

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the Petition of PlatinumTel))
Communications, LLC dba CARE WIRELESS))
) Docket No. 15-2585-01
for Designation as an Eligible Telecommunications))
Carrier in the State of Utah))
_____)

**PLATINUMTEL COMMUNICATIONS, LLC
DBA CARE WIRELESS' SUBMISSION OF
DIRECT TESTIMONY AND EXHIBITS**

PlatinumTel Communications, LLC dba CARE WIRELESS (“Care Wireless”), by counsel, files its Direct Testimony and Attachments with the Public Service Commission of Utah in the above-referenced docket. Care Wireless’ Direct Testimony and Attachments include the testimony of Omar Aqel and Attachments 1–3, inclusive, identified therein.

Respectfully submitted this 23th day of February, 2016.

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DIRECT TESTIMONY OF OMAR AQEL

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

2 **A:** My name is Omar Aqel. I am Vice President of
3 PlatinumTel Communications, LLC dba CARE WIRELESS (hereinafter referred
4 to as “Care Wireless” or the “Company”).

5 **Q2: WHAT IS CARE WIRELESS?**

6 **A:** Care Wireless is a Delaware Limited Liability Company located at 8108 South
7 Roberts Road, Justice, Illinois 60458. Care Wireless is a reseller of commercial
8 mobile radio service (“CMRS”) and was acknowledged as a CMRS provider in the
9 State of Utah on June 15, 2015. Care Wireless provides prepaid, local exchange
10 telecommunications services throughout the United States to consumers and
11 currently has applications for eligible telecommunications carrier (“ETC”)
12 designation pending with the FCC, for the states of Alabama, Connecticut,
13 Delaware, Florida, Maine, North Carolina, New Hampshire, New York, Tennessee,
14 Texas, Virginia, and the District of Columbia; with the Wisconsin Public Service
15 Commission, for designation in the State of Wisconsin; with the Kentucky Public

1 Service Commission, for designation in the Commonwealth of Kentucky; and with
2 the California Public Utilities Commission, for designation in the State of
3 California. The Company provides commercial mobile radio service (“CMRS”)
4 throughout the United States under its d/b/a, Care Wireless, and provides prepaid
5 wireless telecommunications services to consumers by using the T-Mobile USA,
6 Inc. (“T-Mobile”) network on a wholesale basis to offer nationwide service, and
7 the Company obtains from T-Mobile the network infrastructure and wireless
8 transmission facilities to allow the Company to operate as a Mobile Virtual
9 Network Operator (“MVNO”). Care Wireless obtains from T-Mobile, via a direct
10 agreement, the network infrastructure and wireless transmission facilities to allow
11 the Company to operate as a Mobile Virtual Network Operator (“MVNO”).
12 Care Wireless does not have any holding companies, operating companies, or any
13 affiliates.

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

15 **A:** Care Wireless provides prepaid wireless services that are affordable, easy to use,
16 and attractive to low-income and lower-volume consumers, providing such
17 consumers with access to emergency services and a reliable means of
18 communication that can be used both at home and while traveling to remain in
19 touch with friends and family and for contacting prospective employers.

20 **Q4: HOW ARE CARE WIRELESS’ SERVICES DIFFERENT FROM OTHER**
21 **CARRIERS’ OFFERINGS?**

22 **A:** Many Care Wireless customers are from low-income backgrounds and did not
23 previously have access to high-quality wireless services because of financial

1 constraints or poor credit history. Care Wireless does not conduct credit checks or
2 require customers to enter into long-term service contracts as a prerequisite to
3 obtaining wireless service. Care Wireless will offer customers a certain amount of
4 service free of charge. Care Wireless' free 300-minute "Free Airtime Plan"
5 provides eligible Lifeline subscribers with \$15.00 worth of airtime service for free,
6 which subscribers may use at their discretion interchangeably on up to three
7 hundred (300) anytime voice minutes or seven hundred and fifty (750) text
8 messages (SMS) at \$0.05 per voice minute and \$0.02 per text message. Each time
9 a subscriber makes a call to 411, a \$0.50 charge will be deducted from his or her
10 remaining customer account balance. Although this is a pre-paid monthly plan of
11 \$15.00 of airtime each month, any unused voice minutes and text messages will
12 rollover from month to month for a period of ninety (90) days on this plan. In
13 addition to this free 300-minute plan, customers will also be permitted to select one
14 of Care Wireless' alternative plans, which offer customers unlimited anytime voice
15 minutes, unlimited text messaging (SMS), unlimited multimedia messaging
16 (MMS), unlimited global texting, and either 250 megabytes (MB) or unlimited data
17 at either 2G, 3G, or 4G LTE speeds. In addition to wholly-supported voice
18 services, Care Wireless will also provide Lifeline customers with a free, new
19 handset as well as access to voice mail, caller I.D., on-network roaming,
20 conditional call forwarding, 3-way calling features, and call-waiting services at no
21 additional charge. Also, calls to Care Wireless' customer service (accessed by
22 dialing 611) and calls to 911 emergency services are always free of charge,
23 regardless of service activation or availability of minutes. The Company does not

1 apply an activation fee to Lifeline customers, and customers are not bound by a
2 local calling area requirement. All Care Wireless plans come with domestic
3 long-distance at no extra charge and exceptional nationwide digital coverage on the
4 T-Mobile network.

5 **Q5: DOES CARE WIRELESS CURRENTLY PROVIDE WIRELESS**
6 **TELECOMMUNICATIONS SERVICE IN UTAH?**

7 **A:** No; however, the Company intends to offer non-Lifeline wireless services upon
8 launch of its wireless Lifeline services.

9 **Q6: WILL CARE WIRELESS PAY ALL APPLICABLE REGULATORY FEES?**

10 **A:** Yes. Care Wireless acknowledges that approval of its Petition may be conditioned
11 upon the verified payment of all applicable state and local regulatory fees,
12 including but not limited to universal service fees, emergency services, and relay
13 services.

14 **Q7: WHAT IS THE NATURE OF CARE WIRELESS' ETC DESIGNATION**
15 **REQUEST?**

16 **A:** Care Wireless requests Eligible Telecommunications Carrier (“ETC”) designation
17 in Utah solely to provide Lifeline service to qualifying Utah consumers; it will not
18 seek access to funds from the federal high-cost program. The Company does not
19 seek access to state USF in the instant petition.

20 **Q8: IN WHAT SERVICE AREAS IS CARE WIRELESS SEEKING**
21 **DESIGNATION AS AN ETC?**

22 **A:** Care Wireless requests ETC designation in the wire centers in which Care Wireless
23 has wireless network coverage through its underlying carrier, T-Mobile. These

1 wire centers were included as Exhibit 5 of the Company’s Petition.

2 **Q9: DOES CARE WIRELESS SATISFY THE REQUIREMENTS FOR ETC**
3 **DESIGNATION IN UTAH?**

4 **A:** Yes. Care Wireless satisfies all of the requirements for ETC designation contained
5 in both federal and state regulations. CMRS resellers like Care Wireless are treated
6 as common carriers for regulatory purposes. Care Wireless recognizes that Section
7 214(e)(1)(A) of the Communications Act of 1934, as amended (the “Act”), states
8 that ETCs shall offer services, at least in part, over their own facilities and that the
9 Federal Communications Commission’s (FCC) Rules (47 C.F.R. § 54.201(i))
10 prohibit state commissions from designating as an ETC a telecommunications
11 carrier that offers services exclusively through the resale of another carrier’s
12 services. However, the FCC granted forbearance from enforcement of Section
13 214(e)(1)(A)’s facilities requirement to carriers seeking Lifeline-only ETC
14 designation.¹ In accordance with the *Lifeline and Link Up Reform Order*,
15 Care Wireless filed its Compliance Plan which the FCC approved on December 26,
16 2012. A copy of the approved Compliance Plan was attached to the Company’s
17 Petition at Exhibit 3. Care Wireless commits to providing Lifeline service in Utah
18 in accordance with said Compliance Plan. 47 U.S.C. § 160(e) provides: “[a] State
19 commission may not continue to apply or enforce any provision of this chapter that
20 the [Federal Communications] Commission has determined to forbear from

¹ See *In the Matter of Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (“*Lifeline and Link Up Reform Order*”) ¶ 368.

1 applying under subsection (a) of this section.” As such, the Commission is required
2 to act in accordance with the FCC’s grant of forbearance, and therefore may not
3 apply the facilities-based requirement to Care Wireless.

4 **Q10: HAS CARE WIRELESS BEEN DESIGNATED AS AN ETC IN ANY**
5 **OTHER STATES?**

6 **A:** No. Care Wireless currently has petitions for designation as an ETC pending with
7 the FCC, for the states of Alabama, Connecticut, Delaware, Florida, New
8 Hampshire, Maine, New York, North Carolina, Tennessee, Texas, the
9 Commonwealth of Virginia, and the District of Columbia; in the State of
10 Wisconsin; in the State of Kentucky; and the State of California. Care Wireless
11 has not been denied ETC status by any regulatory authority.

12 **Q11: WHAT FUNCTIONS WILL CARE WIRELESS OFFER TO**
13 **SUBSCRIBERS ONCE GRANTED ETC STATUS?**

14 **A:** Care Wireless offers, or will offer upon designation as an ETC in Utah, all of the
15 services and functionalities required by the FCC’s rules:

16 a. *Voice-grade access to the public switched network.* Care Wireless
17 meets this requirement by providing voice grade access to the public
18 switched telephone network through the purchase of wholesale CMRS
19 services from T-Mobile.

20 b. *Minutes of Use for Local Service.* ETCs must provide minutes of
21 use for local service provided at no additional charge to end users.
22 Care Wireless offers a variety of rate plans that provide its customers with
23 minutes of use for local service at no additional charge. It is important to

1 note that currently, the FCC has not adopted any minimum local service
2 requirements.

3 c. *Access to emergency services.* ETCs must provide access to the
4 emergency services provided by local government or other public safety
5 organizations, such as 911 and enhanced 911 (E911), to the extent the local
6 government in an eligible carrier's service area has implemented 911 or
7 E911 systems. Care Wireless currently provides 911 and E911 access for
8 all of its customers, and Care Wireless will continue to comply with all
9 FCC E911 requirements applicable to wireless resellers.

10 d. *Toll limitation for qualifying low-income consumers.* The FCC has
11 stated that toll limitation would no longer be deemed a supported service.
12 Nonetheless, Care Wireless' offerings inherently allow Lifeline customers
13 to control their usage, as its wireless service is offered on a prepaid basis.
14 Moreover, the nature of Care Wireless' service mitigates the need for toll
15 control. Care Wireless' service is not offered on a distance-sensitive basis,
16 and minutes are not charged separately for local or domestic long-distance
17 services. Care Wireless will not seek reimbursement for toll limitation
18 service.

19 e. *Other services.* While no longer required by 47 C.F.R. § 54.101(a),
20 Care Wireless provides dual-tone multi-frequency ("DTMF") signaling to
21 expedite the transmission of call-set-up and call-detail information
22 throughout the network; single-party service for the duration of each
23 telephone call, and not multi-party (or "party-line") services; access to

1 operator services; the ability to make interexchange, or long-distance,
2 telephone calls; and access to directory assistance services by dialing “411”
3 from the provided wireless handsets.

4 **Q12: HOW QUICKLY CAN CARE WIRELESS COMMENCE SERVICE?**

5 **A:** Care Wireless’ underlying provider’s network is operational and largely built out.
6 Thus, Care Wireless will be able to commence offering its service to all locations
7 served by its underlying carriers very soon after receiving ETC designation from
8 the Commission. In accordance with 47 C.F.R. § 54.202(a)(1)(i), Care Wireless
9 commits to comply with the service requirements applicable to the support that it
10 receives.

11 **Q13: WILL CARE WIRELESS SATISFY APPLICABLE CONSUMER
12 PROTECTION AND SERVICE QUALITY STANDARDS?**

13 **A:** Care Wireless’ service is of the same quality and reliability as that of its underlying
14 carrier. The Company commits to satisfying all such applicable state and federal
15 requirements related to consumer protection and service quality standards. To
16 demonstrate its commitment to high service quality, Care Wireless commits to
17 comply with the Cellular Telecommunications and Internet Association’s (CTIA)
18 Consumer Code for Wireless Service. A copy of the CTIA Code is attached as
19 Attachment 1.

20
21

22 **Q14: IS CARE WIRELESS ABLE TO REMAIN FUNCTIONAL IN
23 EMERGENCY SITUATIONS?**

1 **A:** In accordance with 47 C.F.R. § 54.202(a)(2), Care Wireless, through its underlying
2 carrier, has the ability to remain functional in emergency situations. Through its
3 agreement with its underlying carrier, Care Wireless provides to its customers the
4 same ability to remain functional in emergency situations as currently provided by
5 T-Mobile to its own customers, including access to a reasonable amount of back-
6 up power to ensure functionality without an external power source, the ability to
7 reroute traffic around damaged facilities, and the capability of managing traffic
8 spikes resulting from emergency situations.

9 **Q15: HOW DOES CARE WIRELESS INTEND TO ADVERTISE THE**
10 **AVAILABILITY OF THE SUPPORTED SERVICES?**

11 **A:** Care Wireless will advertise the availability and rates for the services described
12 above using media of general distribution as required by Section 54.201(d)(2) of
13 the FCC's regulations. Care Wireless will comply with requirements set forth in
14 the FCC's *Lifeline and Link Up Reform Order*, as outlined in the Company's FCC-
15 Approved Compliance Plan. The Company will advertise its services in a manner
16 reasonably designed to reach those likely to qualify for Lifeline services, using
17 mediums for outreach such as mass media, outreach events, and community and
18 charitable involvement. The Company will engage in advertising campaigns
19 promoting the availability of cost-effective wireless services to this neglected
20 consumer segment, using mediums such as television, radio, the Internet, direct
21 agent contacts, and direct mailings. Care Wireless may also promote the
22 availability of its Lifeline offering by engaging in outreach efforts at various state
23 and local social service agencies, and may partner with nonprofit assistance

1 organizations in order to inform customers of the availability of its Lifeline service.

2 In addition, Care Wireless will utilize a network of retail partners to help promote
3 the availability of its Lifeline plans, especially those retail outlets that are
4 frequented by low income consumers; examples include MoneyGram locations and
5 select discount retailers in Utah, once service is launched in Utah.

6 **Q16: IS CARE WIRELESS FINANCIALLY AND TECHNICALLY CAPABLE?**

7 **A:** Yes. Care Wireless has been offering non-Lifeline wireless service since 2001, is
8 one of the oldest and largest prepaid wireless companies in the United States, and
9 began providing Lifeline-supported wireless service in 2011. The Company
10 generates substantial revenues from non-Lifeline services and has access to capital
11 from its investors. The Company does not, and does not intend to, offer exclusively
12 Lifeline-supported services—and Care Wireless is therefore not exclusively
13 dependent on USAC for its revenue. Care Wireless is fully capable of honoring all
14 its service obligations to customers and regulatory obligations to state and federal
15 regulators. The Company has not been subject to enforcement sanctions or ETC
16 revocation proceedings in any state. Furthermore, the senior management of
17 Care Wireless has great depth in the telecommunications industry and offers
18 extensive telecommunications business technical and managerial expertise to the
19 Company. Key management resumes were attached to the Company’s original
20 Petition, as Exhibit 6.

21
22 **Q17: WILL CARE WIRELESS COMPLY WITH THE LIFELINE**
23 **CERTIFICATION AND VERIFICATION REQUIREMENTS?**

1 **A:** Yes. Care Wireless will certify and verify consumer eligibility in accordance with
2 the FCC’s requirements, as revised in the *Lifeline and Link Up Reform Order*; with
3 applicable Commission rules; and with the outcome of Commission Docket No.
4 10-2528-01.

5 **Q18: HOW WILL CARE WIRELESS CERTIFY THAT A CUSTOMER IS**
6 **ELIGIBLE FOR THE FEDERAL LIFELINE DISCOUNT?**

7 **A:** During the enrollment process, applicants will be directed to a toll-free telephone
8 number and to Care Wireless’ website (www.carewireless.com), which will contain
9 information regarding the Company’s Lifeline services, including a detailed
10 description of the program and state-specific eligibility criteria. Customers may then
11 request that an enrollment form be mailed to them, or they can download a form
12 from the Internet or retrieve a form in person at authorized, retail locations. The
13 Company’s certification form will require all consumers, at sign-up and annually
14 thereafter, to provide the information and certifications, under penalty of perjury,
15 required by revised 47 C.F.R. § 54.410(d). Care Wireless will utilize federal or
16 state eligibility databases to check an applicant’s eligibility for Lifeline service, or
17 in the absence of such a database will require applicants to provide documentation
18 showing proof of their participation in a qualifying program or proof of income
19 eligibility. Care Wireless will annually re-certify the continued eligibility of all of
20 its subscribers.

21

22 **Q19: DOES CARE WIRELESS USE A THIRD PARTY ADMINISTRATOR TO**
23 **ASSIST WITH ITS LIFELINE SERVICES?**

1 **A:** Yes. Care Wireless has contracted with CGM, LLC (“CGM”), of Roswell,
2 Georgia, a lifeline service bureau, to assist in reviewing customer applications and
3 verifying eligibility, and to edit all subsidy request data. CGM will process and
4 validate the Company’s subsidy data to prevent: (1) Duplicate Same-Month
5 Lifeline Subsidies (Double Dip): any name/address that is already receiving a
6 lifeline subsidy from the Company will be automatically prevented from receiving
7 a second lifeline subsidy in that same month; and (2) Inactive lines receiving
8 subsidy: CGM’s systems compare all subsidy requests to underlying network status
9 to ensure that subsidies are requested only for active lines. Through the process
10 described above, Care Wireless ensures that it does not over-request from support
11 funds.

12 **Q20: WHAT MEASURES DOES CARE WIRELESS PLAN TO TAKE TO**
13 **PREVENT RECOVERY OF THE FEDERAL LIFELINE DISCOUNT FOR**
14 **CUSTOMERS ALREADY RECEIVING THE DISCOUNT FOR THEIR**
15 **LANDLINE TELEPHONE?**

16 **A:** Care Wireless application forms will inform customers of the one-per-household
17 limitation, and Care Wireless will require each applicant to provide their name,
18 primary residential address and an alternate telephone number (if any). Care Wireless
19 will incorporate this information into its customer information database.
20 Care Wireless will check the name and address of each Lifeline applicant against its
21 database to determine whether or not it is associated with a customer that already
22 receives Care Wireless Lifeline service, and will then review the application to
23 ascertain whether the applicant is attempting to receive Lifeline-supported service for

1 more than one handset associated with the address. Care Wireless will deny the
2 Lifeline application of any such individual and advise him or her of the basis for the
3 denial. Applicants must self-certify, under penalty of perjury, at the time of service
4 activation and annually thereafter, that they receive Lifeline-supported service only
5 from Care Wireless. In addition, Care Wireless will utilize the as the National
6 Lifeline Accountability Database, once available, and the Department of
7 Community and Culture’s knowledge and databases (or the provider of verification
8 services established through Docket No. 10-2508-01) to ensure as accurately as
9 possible that only one individual per household is receiving the subsidy, and that
10 applicants are not already receiving Lifeline support from any other carrier.

11 **Q21: WHAT MEASURES DOES CARE WIRELESS PLAN TO TAKE TO**
12 **PREVENT RECOVERY OF LIFELINE FUNDS FOR PREPAID**
13 **CUSTOMERS WHO CEASE USING CARE WIRELESS PHONES AND**
14 **AIRTIME?**

15 **A:** Care Wireless recognizes the importance of safeguarding the USF. Therefore,
16 Care Wireless has implemented the following 60-day non-usage policy in an effort
17 to avoid waste, fraud, and abuse of the program. Care Wireless will not seek
18 reimbursement from the USF for inactive subscribers who have not used the service
19 for a consecutive 60-day period. Care Wireless will notify its subscribers at service
20 initiation about the non-transferability of the phone service, its usage requirements,
21 and the de-enrollment and deactivation that will result following non-usage in any
22 60-day period. An account will be considered active if, during any 60-day period,
23 an authorized subscriber does at least one of the following: makes a monthly

1 payment; purchases minutes from the Company to add to an existing pre-paid
2 Lifeline account; completes an outbound call; answers an incoming call from
3 anyone other than the Company, its representative, or agent; or affirmatively
4 responds to a direct contact from the Care Wireless confirming that he or she wants
5 to continue. Care Wireless will provide the subscriber 30 days' notice, using clear,
6 easily understood language, providing that the subscriber's failure to use the
7 Lifeline service within the 30-day notice period will result in service termination
8 for non-usage; such notice may be given after 30 days, but not prior to 60 days, of
9 non-usage. Care Wireless will not discontinue any Lifeline service without such
10 30 days' notice. Following such notice, reimbursements may be received by
11 Care Wireless, should such customers utilize services within the allotted 30-day
12 window. If the notified subscriber does not respond to the notice or utilize
13 Care Wireless' services, the subscriber will be de-enrolled and the Company will
14 not request further Lifeline reimbursement for the subscriber. However, customers
15 who are eventually, or who have previously been, deactivated may participate in
16 the Company's Lifeline service in the future by reapplying and re-establishing
17 eligibility for service.

18 **Q22: WHAT ARE THE RATES AND TERMS OF CARE WIRELESS'**
19 **LIFELINE SERVICE OFFERING?**

20 **A:** Attachment 2 is a summary table of the Company's proposed Lifeline offering.
21 Option 1, Care Wireless' Lifeline "Free Airtime Plan," includes \$15.00 worth of
22 airtime service free of charge, which customers may use at their discretion
23 interchangeably on up to three hundred (300) anytime voice minutes or seven

1 hundred and fifty (750) text messages (SMS), charged at \$0.05 per voice minute
2 and \$0.02 per text message. Each time a customer on the “Free Airtime Plan”
3 makes a call to 411, a \$0.50 charge is deducted from the subscribing customer’s
4 account balance. The retail rate of the “Free Airtime Plan” is \$15.00; however,
5 after the application of the federal Lifeline subsidy (\$9.25), the additional federal
6 tribal subsidy where applicable (\$25.00, to reimburse the difference between the
7 retail rate and the standard federal subsidy in cases of eligible Tribal subscribers),
8 and a Company discount (currently \$5.75, in the case of a non-Tribal eligible
9 subscriber), the net cost of the plan will be \$0.00. In addition to the free plan,
10 customers will also be permitted to select one of Care Wireless’ alternative retail
11 rate plans which offer more text units and voice units, as well as data, to which
12 Care Wireless will apply a discount of \$9.25 per month (for eligible non-Tribal
13 subscribers) or \$34.25 (for eligible Tribal subscribers). Retail rates range from
14 \$20.00 to \$60.00, and after the application of Lifeline discounts, net costs to
15 consumers range from \$0.00 to \$50.75, depending on the discounts applied.

16 In addition to voice services, all prepaid Lifeline customers will receive a
17 free handset and the following Custom Calling features at no charge: caller I.D.,
18 on-network roaming, conditional call forwarding, 3-way calling features, and call-
19 waiting services, and access to voicemail. Moreover, customers may use their
20 minutes to place domestic, long-distance calls at no additional charge. Calls to 911
21 and E911 emergency services are always free of charge, and calls to Care Wireless
22 customer service made by customers via their Care Wireless handset (by dialing
23 611) will not deplete a customer’s available airtime. At this time eligible customers

1 can add additional airtime to their Care Wireless phone by purchasing PlatinumTel
2 Top-Up Cards in person at authorized, retail locations around the nation; via phone
3 by contacting Customer Service (611), or the Company's toll free number (866-
4 225-5631); or via the Internet, at the Company's website (www.carewireless.com).
5 Such Cards are available in the following denominations: \$10.00, valid for ninety
6 (90) days; \$20.00, valid for ninety (90) days; \$30.00, valid for one hundred and
7 eighty (180) days; \$50.00, valid for one hundred and eighty (180) days; and
8 \$100.00, valid for three hundred and sixty-five (365) days. Such Top-Up airtime
9 will be charged at the following rates: \$0.05 for each anytime voice minute used;
10 \$0.02 for each text message sent; and \$0.10 for each megabyte (MB) of data used.
11 Care Wireless does not require credit checks or long-term contracts as a prerequisite
12 of service. Therefore, Care Wireless' prepaid offering will be an attractive
13 alternative for consumers who need the mobility, security, and convenience of a
14 wireless phone, but who are nonetheless concerned about usage charges or long-
15 term contracts.

16 **Q23: DOES CARE WIRELESS INTEND TO PROVIDE QUALIFIED LIFELINE**
17 **CUSTOMERS WITH A FREE HANDSET?**

18 **A:** Yes, Care Wireless Lifeline customers will receive an E911-compliant wireless
19 handset at no charge. All wireless handsets issued by Care Wireless are capable of
20 accessing 911 services without charge, regardless of activation status and
21 availability of minutes. The Company provides customers new, free handsets that
22 are all E911-compliant. To date, the Company the fail rate for the Company's
23 handsets is less than one percent (1%). Should a customer's handset fail, customers

1 may contact the Company by contacting service or the Internet. At such time, the
2 Company will mail a new handset to the Customer experiencing a device failure.

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

6 **A:** Lifeline customers will be given materials at enrollment that describe the number
7 of minutes/credits they receive and when the minutes/credits will be replenished.
8 Care Wireless customers can check the balance of their minutes either online or by
9 calling customer service (by dialing 611).

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

12 **A:** Once the minutes have been utilized, customers will either have to wait until the
13 next month for a new allotment of minutes of free air time or they can purchase
14 additional airtime via the methods previously described at any time.

15 **Q26: HOW WILL CUSTOMERS COMMUNICATE WITH CARE WIRELESS**
16 **REGARDING QUESTIONS, CONCERNS OR COMPLAINTS?**

17 **A:** Care Wireless commits to exceptional customer service standards. Customers are
18 able to contact the Company via a toll free number (866-225-5631), or by dialing
19 611 from their Care Wireless phone. Such customers will also be able to contact
20 Customer Service via the Company's website (www.carewireless.com) or by mail.
21 Care Wireless is committed to resolving customer questions, concerns, and
22 complaints in a swift and satisfactory manner.

23 **Q27: HOW WILL CARE WIRELESS' PRESENCE AS AN ETC IN UTAH**

1 **SERVE THE PUBLIC INTEREST?**

2 **A:** A central purpose of the Telecommunications Act of 1996 was to “promote
3 competition and reduce regulation . . . to secure lower prices and higher quality
4 services . . . and encourage the rapid deployment of new telecommunications
5 technologies” to all citizens, regardless of geographic location or income.²
6 Designation of Care Wireless as an ETC would further these goals. Care Wireless’
7 Lifeline service will provide low-income Utah residents with the convenience and
8 security offered by wireless services—even if such residents’ financial positions
9 deteriorate. Many low-income customers in Utah have yet to reap the full benefits
10 of the intensely competitive wireless market. Whether because of financial
11 constraints, poor credit history, or intermittent employment, these consumers often
12 lack the countless choices available to most consumers. The public interest benefits
13 of the Company’s wireless service include larger local calling areas, as compared
14 to traditional wireline carriers; the convenience and security afforded by mobile
15 telephone service; the opportunity for customers to control cost, by receiving a
16 preset amount of monthly airtime at no charge; the ability to purchase additional
17 usage at flexible and affordable amounts, in the event that included usage has been
18 exhausted; 911 service; and, where available, E911 service in accordance with
19 current FCC requirements. Care Wireless’s Lifeline service offering will not only
20 allow feature-rich mobile connectivity for qualifying subscribers at no cost to
21 subscribers choosing the Company’s free 300-minute Lifeline plan, but the
22 Company’s offering will also bring a variety of rate plans into the reach of Lifeline

² The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, 56 (1996).

1 customers that are comparable in minutes and features to those available to post-
2 paid wireless subscribers—but at low Lifeline rates and without the burden of
3 credit checks, roaming charges, or contracts. Without question, prepaid wireless
4 services have become essential for low-income customers, providing them with
5 value for their money, access to emergency services on wireless devices, and a
6 reliable means of contact for prospective employers, social service agencies, or
7 dependents. Providing Care Wireless with the authority necessary to offer
8 discounted Lifeline services to those most in danger of losing wireless service
9 altogether undoubtedly promotes the public interest.

10 **Q28: WHAT ARE SOME OF THE BENEFITS OF INCREASED**
11 **COMPETITIVE CHOICE?**

12 **A:** Introducing Care Wireless as an additional ETC provider into the market will afford
13 low-income Utah residents a wider choice of providers and available services while
14 enhancing the competitive marketplace as ETCs compete for a finite number of
15 Lifeline-eligible customers. Increasing the competitive marketplace of providers
16 has the potential to effectively increase the penetration rate and reduce the number
17 of individuals not connected to the PSTN, while helping to assure that quality
18 services are available at just, reasonable, and affordable rates. As of December 31,
19 2011, only between 20 to 50% of consumers eligible for Lifeline Service in the
20 State of Utah were being provided such services.³ Care Wireless believes that it
21 will be able to increase awareness of and participation in the Lifeline program.

22 **Q29: IF CARE WIRELESS' PETITION IS GRANTED, WILL THERE BE ANY**

³ See Exhibit 4 of the Company's original Petition.

1 **IMPACT ON THE UNIVERSAL SERVICE FUND?**

2 **A:** With Lifeline, ETCs only receive support for customers they obtain. The amount
3 of support available to an eligible subscriber is exactly the same whether the support
4 is given through a company such as Care Wireless or the Incumbent LEC operating
5 in the same service area. Care Wireless will only increase the amount of USF
6 Lifeline funding in situations where it obtains Lifeline customers not enrolled in
7 another ETC’s Lifeline program. By implementing the safeguards set forth in the
8 *Lifeline and Link Up Reform Order*, Care Wireless will minimize the likelihood that
9 its customers are not eligible or are receiving duplicative support either individually
10 or within their household. Significantly, Care Wireless’ ability to increase the
11 Lifeline participation rate of qualified low-income individuals will further the goal
12 of Congress to provide all individuals with affordable access to telecommunications
13 service, and—thus—any incremental increases in Lifeline expenditures are far
14 outweighed by the significant public interest benefits of expanding the availability
15 of affordable wireless services to low-income consumers.

16 **Q30: DOES CARE WIRELESS AGREE TO COMPLY WITH ALL**
17 **COMMISSION RULES AND REGULATIONS REGARDING ETC?**

18 **A:** Yes. Care Wireless hereby asserts its willingness and ability to comply with all the
19 rules and regulations that the Commission may lawfully impose upon the
20 Company’s provision of service contemplated by its petition for ETC designation.
21 Care Wireless also commits to use a Utah-specific fact sheet that provides
22 customers concise and complete information about the services they will receive; a
23 draft fact sheet was attached to the Company’s Petition as Exhibit 8.

1 **Q31: WILL CARE WIRELESS FILE A SEPARATE APPLICATION IF IT**
2 **SEEKS STATE SUPPORT IN THE FUTURE?**

3 **A:** Yes. Although Care Wireless does not request designation as an ETC for the
4 purpose of receiving reimbursement from the Utah state fund, Care Wireless
5 acknowledges that it may seek request state funds in the future. Should
6 Care Wireless seek state funds in the future, it hereby commits to filing a separate
7 petition with the Commission.

8 **Q32: IN WHAT JURISDICTIONS DOES CARE WIRELESS CURRENTLY**
9 **HAVE PETITIONS FOR DESIGNATION AS AN ETC PENDING?**

10 **A:** Care Wireless currently has ETC petitions pending with the FCC, for the states of
11 Alabama, Connecticut, Delaware, Florida, Maine, North Carolina,
12 New Hampshire, New York, Tennessee, Texas, Virginia, and the District of
13 Columbia; with the Wisconsin Public Service Commission, for designation in the
14 State of Wisconsin; the Kentucky Public Service Commission, for designation in
15 the Commonwealth of Kentucky; and the California Public Utilities Commission,
16 for designation in the State of California. No such petition filed by Care Wireless
17 has been denied.

18

19 **Q33: DOES CARE WIRELESS DIFFERENTIATE BETWEEN ‘SUBSCRIBERS’**
20 **AND ‘CUSTOMERS’ AS REFERENCED IN ITS PETITION?**

21 **A:** No. Care Wireless does not distinguish between the terms “subscriber” and
22 “customer” as referenced in its petition and all related submissions to the
23 Commission. The terms may be used interchangeably.

1 **Q34: HOW MANY CUSTOMERS DOES CARE WIRELESS CURRENTLY**
2 **HAVE IN THE STATE OF UTAH?**

3 **A:** Care Wireless currently has no customers in the State of Utah. However,
4 Care Wireless will launch service in the State of Utah and establish retail
5 partnerships throughout the State following designation as an ETC.

6 **Q35: IN WHAT STATES DOES CARE WIRELESS CURRENTLY OFFER**
7 **WIRELESS RETAIL SERVICE?**

8 **A:** Care Wireless currently offers non-Lifeline retail wireless service in all fifty (50)
9 states, including Utah.

10 **Q36: IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD TO YOUR**
11 **TESTIMONY?**

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

