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**BEFORE THE  
 PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Petition of Total Call Mobile, Inc. for Limited Designation as an Eligible Telecommunications Carrier	) ) ) ) ) ) ) )	Docket No. 12-2561-01  Petition of Total Call Mobile, Inc. for Limited Designation as an Eligible Telecommunications Carrier
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**Direct Testimony of**

**Hideki Kato**

**December 26, 2012**

1 **DIRECT TESTIMONY OF HIDEKI KATO**

2 **Q1. WHAT IS YOUR NAME AND BUSINESS ADDRESS?**

3 A. My name is Hideki Kato, and my business address is 1411 W. 190<sup>th</sup> Street, Suite 700,  
4 Gardena, California 90248.

5  
6 **Q2. ON WHOSE BEHALF ARE YOU TESTIFYING?**

7 A. I am testifying on behalf of Total Call Mobile, Inc. (“Total Call” or the “Company”).  
8

9 **Q3. BY WHOM ARE YOU EMPLOYED AND WHAT POSITION DO YOU HOLD?**

10 A. I am employed by Total Call and I am its Chief Operating Officer.  
11

12 **Q4. WHAT IS YOUR EDUCATIONAL AND EMPLOYMENT BACKGROUND?**

13 A. I have received a Bachelor of Arts in Law from the University of Tokyo. I joined Total  
14 Call in 2012 where I am responsible for overseeing all of the Company’s business  
15 operations. Prior to joining Total Call, I worked for KDDI Corporation in Japan for 19  
16 years; my latest assignment at KDDI was as a Manager of the Post Merger Integration  
17 Group. While based in Tokyo, I also served as a member of the board of directors of  
18 various overseas affiliated companies, including Mobicom Corporation in Mongolia and  
19 Vostok Telecom in Russia.  
20

21 **Q5. HAVE YOU TESTIFIED BEFORE ANY REGULATORY COMMISSIONS?**

22 A. No, to the best of my knowledge I have not testified before any regulatory commissions.  
23

24 **Q6. HAVE YOU REVIEWED THE PETITION AND OTHER DOCUMENTS FILED**  
25 **BY TOTAL CALL IN THIS PROCEEDING?**

26 A. Yes.

27

28 **Q7. WOULD YOU PLEASE BRIEFLY DESCRIBE TOTAL CALL AND ITS**  
29 **OPERATIONS?**

30 A. Yes. Total Call was incorporated in the State of Delaware on August 11, 2005. Its  
31 principal office is located at 1411 W. 190th St., Suite 700, Gardena, California 90248.  
32 Total Call provides nationwide, prepaid and postpaid wireless telecommunications services  
33 to consumers by reselling the network services of its underlying carrier, Sprint PCS  
34 (“Sprint”). Total Call obtains from Sprint the network infrastructure and transmission  
35 facilities to allow the Company to operate as a Mobile Virtual Network Operator  
36 (“MVNO”). The Petition of Total Call Mobile, Inc. for Limited Designation as an  
37 Eligible Telecommunications Carrier “Petition”, filed with this Commission on  
38 November 14, 2012, is an outgrowth of Total Call’s dedication to expanding its high-  
39 quality service offerings wherever there is a demonstrated customer need.

40

41 **Q8. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?**

42 A. The purpose of my testimony is to demonstrate that Total Call satisfies the requirements  
43 for designation as an ETC in the State of Utah within the areas proposed in its Petition  
44 and that the granting of this designation is in the public interest.

45

46 **Q9. WOULD YOU PLEASE DESCRIBE THE SERVICES TOTAL CALL INTENDS**  
47 **TO PROVIDE IN UTAH?**

48 A. Yes. Total Call is a telecommunications common carrier that provides digital wireless  
49 services on a common carrier basis. The Company's Lifeline offerings will not only  
50 allow feature-rich mobile connectivity for qualifying subscribers at no cost to the  
51 subscriber, but will also give eligible customers access to a variety of rate plans that are  
52 comparable in minutes and features to those available to post-paid wireless subscribers  
53 but at low Lifeline rates and without the burden of credit checks or service contracts.  
54 Total Call will provide its services by resale of Sprint's underlying network services.

55

56 **Q10. HOW ARE TOTAL CALL'S OFFERINGS DIFFERENT FROM THOSE**  
57 **OFFERED BY TRADITIONAL WIRELESS CARRIERS?**

58 A. Total Call does not impose burdensome credit checks or long-term service contracts on  
59 its prepaid customers. All Lifeline plans currently come with a free handset, free  
60 customer care calls, free balance inquiries, and access to voice mail, caller I.D. and call  
61 waiting features at no additional charge. Also, customers are not bound by a local calling  
62 area requirement; all Total Call plans come with domestic long distance at no extra per  
63 minute charge and exceptional nationwide digital coverage on the Nationwide Sprint PCS  
64 Network. Given this nationwide coverage, there is minimal need for roaming. As an  
65 additional precaution, Total Call blocks roaming ability on its Lifeline handsets so that  
66 customers will not incur unexpected roaming charges. Calls to 911 emergency services  
67 are always free, regardless of service activation or availability of minutes.

68

69 **Q11. WHAT IS THE PROPOSED SERVICE AREA IN WHICH TOTAL CALL**  
70 **REQUESTS DESIGNATION AS AN ETC?**

71 A. Total Call requests designation as an ETC throughout its entire service area in Utah,  
72 which is wherever its underlying carrier, Sprint, has coverage. These wire centers are  
73 identified in Exhibit 7 attached to Total Call's Petition. Total Call, through its resale of  
74 wireless services provided by Sprint in Utah, can provide service in every Zip Code in the  
75 State of Utah. Accordingly, Total Call seeks ETC status throughout the entire State of  
76 Utah.

77  
78 **Q12. IS TOTAL CALL SEEKING HIGH COST SUPPORT FOR THE WIRELESS**  
79 **SERVICES IT PROVIDES IN UTAH?**

80 A. No, it is not. Total Call is seeking ETC designation in Utah only for the limited purpose  
81 of receiving low-income support from the federal Universal Service Fund for offering  
82 Lifeline service so that it may better serve low-income customers in Utah. It is neither  
83 seeking federal high-cost support funds nor state USF funds.

84  
85 **Q13. DOES TOTAL CALL PROVIDE HIGH-QUALITY WIRELESS SERVICES?**

86 A. Yes. With Sprint as its underlying carrier, Total Call provides high quality wireless  
87 services. As stated in Total Call's Petition, Total Call is also committing to satisfy all  
88 consumer protection and service quality standards as provided in the Federal  
89 Communication Commission's ("FCC") rules (specifically 47 C.F.R. § 54.202(a)(3)), as  
90 well as all applicable state-specific consumer protection and service quality standards and  
91 is committing that all universal service fund support received by Total Call will be

92 directly reflected in the price that eligible customers pay. Total Call is committing to  
93 comply with the Cellular Telecommunications and Internet Association's ("CTIA")  
94 Consumer Code for Wireless Service and will protect Customer Proprietary Network  
95 Information.

96

97 **Q14. WHAT ARE THE REQUIREMENTS FOR DESIGNATION AS AN ETC?**

98 A. It is my understanding that in order to become designated as an ETC, a carrier must be a  
99 common carrier, capable of, and committed to, offering specified supported services  
100 either through its own facilities or a combination of its own facilities and resold facilities  
101 (or have "forbearance" from this requirement), advertise these services, and describe in  
102 detail the geographic service area for which it seeks designation. Total Call received  
103 forbearance from the "own-facilities" requirement on May 25, 2012 from the FCC (Total  
104 Call's Compliance Plan, as approved, is attached as Exhibit 5 to Total Call's Petition). In  
105 addition, where an applicant seeks designation in areas served by a rural ILEC the  
106 designation must be consistent with the public interest. If consistent with the public  
107 interest, convenience and necessity, the Commission shall designate additional ETCs in  
108 areas served by non-rural ILECs.

109

110 **Q15. DOES TOTAL CALL SATISFY THE REQUIREMENTS FOR ETC**  
111 **DESIGNATION IN UTAH?**

112 A. Yes. As described more fully below, Total Call satisfies all of the requirements for ETC  
113 designation in Utah. Total Call's request for ETC designation complies with section  
114 214(e)(1) of the Communications Act of 1934, as amended (the "Act") because it is a

115 common carrier that provides all of the services and functionalities supported by the  
116 universal service program as set forth in 47 C.F.R. § 54.101, et seq.

117

118 **Q16. IS TOTAL CALL A COMMON CARRIER, AS THAT TERM IS DEFINED IN**  
119 **FEDERAL LAW?**

120 A. Yes, Total Call is engaged as a common carrier who offers wireless services for hire. As  
121 such, it is eligible for designation as an ETC. The FCC and the Commission have both  
122 recognized that telecommunications providers offering wireless services are eligible for  
123 ETC designation.

124

125 **Q17. WILL TOTAL CALL OFFER THE SUPPORTED SERVICES REQUIRED BY**  
126 **THE FCC?**

127 A. Yes, Total Call satisfies each of the statutory and regulatory prerequisites set forth in the  
128 Act, the FCC's rules and the Commission's Reports and Orders (specifically, *Federal-*  
129 *State Joint Board on Universal Service*, Report and Order, 20 FCC Rcd 6371 (2005), and  
130 *Lifeline and Link Up Reform and Modernization*, Report and Order and Further Notice of  
131 Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) ("Lifeline Reform Order")). Total  
132 Call provides voice telephony services supported by federal universal service support  
133 mechanisms, as set forth in 47 C.F.R. § 54.101, and will offer these supported services  
134 throughout the areas in which it is designated as an ETC. Total Call recognizes that 47  
135 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(d)(1) require ETCs to offer these services,  
136 at least in part, using their own facilities, and that 47 C.F.R. § 54.201(i) prohibits state  
137 commissions from designating as an ETC a telecommunications carrier that offers

138 services exclusively through the resale of another carrier's services. However, the FCC  
139 granted Total Call forbearance from the facilities-based service requirement in its *Lifeline*  
140 *Reform Order* on May 25, 2012 (Total Call's Compliance Plan, as approved, is attached  
141 as Exhibit 5 to Total Call's Petition). Thus, Total Call, in its provision of wireless  
142 services, will avail itself of the FCC's grant of blanket forbearance, and rely on resold  
143 services which the Company will obtain from underlying wireless carriers that currently  
144 operate their own networks.

145 • **Voice grade access to the public switched telephone network or its functional**  
146 **equivalent** – Total Call will provide its customers with the ability to make and  
147 receive calls on the public switched network.

148 • **Minutes of use for local service provided at no additional charge to the end user**  
149 Although Total Call may eventually expand the number of Lifeline service plan  
150 options available to eligible Lifeline customers, Total Call intends to initially offer a  
151 variety of rate plans that provide its customers with minutes of use for local service at  
152 no additional charge. Total Call customers will have options similar to ILEC Lifeline  
153 offerings in that they may choose to apply the Lifeline discount to the Company's  
154 retail rate plans and will have the option for unlimited local calling (i.e. if the  
155 customer signs up for Lifeline Plan 4 (unlimited talk and text for \$29.99) or Lifeline  
156 Plan 5 (unlimited talk, text, and data for \$39.00)). Furthermore, not only will Total  
157 Call's offering be comparable to the underlying ILEC plans, it will exceed them in  
158 several respects. For Lifeline Plans 1 and 2, Total Call will offer Lifeline customers a  
159 certain amount of service free of charge. In contrast to the ILEC plans, which contain  
160 relatively small local calling areas, Total Call customers can use these free minutes to



161 place calls statewide (or even nationwide) because Total Call does not constrict  
162 customers' use by imposing a local calling area requirement. Total Call will also  
163 provide Lifeline customers with E911 capabilities at no cost as well as voice mail,  
164 caller I.D., and call waiting features at no cost. The very nature of the wireless phone,  
165 i.e. mobility, has a tremendous benefit to many consumers, a benefit to which a  
166 monetary value cannot be easily assigned.

167 • **Access to the emergency services provided by local government or other public**  
168 **safety organizations, such as 911 or enhanced 911, to the extent the local**  
169 **government in Total Call's service area has implemented 911 or enhanced 911**  
170 **systems** – Total Call provides 911 and E911 access for all of its customers even when  
171 there is a zero dollar balance on a handset. Total Call also complies with the FCC's  
172 regulations governing the deployment and availability of E911 compatible handsets.

173 • **Toll limitation for qualifying low-income consumers, which means toll blocking**  
174 **service and toll control service** – Toll limitations service does not need to be offered  
175 for any Lifeline service that does not distinguish between toll and non-toll calls in the  
176 pricing of its service. Total Call's offerings inherently allow Lifeline subscribers to  
177 control their usage, as its wireless service is offered on a prepaid pay-as-you-go basis.  
178 Total Call's services, moreover, are not offered on a distance-sensitive basis and local  
179 and domestic long distance minutes are treated the same. Total Call will not seek  
180 reimbursement for toll limitation service. Thus, Total Call's services satisfy these  
181 requirements.

182

183 **Q18. WILL TOTAL CALL ADVERTISE THE AVAILABILITY OF THE SUPPORTED**  
184 **SERVICES USING MEDIA OF GENERAL DISTRIBUTION, AS REQUIRED BY**  
185 **47 U.S.C. § 214(e)(1)(B)?**

186 A. Yes, Total Call plans to advertise the availability of the supported services throughout its  
187 designated service areas using media of generally distribution in a manner that is  
188 reasonably designed to reach those likely to qualify for Lifeline services. Total Call  
189 plans to use multiple mediums for outreach, including direct mail, and the internet. Total  
190 Call plans to engage in advertising campaigns specifically targeted to reach those likely  
191 to qualify for Lifeline services, promoting the availability of cost-effective wireless  
192 services to this neglected consumer segment. Total Call plans to also promote the  
193 availability of its Lifeline offerings by distributing brochures through various state and  
194 local social service agencies, if permitted, in order to inform customers of the availability  
195 of its Lifeline services. An example of Total Call's Lifeline advertising is identified in  
196 Exhibit 4 attached to Total Call's Petition. In promoting its services in Utah, Total Call  
197 plans to use state-specific brochures and enrollment forms, and Total Call agrees to  
198 comply with all form and content requirements, if any, promulgated by the FCC or the  
199 Commission in the future and required of all designated ETCs.

200

201 **Q19. HAS TOTAL CALL OBTAINED FORBEARANCE FROM THE REQUIREMENT**  
202 **THAT ETC CARRIERS PROVIDE SERVICES SUPPORTED BY FEDERAL**  
203 **UNIVERSAL SERVICE SUPPORT MECHANISMS BY USE OF THEIR OWN**  
204 **FACILITIES, OR A COMBINATION OF THEIR OWN FACILITIES AND**  
205 **RESALE?**

206 A. Yes, Total Call has obtained forbearance of this requirement by meeting the requisite  
207 criteria laid out by the FCC. The FCC recently changed the list of services that qualify as  
208 supported services. Recognizing that the change might eliminate otherwise highly  
209 qualified carriers who provide a vital service to low-income customers, the FCC offered a  
210 blanket forbearance of the “own facilities” requirement for carriers who meet certain  
211 requirements. First, carriers must provide Lifeline subscribers with 911 and E911 access,  
212 regardless of activation status and availability of minutes, and with E911 compliant  
213 handsets. Second, a carrier must obtain the FCC’s approval of a compliance plan  
214 describing (a) the safeguards it will implement against waste, fraud, and abuse to comply  
215 with FCC requirements and (b) the carrier’s Lifeline service plan offerings. Total Call  
216 has met both of these requisites for forbearance and, thus, satisfies the “own facilities”  
217 requirement.

218

219 **Q20. HOW DOES TOTAL CALL MEET THE FIRST REQUIREMENT REGARDING**  
220 **PROVISION OF 911 AND E911 ACCESS TO LIFELINE SUBSCRIBERS?**

221 A. Total Call will meet this requirement by providing 911 and E911 access for all of its  
222 customers even when there is a zero dollar balance on a handset consistent with the  
223 requirements of revised 47 C.F.R. § 54.101(a). Total Call also complies with the FCC’s  
224 regulations governing the deployment and availability of E911 compatible handsets.

225 .

226 **Q21. REGARDING THE SECOND REQUIREMENT, HAS TOTAL CALL OBTAINED**  
227 **FCC APPROVAL OF A COMPLIANCE PLAN?**

228 A. Yes. On May 14, 2012, Total Call submitted a revised Compliance Plan for FCC  
229 approval in WC Docket No. 09-197 and WC Docket No. 11-42. The FCC approved  
230 Total Call's Compliance Plan in its *Lifeline Reform Order* on May 25, 2012. The  
231 Compliance Plan details the verification, certification, and other anti-fraud measures  
232 Total Call will take to comply with state and federal requirements and to ensure that  
233 Lifeline support is provided only to consumers who are truly eligible. A copy of Total  
234 Call's Compliance Plan, as approved, is attached as Exhibit 5 to Total Call's Petition.  
235 Total Call commits to providing Lifeline service in Utah in accordance with its  
236 Compliance Plan. Because Total Call meets all of the FCC's aforementioned criteria, it  
237 is entitled to the FCC's blanket forbearance from the "own facilities" requirement.

238

239 **Q22. WILL TOTAL CALL MEET THE FCC'S ADDITIONAL ELIGIBILITY**  
240 **CRITERIA FOR ETC DESIGNATION?**

241 A. Yes, Total Call meets all additional criteria recently adopted by the FCC to the extent that  
242 they apply to an MVNO.

243

244 **Q23. REGARDING THE FIRST OF THESE CRITERIA, DOES TOTAL CALL**  
245 **CERTIFY THAT IT WILL COMPLY WITH ALL SERVICE REQUIREMENTS**  
246 **APPLICABLE TO LIFELINE SUPPORT FUNDING?**

247 A. Yes. If Total Call is designated as a wireless ETC in Utah, it certifies that it will comply  
248 with all service requirements applicable to Lifeline support funding. These requirements  
249 are detailed throughout my testimony and in Total Call's Compliance Plan.

250

251 **Q24. DOES TOTAL CALL INTEND TO SUBMIT A FIVE-YEAR SERVICE**  
252 **IMPROVEMENT PLAN RELATING TO PLANNED INFRASTRUCTURE**  
253 **IMPROVEMENTS OR UPGRADES?**

254 A. No. This particular requirement under the FCC's rules is not applicable to carriers  
255 seeking ETC status solely to provide Lifeline to low-income customers.

256

257 **Q25. DESCRIBE HOW TOTAL CALL WILL MEET THE SECOND REQUIREMENT,**  
258 **NAMELY, THAT A CARRIER DEMONSTRATES AN ABILITY TO REMAIN**  
259 **FUNCTIONAL IN EMERGENCY SITUATIONS.**

260 A. Of course. As a reseller, Total Call provides service in Utah by reselling services of its  
261 underlying wireless network carrier, Sprint. While Total Call neither owns nor operates  
262 any cell site, microwave hubs, or switches, it will, through its agreement with its  
263 underlying carrier, provide its customers with the same ability to remain functional in  
264 emergency situations as is currently provided by the ILECs to their own customers.

265

266 **Q26. MOVING ON TO THE THIRD ADDITIONAL ELIGIBILITY REQUIREMENT,**  
267 **HOW WILL TOTAL CALL SATISFY ALL CONSUMER PROTECTION AND**  
268 **SERVICE QUALITY STANDARDS?**

269 A. If designated as a wireless ETC, Total Call is committing to satisfying all consumer  
270 protection and service quality standards set forth by the FCC, as well as all applicable  
271 state-specific consumer protection and service quality standards, and will further commit  
272 that all universal service fund support received by Total Call will be directly reflected in

273 the price that eligible customers pay. Total Call is also committing to comply with the  
274 Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for  
275 Wireless Service, and also commits to exceptional customer service standards.

276

277 **Q27. IS TOTAL CALL FINANCIALLY AND TECHNICALLY CAPABLE OF**  
278 **PROVIDING LIFELINE SERVICES IN UTAH CONSISTENT WITH THE**  
279 **FOURTH ADDITIONAL REQUIREMENT FOR ETC DESIGNATION?**

280 A. Yes. Total Call has been in business for 6 years and provides services to both Lifeline  
281 and non-Lifeline customers. Total Call is available to provide wireless services in 49  
282 states (i.e. no coverage in Alaska). Total Call has not been subject to enforcement action  
283 or ETC revocation proceedings in any state. Total Call does not, and has no intent to,  
284 offer exclusively Lifeline-supported services—and is therefore not exclusively dependent  
285 on universal service funds for its revenue. Total Call also has the financial support of its  
286 parent company, KDDI of America, which is a subsidiary of KDDI of Japan, the second  
287 largest carrier in Japan. Furthermore, the senior management of Total Call has great  
288 depth of knowledge in the telecommunications industry and offers extensive  
289 telecommunications business, technical and managerial expertise to the Company;  
290 biographies of Total Call's management are provided at Exhibit 8. Also, since Total Call  
291 will be providing resold wireless service, it will rely upon the managerial and technical  
292 expertise of its underlying carrier (i.e. Sprint).

293

294 **Q28. HAS TOTAL CALL BEEN DESIGNATED AS AN ETC IN ANY OTHER**  
295 **STATES?**

296 A. Yes. Total Call is currently designated as an ETC in Maryland, Michigan, Nevada, Texas  
297 and West Virginia, currently has petitions for ETC designation pending with Arkansas,  
298 California, Colorado, Hawaii, Idaho, Illinois, Kansas, Louisiana, Maine, Minnesota,  
299 Nebraska, New Jersey, North Dakota, Ohio, Pennsylvania, South Dakota, Utah, Vermont,  
300 Washington and Wisconsin, and is awaiting designation as an ETC by the FCC in the  
301 states of Alabama, Connecticut, Delaware, District of Columbia, Florida, New  
302 Hampshire, New York, North Carolina, Tennessee, and Virginia; no such petitions have  
303 been denied.

304

305 **Q29. WITH RESPECT TO THE FIFTH ADDITIONAL REQUIREMENT FOR ETC**  
306 **DESIGNATION, WHAT ARE TOTAL CALL'S LIFELINE SERVICE**  
307 **OFFERINGS?**

308 A. Total Call's prepaid Lifeline service offerings will provide customers with the same  
309 features and functionalities enjoyed by all Total Call prepaid customers. Total Call's  
310 Lifeline service offering proposes to give eligible customers five (5) Lifeline Plan  
311 choices:

312 1. 150 Minute Plan. Under Lifeline Plan 1, eligible customers enjoy a free  
313 handset, 150 anytime minutes per month. Said minutes can be used for  
314 domestic calls or international calling to 250 locations for no additional per  
315 minute charge. As an option, customers may use text, inbound or outbound,

316 which consumes 1 Plan minute. Additional usage is priced at 10 cents per  
317 minute and 5 cents per text. Except for the 250 included international  
318 locations, there is an additional per minute charge to make international calls.

319 2. 250 Minute Plan. Under Lifeline Plan 2, eligible customers receive a free  
320 handset and 250 anytime minutes per month. As an option, customers may  
321 use text, inbound or outbound, which consumes 1 Plan minute. Additional  
322 usage is priced at 10 cents per minute and 5 cents per text.

323 3. Discounted Regular Plans. Eligible customers may apply the Company's  
324 Lifeline discount of \$10.00 (i.e. which is greater than the \$9.25 currently  
325 provided by the FCC) to the Company's 1000 Talk & 1000 Text retail plan  
326 (regularly \$29.99) (Lifeline Plan 3), 30-day Unlimited Talk & Text retail plan  
327 (regularly \$39.99) (Lifeline Plan 4), the 30-day Unlimited Talk, Text & Data  
328 retail plan (regularly \$49.99) (Lifeline Plan 5).

329

330 **Q30. ARE THERE ADDITIONAL TERMS AND CONDITIONS ASSOCIATED WITH**  
331 **TOTAL CALL'S LIFELINE SERVICE PLANS?**

332 A. Yes, the Terms and Conditions of Total Call's Lifeline plans are available at  
333 [www.totalcallmobile.com](http://www.totalcallmobile.com).

334

335 **Q31. WILL TOTAL CALL PROVIDE LIFELINE SERVICE OFFERINGS IN TRIBAL**  
336 **AREAS IN UTAH?**



337 A. To the extent that the requested service area encompasses any tribal areas, Total Call will  
338 provide all Lifeline service offerings to eligible tribal customers that are available to  
339 eligible non-tribal customers. Tribal customers will receive a free handset or may  
340 purchase an upgraded handset from Total Call.

341

342 **Q32. DOES TOTAL CALL'S DESIGNATION AS AN ETC IN UTAH SERVE THE**  
343 **PUBLIC INTEREST?**

344 A. Yes. As fully explained in Total Call's Petition, the public interest benefits of Total  
345 Call's wireless service include larger local calling areas (as compared to traditional  
346 wireline carriers), the convenience and security afforded by mobile telephone service, the  
347 opportunity for customers to control cost by receiving a preset amount of monthly airtime  
348 at no charge, the ability to purchase additional usage at flexible and affordable amounts  
349 in the event that included usage has been exhausted, 911 service even if a handset has a  
350 zero balance) and, where available, E911 service in accordance with current FCC  
351 requirements. Total Call's Lifeline customers will receive the same high-quality wireless  
352 services and exceptional customer service provided to all Company customers. Total  
353 Call's Lifeline rate plans will not only allow feature-rich mobile connectivity for  
354 qualifying subscribers at no cost to the subscriber, but also will bring a variety of rate  
355 plans into the reach of Lifeline customers that are comparable in minutes and features to  
356 those available to post-paid wireless subscribers – but at low Lifeline rates and without  
357 the burden of credit checks or contracts.

358

359 Total Call's Lifeline service will provide low-income Utah residents with the convenience  
360 and security offered by wireless services – even if their financial position deteriorates.  
361 Total Call's prepaid wireless plans enable consumers to enjoy the benefits of wireless  
362 telecommunication without being subject to extensive credit reviews and long-term service  
363 commitments, which historically have limited the availability of wireless service to many  
364 Americans, including many Utah residents. ETC designation in Utah would enable Total  
365 Call to offer appealing and affordable service offerings to low-income Utah customers to  
366 ensure that they are able to afford wireless services on a consistent and uninterrupted basis.  
367 It is a commonly accepted fact that in today's market all consumers, including qualified  
368 Lifeline customers, view the portability and convenience of wireless service not as a  
369 luxury, but as a necessity. Mobile service allows children to reach their parents,  
370 wherever they may be, allows a person seeking employment the ability to be contacted by  
371 potential employers, and provides end users with the ability to contact emergency service  
372 providers, regardless of location. Providing Total Call with the authority necessary to  
373 offer discounted Lifeline services to those in most danger of losing wireless service  
374 undoubtedly promotes the public interest.

375  
376 Moreover, grant of Total Call's Petition will serve the public interest in increasing the  
377 number of ETCs in Utah. By granting ETC status to Total Call, the Commission will  
378 enable Total Call to increase the number of Utah residents receiving Lifeline support.

379  
380 **Q33. ARE THERE ANY COMPETITIVE BENEFITS ASSOCIATED WITH**  
381 **DESIGNATING TOTAL CALL AS AN ETC IN UTAH?**

382 A. Designation of Total Call as an ETC will promote competition and innovation, and spur  
383 other carriers to target low-income consumers with service offerings tailored to their  
384 needs and to improve their existing networks to remain competitive, resulting in  
385 improved services to consumers. Designation of Total Call as an ETC will help assure  
386 that quality services are available at “just, reasonable, and affordable rates” as envisioned  
387 in the Act. Introducing Total Call into the market as an additional wireless ETC provider  
388 will afford low income Utah residents a wider choice of providers and available services  
389 while enhancing the competitive marketplace as ETCs compete for a finite number of  
390 Lifeline-eligible customers. Increasing the competitive marketplace of providers has the  
391 potential to effectively increase the penetration rate and reduce the number of individuals  
392 not connected to use telephone services.

393

394 **Q34. IF TOTAL CALL’S PETITION FOR ETC DESIGNATION IS GRANTED, WILL**  
395 **THERE BE ANY IMPACT ON THE UNIVERSAL SERVICE FUND?**

396 A. Designation of Total Call as an ETC in Utah would not unduly burden the federal USF or  
397 otherwise reduce the amount of funding available to other ETCs. Total Call seeks ETC  
398 designation solely to utilize federal USF funding to provide Lifeline service to qualified  
399 low-income consumers. It does not seek and will not accept high cost or Link-Up  
400 support. With Lifeline, ETCs only receive support for customers they obtain. The  
401 amount of support available to an eligible subscriber is exactly the same whether the  
402 support is given through a company such as Total Call or the ILEC operating in the same  
403 service area. Total Call will only increase the amount of USF Lifeline funding in  
404 situations where it obtains Lifeline customers not enrolled in another ETC’s Lifeline

405 program. By implementing the safeguards set forth in the *Lifeline Reform Order*, Total  
406 Call will minimize the likelihood that its customers are not eligible or are receiving  
407 duplicative support either individually or within their household. Significantly, the  
408 Company's designation as an ETC will not increase the number of persons eligible for  
409 Lifeline support. Total Call's ability to increase the Lifeline participation rate of qualified  
410 low-income individuals will further the goal of Congress to provide all individuals with  
411 affordable access to telecommunications service, and thus any incremental increases in  
412 Lifeline expenditures are far outweighed by the significant public interest benefits of  
413 expanding the availability of affordable wireless services to low-income consumers.

414

415 **Q35. WILL TOTAL CALL SATISFY THE REQUIREMENTS FOR LIFELINE**  
416 **ELIGIBILITY CERTIFICATION AND VERIFICATION?**

417 A. Total Call will certify and verify consumer eligibility to participate in the Lifeline  
418 programs in accordance with the rules of this Commission and the FCC. Total Call will  
419 comply with the relevant laws, rules, and Commission orders governing eligibility  
420 verification, as they presently exist and as they may be amended by the Commission.  
421 Total Call also discusses in detail the steps it will take to comply with the FCC's relevant  
422 rules in its Compliance Plan, available at Exhibit 5 attached to the Petition.

423

424 **Q36. IS TOTAL CALL COMMITTED TO TAKING ADDITIONAL STEPS TO**  
425 **COMBAT THE POTENTIAL FOR WASTE, FRAUD AND ABUSE OF LIFELINE**  
426 **SERVICES?**

427 A. Absolutely. As detailed in Total Call’s Petition and also in its Compliance Plan, attached  
428 as Exhibit 5 to the Petition, in addition to its commitment to comply with all related state  
429 and FCC requirements, Total Call will also make voluntary commitments to combat  
430 potential waste, fraud, and abuse of its Lifeline services. These commitments include  
431 implementation of: a 90-day non-usage policy for Lifeline subscribers; additional  
432 procedures to ensure the “one-per-household rule” for Lifeline support; and additional  
433 Lifeline-specific eligibility procedures, safeguards, and employee training within the  
434 Company.

435

436 **Q37. PLEASE ELABORATE ON TOTAL CALL’S 90-DAY INACTIVITY POLICY.**

437 A. Certainly. Total Call will implement a 90-day non-usage policy in an effort to avoid  
438 waste, fraud, and abuse of the program. Total Call will not consider a prepaid subscriber  
439 activated, and will not seek reimbursement for Lifeline for that subscriber, until the  
440 subscriber activates the Company’s prepaid service through usage of the service. In  
441 addition, after service activation, Total Call will provide a de-enrollment notice to  
442 subscribers that have not used their service for 60 days. After 60 days of non-use, Total  
443 Call will provide notice to the subscriber that failure to use the Lifeline service within a  
444 30-day notice period will result in de-enrollment. For these purposes, subscribers will be  
445 considered to “use” the service by: (1) completing an outbound call; (2) purchasing  
446 minutes from the Company to add to the subscriber’s plan; (3) answering an incoming  
447 call from a party other than the Company; or (4) responding to a direct contact from the  
448 Company and confirming that the subscriber wants to continue receiving the service. If  
449 the subscriber does not respond to the notice, the subscriber will be de-enrolled and Total

450 Call will not request further Lifeline reimbursement for the subscriber. Customers that  
451 have been deactivated may participate in the Company's Lifeline service in the future by  
452 reapplying and re-establishing eligibility.

453

454 **Q38. WHAT ADDITIONAL STEPS WILL TOTAL CALL TAKE TO ENSURE**  
455 **COMPLIANCE WITH THE "ONE-PER-HOUSEHOLD RULE" FOR LIFELINE**  
456 **SUPPORT?**

457 A. Total Call will follow any established FCC or Commission procedures to comply with  
458 the "one-per-household rule" for Lifeline support Total Call will make available state-  
459 specific customer data, including name and address, to the Universal Service  
460 Administrative Company ("USAC") and to the Commission for the purpose of permitting  
461 USAC or the Commission to determine whether an existing Total Call Lifeline customer  
462 receives Lifeline service from another carrier. Total Call will promptly investigate any  
463 notification that it receives from USAC or the Commission that one of its customers  
464 already receives Lifeline service from another carrier. Should the Company's  
465 investigation conclude that the customer receives Lifeline services from another carrier in  
466 violation of applicable regulations, or if otherwise directed by USAC or the Commission,  
467 Total Call will immediately notify the customer and no longer request funds for that  
468 customer. Total Call will de-enroll any subscriber whom Total Call discovers is  
469 receiving Lifeline services from another ETC or is otherwise not eligible. If USAC  
470 informs Total Call that a subscriber is receiving duplicative support, Total Call will de-  
471 enroll that subscriber within five business days pursuant to 54.405(e)(2).

472

473 **Q39. CAN YOU FURTHER DESCRIBE TOTAL CALL'S ADDITIONAL LIFELINE-**  
474 **SPECIFIC ELIGIBILITY PROCEDURES, SAFEGUARDS AND EMPLOYEE**  
475 **TRAINING THAT WILL ASSIST IN COMBATING THE POTENTIAL FOR**  
476 **WASTE, FRAUD AND ABUSE OF LIFELINE SERVICES?**

477 A. Total Call will provide Lifeline-specific training to all Company personnel who interact  
478 with actual or prospective customers with respect to obtaining, changing, or terminating  
479 Lifeline services. Company personnel will verbally explain the eligibility criteria to  
480 consumers when they are enrolling in person or over the phone. At point of sale,  
481 consumers will be provided with information describing Total Call's Lifeline program in  
482 detail, including federal and state specific eligibility requirements, and instructions for  
483 enrolling, a description of the one-per-household rule and a copy of USAC's printed  
484 material describing the one-per-household rule. These materials, like all Lifeline  
485 marketing materials, also will clearly identify supported plans as "Lifeline" plans,  
486 consistent with TCM's current practice and policies. Consumers will also be directed to  
487 a toll-free telephone number and to TCM's website, which will contain a link to  
488 information regarding the Company's Lifeline service plan, including a detailed  
489 description of the program, rates, and federal and state-specific eligibility criteria.  
490 Applicants must complete the enrollment form, which will require all consumers, at sign  
491 up and annually thereafter, to provide the information and certifications, under penalty of  
492 perjury, in order to demonstrate their eligibility for Lifeline service.

493  
494 Total Call will ensure that the penalty for perjury language is clearly stated on its Lifeline  
495 certification form. Total Call's Lifeline certification form will include a disclosure

496 section on which a Lifeline applicant must initial disclosure statements. Total Call will  
497 maintain the customer's self-certification and provide the documentation to the  
498 Commission upon request. It will collect all required information, including the  
499 customer's date of birth and the last 4 digits of the customer's social security number or  
500 Tribal ID number, and will provide financial and enrollment data to the National Lifeline  
501 Accountability Database, once it is established.

502

503 Furthermore, Total Call has taken extra measures to protect the integrity of the USF by  
504 contracting with a software company, to assist with all Lifeline subsidy request data. The  
505 software company will assist in processing and validating the Company's subsidy data to  
506 prevent: (1) duplicate same-month Company Lifeline subsidies ("double-dipping" within  
507 the Company): any name/address that is already receiving a Lifeline subsidy from the  
508 Company will be automatically prevented from receiving a second Lifeline subsidy in  
509 that same month; (2) double-dipping across different Lifeline service providers: any  
510 name/address that is already receiving a Lifeline subsidy from a participating provider  
511 (i.e. a provider that uses the same software and agrees to check for duplicates with other  
512 clients of the software) will be automatically prevented from receiving a second Lifeline  
513 subsidy from the Company in that same month; and (3) inactive lines receiving subsidy:  
514 the software company's systems compare all subsidy requests to underlying network  
515 status to ensure that subsidies are requested only for active lines.

516

517 **Q40. WILL TOTAL CALL PAY ALL APPLICABLE FEDERAL, STATE AND LOCAL**  
518 **REGULATORY FEES?**



519 A. Yes. Total Call will pay all applicable federal, state, local regulatory fees in a timely  
520 manner, including, but not limited to, universal service fees, the funding of emergency  
521 services addressed in Utah Code Ann. (“UAC”) §§ 69-2-5, 69-2-5.5 and 69-2-5.6 (911  
522 emergency telecommunications services, the Poison Control Center, and statewide  
523 Unified E-911 emergency service).

524

525 **Q41. WILL TOTAL CALL COMPLY WITH ALL APPLICABLE COMMISSION**  
526 **RULES AND REGULATIONS REGARDING ETCS?**

527 A. Yes. Total Calls affirms its commitment to comply with all rules and regulations that the  
528 Commission may lawfully impose upon Total Call’s provision of service contemplated  
529 by its Petition for ETC designation, such as Lifeline eligibility certification and  
530 verification and reporting requirements. Total Call will comply with the Commission’s  
531 ruling regarding its request for waivers of UAC R741-341-5(C), UAC R746-341-6(A)  
532 and UAC R746-360-6(D).

533

534 **Q42. HOW QUICKLY CAN TOTAL CALL COMMENCE LIFELINE SERVICE?**

535 A. Total Call intends to launch Lifeline services as soon as possible after the Commission  
536 approves its pending Petition.

537

538 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

539 A. Yes, it does.