific activity
7 during the grace period, Q LINK will promptly deactivate Lifeline services and
8 cease to seek reimbursement from the USF for that customer. Customers that
9 have been deactivated may participate in the Company's Lifeline service in the
10 future by reapplying and re-establishing eligibility.

11 **Q22: WHAT ARE THE RATES AND TERMS OF Q LINK'S LIFELINE**
12 **SERVICE OFFERING?**

13 **A:** Attached Exhibit 2 demonstrates that eligible customers can choose between three
14 (3) different plans of anytime prepaid minutes per month at no charge, with
15 additional airtime minutes available for purchase in bundles. The Company's
16 Lifeline service will provide customers with varying amounts of anytime prepaid
17 minutes per month at no charge. Lifeline customers will have the capability of
18 purchasing additional bundles of minutes in denominations as low as \$9.99,
19 \$19.99, \$29.99, and \$59.99.¹ Text messaging will be available at the rate of one-
20 third of one minute (3 texts = 1 minute) or one minute (1 text = 1 minute)
21 depending on the plan the customer chooses. In addition to free voice services, Q
22 LINK's Lifeline plan will include a free handset and the following Custom

¹ \$\$9.99 = 50 minutes, \$19.99 = 120 minutes, \$29.99 = 200 minutes, and \$59.99 = 450 minutes.

1 Calling features: Caller ID, Call Waiting, 3-Way Calling, and Voicemail.
2 Customers may use their minutes to place domestic long distance calls at no
3 additional charge. Calls to Q LINK customer service will be free, and unused
4 minutes will rollover². Calls to 911 emergency services are always free,
5 regardless of service activation or availability of minutes. Moreover, by
6 providing a wireless handset free of charge, Q LINK guarantees that eligible
7 customers can access the Company's Lifeline services without incurring any
8 upfront or recurring costs.

9 Consistent with FCC requirements, Q LINK will use Link-Up support to reduce
10 the Company's \$60.00 standard wireless activation charge by \$30.00. Qualifying
11 subscribers may request a deferred payment schedule for the remaining
12 installation charges, thus allowing subscribers to obtain service without being
13 required to pay any fees to activate service with Q LINK. As such, there is no up-
14 front connection charge applicable to Q LINK Lifeline and Link-Up customers.

15 **Q23: DOES Q LINK INTEND TO PROVIDE QUALIFIED LIFELINE**
16 **CUSTOMERS WITH A FREE HANDSET?**

17 **A:** Yes, Q LINK will provide qualified Lifeline customers with a free handset. Q
18 LINK's phones have been through extensive testing in Sprint's handset lab to
19 ensure proper network performance, 911 reliability, and to make sure the handset
20 does not cause network interference.

21
22

² Unused minutes rollover on Plans 1 and 2.

1 **Q24: HOW WILL CUSTOMERS KNOW IN ADVANCE THE NUMBER OF**
2 **FREE MINUTES THEY WILL HAVE AND WHEN MORE WILL BE**
3 **ADDED?**

4 **A:** Lifeline customers will have detailed materials in the box with their phone that
5 describe the number of minutes/credit they receive and when the minutes/credit
6 will be replenished. Q LINK customers can check the balance of their minutes
7 either online or by calling customer service.

8 **Q25: WHAT HAPPENS TO THE CUSTOMER'S PHONE SERVICE AFTER**
9 **THE FREE MINUTES HAVE BEEN UTILIZED?**

10 **A:** Once the minutes (plus any carry over minutes) have been utilized, customers will
11 either have to wait until the next month for a new allotment of minutes of free air
12 time or they can purchase additional minutes.

13 **Q26: HOW WILL CUSTOMERS COMMUNICATE WITH Q LINK**
14 **REGARDING QUESTIONS, CONCERNS OR COMPLAINTS?**

15 **A:** Q LINK's Lifeline customers will have access to Q LINK's customer care (the
16 same customer care as regular retail customers) by calling 611 from their Q LINK
17 Lifeline phone or the company's toll-free number. Customers can also contact
18 customer care on the Q LINK website. Q LINK is committed to resolving
19 customer questions, concerns and complaints in a swift and satisfactory manner.

20 **Q27: HOW WILL Q LINK'S PRESENCE AS AN ETC IN UTAH SERVE THE**
21 **PUBLIC INTEREST?**

22 **A:** A central purpose of the Telecommunications Act of 1996 was to "promote
23 competition and reduce regulation ... to secure lower prices and higher quality

1 services ... and encourage the rapid deployment of new telecommunications
2 technologies” to all citizens, regardless of geographic location or income.³
3 Designation of Q LINK as an ETC would undoubtedly further these goals. Q
4 LINK’s Lifeline service will provide low-income Utah residents with the
5 convenience and security offered by wireless services—even if their financial
6 position deteriorates.

7 Q LINK’s Lifeline plan will not only allow feature-rich mobile connectivity for
8 qualifying subscribers, but will also bring competition and more variety of
9 options into the reach of Lifeline customers. Q LINK’s plan is comparable in
10 minutes and features to those available to Utah post-paid wireless subscribers –
11 just at low Lifeline rates and without the burden of credit checks, contracts,
12 activation fees or roaming charges.

13 Without question, prepaid wireless services have become essential for lower-
14 income customers, providing them with value for their money, access to
15 emergency services on wireless devices, and a reliable means of contact for
16 prospective employers, social service agencies or dependents. Providing Q LINK
17 with the authority necessary to offer discounted Lifeline services to those most in
18 danger of losing wireless service altogether undoubtedly promotes the public
19 interest.

20 **Q28: WHAT ARE SOME OF THE BENEFITS OF INCREASED**
21 **COMPETITIVE CHOICE?**

22 **A:** Introducing Q LINK as an additional ETC provider into the market will afford

³ The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, 56 (1996).

1 low income Utah residents a wider choice of providers and available services
2 while creating a competitive marketplace as ETCs compete for a finite number of
3 Lifeline-eligible customers. Increasing the competitive marketplace of providers
4 has the potential to effectively increase the penetration rate and reduce the number
5 of individuals not connected to the PSTN. As of December 31, 2009, only
6 between 20-50% of Lifeline-eligible consumers in Utah were being provided such
7 services.⁴ Q LINK believes that it is uniquely positioned to help increase
8 awareness of and participation in the Lifeline program.

9 **Q29: IF Q LINK'S PETITION IS GRANTED, WILL THERE BE ANY IMPACT**
10 **ON THE UNIVERSAL SERVICE FUND?**

11 **A:** Q LINK's request for designation as an ETC would not unduly burden the USF or
12 otherwise reduce the amount of funding available to other ETCs. Q LINK seeks
13 ETC designation solely to utilize USF funding to provide Lifeline and Link-Up
14 service to qualified low-income consumers. It does not seek and will not accept
15 high cost support. With Lifeline, ETCs only receive support for customers they
16 obtain. The amount of support available to an eligible subscriber is exactly the
17 same whether the support is given through a company such as Q LINK or the
18 Incumbent LEC operating in the same service area. Q LINK will only increase the
19 amount of USF Lifeline funding in situations where it obtains Lifeline customers
20 not enrolled in another ETC's Lifeline program. Significantly, Q LINK's
21 designation as an ETC will not increase the number of persons eligible for
22 Lifeline support. As stated in the Act, the universal service fund was established

⁴ see <http://www.usac.org/li/about/participation-rate-information.aspx#2009>

1 to ensure that quality services are available to all individuals at just, reasonable
2 and affordable rates. Q LINK's ability to increase the participation rate of
3 qualified low-income individuals will further the goal of Congress to provide all
4 individuals with affordable access to telecommunications service.

5 **Q30: DOES Q LINK AGREE TO COMPLY WITH ALL COMMISSION RULES**
6 **AND REGULATIONS REGARDING ETC?**

7 **A:** Yes. Q LINK hereby asserts its willingness and ability to comply with all the
8 rules and regulations that the Commission may lawfully impose upon the
9 Company's provision of service contemplated by its petition for ETC designation.

10 **Q31: IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD TO YOUR**
11 **TESTIMONY?**

12 **A:** I would like to reiterate that Q LINK meets all legal requirements for designation
13 as an ETC. Accordingly, the Commission should promptly grant Q LINK's
14 petition ETC designation so that Q LINK may commence providing service to
15 qualified low-income Utah households at the earliest possible time.

ATTACHMENT 1

CTIA Code

CTIA

Consumer Code *for* Wireless Service

To provide consumers with information to help them make informed choices when selecting wireless service, the CTIA and the wireless carriers that are signatories below have developed the following Consumer Code. The carriers that are signatories to this Code have voluntarily adopted the principles, disclosures, and practices here for wireless service provided to individual consumers, including voice, messaging, and data services sold either on a postpaid or prepaid basis.

THE WIRELESS CARRIERS THAT ARE SIGNATORIES TO THIS CODE WILL:

ONE

DISCLOSE RATES AND TERMS OF SERVICE TO CONSUMERS

For each service plan offered to new consumers, wireless carriers will disclose to consumers at point of sale and on their web sites, at least the following information, as applicable: (a) the coverage area for the service; (b) any activation or initiation fee; (c) the monthly access fee or base charge; (d) the amount and nature of any voice, messaging, or data allowances included in the plan (such as night and weekend minutes); (e) the charges for domestic usage in excess of any included allowances or outside of the coverage area; (f) for prepaid service plans, the period of time during which any balance is available for use; (g) whether there are prohibitions on data service usage and whether there are network management practices that will have a material impact on the customer's wireless data experience; (h) whether any additional taxes, fees or surcharges apply; (i) the amount or range of any such fees or surcharges that are collected and retained by the carrier; (j) the amount or nature of any late payment fee; (k) whether a fixed-term contract is required and its duration; (l) the amount and nature of any early termination fee that may apply; and (m) the trial

period during which a consumer may cancel service without any early termination fee, as long as the consumer complies with any applicable return policy.

TWO

MAKE AVAILABLE MAPS SHOWING WHERE SERVICE IS GENERALLY AVAILABLE

Wireless carriers will make available at point of sale and on their web sites maps depicting approximate domestic coverage applicable to each of their service plans currently offered to consumers. To enable consumers to make comparisons among carriers, these maps will be generated using generally accepted methodologies and standards to depict the carrier's outdoor coverage. All such maps will contain or link to an appropriate legend concerning limitations and/or variations in wireless coverage and map usage, including any geographic limitations on the availability of any services included in the plan. Wireless carriers will periodically update such maps as necessary to keep them reasonably current. If necessary to show the extent of service coverage available to customers from carriers' roaming partners, carriers will request and incorporate coverage maps from roaming partners that are generated using similar industry-accepted criteria, or if such information is not available, incorporate publicly available information regarding roaming partners' coverage areas.

THREE

PROVIDE CONTRACT TERMS TO CUSTOMERS AND CONFIRM CHANGES IN SERVICE

When a customer initiates new service or a change in existing service, the carrier will provide or confirm any new material terms and conditions of the ongoing service with the customer.

FOUR

ALLOW A TRIAL PERIOD FOR NEW SERVICE

When a customer initiates postpaid service with a wireless carrier, the customer will be informed of and given a period of not less than 14 days to try out the service. The carrier will not impose an early termination fee if the customer cancels service within this period, provided that the customer complies with applicable return and/or exchange policies. Other charges, including usage charges, may still apply.

FIVE

PROVIDE SPECIFIC DISCLOSURES IN ADVERTISING

In advertising of prices for wireless service plans or devices, wireless carriers will disclose material charges and conditions related to the advertised prices and services, including if applicable and to the extent the advertising medium reasonably allows: (a) whether activation or initiation fees apply; (b) monthly access fees or base charges; (c) the amount and nature of any voice, messaging, or data service allowances included in the plan; (d) the charges for any domestic usage in excess of any included allowances or outside of the coverage area; (e) for prepaid service plans, the period of time during which any balance is available for use; (f) whether there are network management practices that will have a material impact on the customer's wireless data experience; (g) whether any additional taxes, fees or surcharges apply; (h) the amount or range of any such fees or surcharges that are collected and retained by the carrier; (i) whether a fixed-term contract is required and its duration; (j) early termination fees; (k) the terms and conditions related to receiving a product or service for "free;" (l) for any service plan advertised as "nationwide," (or using similar terms), the carrier will have available substantiation for this claim; and (i) whether prices or benefits apply only for a limited time or promotional period and, if so, whether any different fees or charges will apply for the remainder of the contract term.

SIX

SEPARATELY IDENTIFY CARRIER CHARGES FROM TAXES ON BILLING STATEMENTS

On customers' bills, carriers will distinguish (a) monthly charges for service and features, and other charges collected and retained by the carrier, from (b) taxes, fees and other charges collected by the carrier and remitted to federal state or local governments. Carriers will not label cost recovery fees or charges as taxes.

SEVEN

PROVIDE CUSTOMERS THE RIGHT TO TERMINATE SERVICE FOR CHANGES TO CONTRACT TERMS

Carriers will not modify the material terms of their postpaid customers' contracts in a manner that is materially adverse to those customers without providing a reasonable

advance notice of a proposed modification and allowing those customers a time period of not less than 14 days to cancel their contracts with no early termination fee.

EIGHT

PROVIDE READY ACCESS TO CUSTOMER SERVICE

Customers will be provided a toll-free telephone number to access a carrier's customer service during normal business hours. Customer service contact information will be provided to customers online and on billing statements. Each wireless carrier will provide information about how customers can contact the carrier in writing, by toll-free telephone number, via the Internet or otherwise with any inquiries or complaints, and this information will be included, at a minimum, on all billing statements, in written responses to customer inquiries and on carriers' web sites. Each carrier will also make such contact information available, upon request, to any customer calling the carrier's customer service departments.

NINE

PROMPTLY RESPOND TO CONSUMER INQUIRIES AND COMPLAINTS RECEIVED FROM GOVERNMENT AGENCIES

Wireless carriers will respond in writing to state or federal administrative agencies within 30 days of receiving written consumer complaints from any such agency.

TEN

ABIDE BY POLICIES FOR PROTECTION OF CUSTOMER PRIVACY

Each wireless carrier will abide by a policy regarding the privacy of customer information in accordance with applicable federal and state laws, and will make available to the public its privacy policy concerning information collected online. Each wireless carrier will abide by the CTIA Best Practices and Guidelines for Location-Based Services.

ELEVEN

PROVIDE CONSUMERS WITH FREE NOTIFICATIONS FOR VOICE, DATA AND MESSAGING USAGE, AND INTERNATIONAL ROAMING

Each wireless provider will provide, at no charge: (a) a notification to consumers of currently-offered and future domestic wireless plans that include limited data allowances when consumers approach and exceed their allowance for data usage and will incur overage charges; (b) a notification to consumers of currently-offered and future domestic voice and messaging plans that include limited voice and messaging allowances when consumers approach and exceed their allowance for those services and will incur overage charges; and (c) a notification to consumers without an international roaming plan/package whose devices have registered abroad and who may incur charges for international usage. Wireless providers will generate the notifications described above to postpaid consumers based on information available at the time the notification is sent. Wireless consumers will not have to affirmatively sign up in order for these notifications to be sent. Each wireless provider shall provide its customers at least two of these alerts by October 17, 2012 and all of these alerts by April 17, 2013. Wireless providers will clearly and conspicuously disclose tools or services that enable consumers to track, monitor and/or set limits on voice, messaging and data usage.

ATTACHMENT 2

Q LINK WIRELESS LLC's Lifeline and Link-Up Rates

Lifeline Rates

Plan 1: 68 Monthly Minutes Plan*

68 anytime minutes per month

(texts are one-third of one minute, i.e. 3 texts = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 68 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance
- Free International Long Distance to countries designated at www.qlinkwireless.com (listed below)

Plan 2: 125 Monthly Minutes Plan*

125 anytime minutes per month

(texts are one minute, i.e. 1 text = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 125 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance

Plan 3: 250 Monthly Minutes Plan*

250 anytime minutes per month

(texts are one minute, i.e. 1 text = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 250 anytime minutes (unused minutes *do not* rollover)
- Free Domestic Long Distance

International Long Distance

Free International Calling Destinations on the 68 Monthly Minutes Plan

(Certain special or off-network locations may be excluded from the Free International Long Distance. Calls to cellular phones are not included unless the word "Cellular" is specifically listed next to the country name. Numbers in parentheses () indicate the Country Code.)

Albania-Tirana (355)	French Guiana-Cellular (594)	Norway (47)
Andorra (376)	French Guiana (594)	Panama (507)
Argentina (54)	Georgia (995)	Paraguay (595)
Australia (61)	Germany (49)	Peru (51)
Austria (43)	Gibraltar (350)	Poland (48)
Bahamas-Cellular (1)	Greece (30)	Portugal (351)
Bahamas (1)	Guadeloupe (590)	Romania (40)
Bangladesh-Cellular (880)	Guatemala-Telgua (502)	Russia-Cellular (7)
Bangladesh-Chittagong (880)	Hong Kong-Cellular (852)	Russia (7)
Bangladesh-Dhaka (880)	Hong Kong (852)	San Marino-Cellular (378)
Bangladesh-Sylhet (880)	Hungary (36)	San Marino (378)
Belgium (32)	Iceland (354)	Saudi Arabia-Riyadh (966)
Bermuda-Cellular (1)	India-Cellular (91)	Singapore-Cellular (65)
Bermuda (1)	India (91)	Singapore (65)
Bolivia-La Paz (591)	Indonesia-Cellular (62)	Slovakia (421)
Bolivia-Santa Cruz (591)	Indonesia-Jakarta (62)	Slovenia (386)
Brazil (55)	Indonesia-Surabaya (62)	South Korea-Cellular (82)
Brunei-Cellular (673)	Iraq-Baghdad (964)	South Korea (82)
Brunei (673)	Ireland (353)	Spain (34)
Bulgaria (359)	Israel (972)	Sweden (46)
Canada-Cellular (1)	Italy (39)	Switzerland (41)
Canada (1)	Japan (81)	Taiwan-Cellular (886)
Chile (56)	Jordan (962)	Taiwan (866)
China-Cellular (86)	Kazakhstan (7)	Thailand (66)
China (86)	Kenya-Nairobi (254)	Turkey (90)
Columbia-Cellular (57)	Lithuania (370)	United Kingdom (44)
Columbia (57)	Luxembourg-Cellular (352)	Uzbekistan (7)
Costa Rica (506)	Luxembourg (352)	Venezuela (58)
Croatia (585)	Macao-Cellular (853)	Vietnam-Ho Chi Minh City (84)
Cyprus-Cellular (357)	Macao (853)	Zambia (260)
Cyprus (357)	Malaysia-Cellular (60)	
Czech Republic (420)	Malaysia (60)	
Denmark (45)	Malta (356)	
Dominican Republic (1)	Mexico (52)	
Estonia (372)	Monaco (377)	
Finland (358)	Netherlands (31)	
France (33)	New Zealand (64)	
French Antilles (594)		

Link-Up Service Rates

Standard Activation Rate: \$60.00

Link-Up Discount: \$30.00

Net cost to Link-Up Customer: **\$30.00***

*Qualifying subscribers may request a deferred payment schedule for the remaining installation charges, thus allowing subscribers to obtain service without being required to pay any fees to activate service with Q LINK.

State of Florida

County of BROWARD

AFFIDAVIT

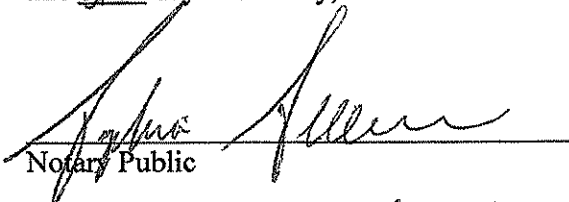
I, Issa Asad, first being duly sworn upon oath depose and say that I am the Managing Member of QUADRANT HOLDINGS GROUP LLC, Managing Member of Q LINK WIRELESS LLC, the Petitioner, and that I have read the above and foregoing direct testimony by me subscribed and know the contents thereof, which testimony was filed in support of Q LINK WIRELESS LLC's Petition for Designation as an Eligible Telecommunications Carrier in the State of Utah; that said contents are true in substance and in fact, except as to matters stated upon information and belief, and as to those, I believe the same to be true.



Issa Asad
Managing Member of QUADRANT HOLDINGS GROUP, LLC
Managing Member of Q LINK WIRELESS LLC

Sworn to and subscribed before me

this 24th day of January, 2012.



Notary Public

My Commission Expires: November 7th, 2015

