

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

Petition of Assist Wireless, LLC for)
Designation as an Eligible)
Telecommunications Carrier for the)
Purpose of Offering Lifeline Service)
on a Wireless Basis)

Docket No. 18-2597-01

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SECOND AMENDED DIRECT TESTIMONY OF BYRON YOUNG

1 WHAT IS YOUR NAME AND BUSINESS ADDRESS?

2 My name is Byron Young, and my business address is 7524 Mosier View Court, Suite 100. Fort
3 Worth, TX 76118

4 WHAT IS YOUR POSITION WITH THE APPLICANT IN THIS PROCEEDING?

5 I serve as the Chief Executive Office of Assist Wireless, LLC (“Assist” or the “Company”), the
6 Applicant in this proceeding, and have held that position since the Company's inception in October
7 2010.

8 PLEASE DESCRIBE YOUR EMPLOYMENT BACKGROUND.

9 I have more than 20 years of experience in the broadband, telecommunications and Internet
10 industries. I have served as an owner/member and as director as Chairman on several Boards of
11 Directors of both public and private companies in the utility industry, including both
12 telecommunications companies and energy companies.

**13 ARE YOU FAMILILAR WITH ASSIST’S PETITION IN THIS CASE AND ARE THE
14 STATEMENTS THEREIN TRUE AND CORRECT?**

15 Yes, and I would like to incorporate Assist’s Petition of Assist Wireless, Inc. to Amend its
16 Designation as an Eligible Telecommunications Carrier for the purpose of offering Lifeline service
17 on a wireless basis into this testimony by reference.

18 WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

19 The purpose of my testimony is to demonstrate that Assist satisfies the requirements of the Public
20 Service Commission of Utah (“Commission”), under the rules of Utah Admin. Code R746-341, *et*
21 *seq.* to receive Utah Universal Service Fund (“UUSF”) support for Lifeline service provided in the
22 State of Utah and, further, that grant of this designation is in the public interest.

1 **PLEASE BRIEFLY DESCRIBE ASSIST AND ITS OPERATIONS.**

2 Assist is a Texas limited liability company with principal offices in Fort Worth, Texas. Assist was
3 formed by experienced telecom industry professionals, including myself, to provide high-caliber
4 wireless services to consumers. The Company's business plan is to provide competitive offerings
5 for domestic wireless voice and data services primarily to low-income consumers. For its wireless
6 offerings, the Company provides affordable prepaid voice service, enhanced with optional data
7 services and supported by high quality customer service.

8 Assist is designated as an ETC provider in the following states:

State	Docket Number	Date of Approval
Arkansas	10-093-U	February 28, 2011
Maryland	TE-10537	August 17, 2011
Missouri	RA-2011-0384	November 7, 2011
Michigan	U-18348	July 31, 2017
Minnesota	P6978/M-17-213	November 15, 2017
Oklahoma	PUD 201100137	November 29, 2011
Utah	17-2597-01	December 21, 2017
Wisconsin	8289-TI-100	December 28, 2016

9 Assist has pending applications for ETC designation in the following states:

State	Proceeding Number
Arizona	T-21017A-17-0233
Louisiana	S-31856
Washington	UT-160877

1 **PLEASE BRIEFLY DESCRIBE THE SERVICES THAT ASSIST PROVIDES TO**
2 **LIFELINE CUSTOMERS IN UTAH.**

3 Assist offers prepaid wireless plans to Utah Lifeline consumers as described in the Stipulation filed
4 in Docket No. 17-2597-01. These plans consist of a set number of prepaid minutes, texts, and data
5 per month, without rollover.

6 **WHAT IS THE PURPOSE OF YOUR TESTIMONY TODAY?**

7 The testimony I am providing today focuses on Assist’s request for approval to receive UUSF
8 support. As I will explain in my testimony, Assist meets the Commission’s requirements for receipt
9 of UUSF support.

10 **WHAT LIFELINE SERVICES WILL ASSIST OFFER TO QUALIFYING UTAH**
11 **CONSUMERS IF THE COMMISSION APPROVES ASSIST’S REQUEST TO RECEIVE**
12 **UUSF SUPPORT?**

13 If Assist’s Amended Petition is approved and Assist is allowed to receive funds from the UUSF,
14 it will use the \$3.50 per customer per month in state support to provide its Lifeline customers
15 enhanced support. Assist proposes the following plan:

- 16 • 1000 minutes, unlimited text messages, and 1GB of data at no cost.

17 **IS ASSIST ELIGIBLE TO RECEIVE UUSF SUPPORT UNDER 6 SECTION 54-8b-15 OF**
18 **THE UTAH CODE?**

19 Yes. Section 54-8b-15(15) provides that “[a] facilities-based or nonfacilities-based wireless
20 telecommunications provider is eligible for distributions from the Universal Telecommunications
21 Service Support Fund under the lifeline program” Assist, as a facilities-based wireless
22 telecommunications provider, is eligible for distributions from the UUSF to support its Lifeline
23 service.

1 **DOES ASSIST MEET THE REQUIREMENTS FOR RECEIPT OF UUSF SET FORTH IN**
2 **R746-8-403?**

3 Yes. R746-8-403 includes conditions for receipt of UUSF support that are applicable to all ETCs,
4 as well as minimum service standards that are applicable to wireless ETCs. Assist meets each of
5 these conditions. The Commission’s rules provide that “an ETC may receive an ongoing
6 distribution through ongoing participation in a Commission-approved Lifeline program upon a
7 specific finding of public interest by the Commission.” As I will explain later in my testimony,
8 amendment of Assist’s ETC designation to include authorization to receive UUSF support will
9 serve the public interest. R746-8-403(2) of the Utah Administrative Code further provides that
10 UUSF support “may not exceed \$3.50 per Lifeline subscriber per month of subscription to a
11 service” that meets certain minimum service standards. Specifically, the Lifeline service must (1)
12 meet FCC Lifeline requirements for broadband set forth in 47 C.F.R. § 54.408 and “for wireless
13 Lifeline, allow[s], at no charge beyond the basic monthly fee, unlimited texting and at least 750
14 voice minutes per month” or (2) meet FCC requirements for broadband set forth in 47 C.F.R. §
15 54.408 and not include a voice component. I testified earlier that Assist’s enhanced Lifeline plans
16 meet the first prong of the minimum service standards by offering mobile broadband Internet
17 access service that meets the FCC’s standards, unlimited texting, and at least 750 airtime minutes
18 for no additional charge to Lifeline-eligible consumers.

19 **WILL ASSIST COMPLY WITH THE COMMISSION’S RULES GOVERNING ETCS**
20 **THAT ARE APPROVED TO RECEIVE UUSF SUPPORT FOR LIFELINE SERVICE?**

21 Yes. Assist will comply with the Commission’s rules governing ETCs that are approved to
22 participate in Utah’s Lifeline program. In particular, Assist will fulfill the duties as detailed in
23 R746-8-403(3) and (4). Those duties include: providing potential Lifeline subscribers with

1 application materials and information; verifying the eligibility of Lifeline applicants using the
2 FCC’s national verifier system or, if the national verifier system is not operational, through Utah’s
3 Lifeline program administrator; submitting a Lifeline subscriber list to the Division of Public
4 Utilities by May 1 each year; and neither requiring nor prohibiting a Lifeline subscriber from
5 purchasing additional services from the ETC.

6 **WHY IS IT IN THE PUBLIC INTEREST FOR ASSIST TO RECEIVE DISBURSEMENTS**
7 **FROM THE UUSF?**

8 Expansion of Assist’s designation as an ETC to include UUSF support will serve the public
9 interest, as required by R746-8-403(1) of the Commission’s rules, by enabling Assist to provide
10 enhanced Lifeline benefits to Utah Lifeline customers. Those enhanced Lifeline benefits will
11 provide a valuable alternative to the existing Lifeline services available to low-income Utah
12 households. Specifically, Assist’s receipt of UUSF support will benefit low-income Utah
13 consumers by increasing the number of Lifeline providers able to use the additional UUSF support
14 to offer enhanced Lifeline service. Utah Lifeline consumers will have more minutes to contact (or
15 be contacted by) current and prospective employers, health care providers, government services,
16 and to remain in contact with family members and friends. More importantly, it will ensure the
17 availability of high-quality mobile service and emergency services to a population that may
18 currently lack such services. As discussed in Assist’s initial petition for designation as an ETC,
19 consumers will benefit from Assist’s high quality service, competitive pricing, and a dedicated
20 focus and marketing emphasis on low-income consumers who are eligible for Lifeline supported
21 services. Assist offers low-income consumers a competitive option of no contract/no credit
22 check/no deposit service. Assist further expects consumers will choose Assist’s service offerings
23 for their high-quality service and Assist’s attention to overall customer satisfaction. As provided

1 by the Act, the availability of basic telecommunications services to low-income consumers is
2 critical to the provision of public health, safety, and other services. In addition, the FCC has long
3 acknowledged the benefits to consumers of being able to choose from a variety of
4 telecommunications providers and the resulting variety of telecommunications services they
5 provide.¹

6 **DOES THIS CONCLUDE YOUR TESTIMONY?**

7 Yes.

¹ See, e.g., *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (FCC rel. Apr. 27, 2016) (“[W]e expect that increasing provider participation will increase competition among providers in the Lifeline program and incentivize providers to offer better quality services.”).