



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

THOMAS BRADY
Deputy Director

CHRIS PARKER
Director, Division of Public Utilities

GARY HERBERT
Governor
SPENCER J. COX
Lieutenant Governor

MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Casey J. Coleman, Utility Technical Consultant

Date: April 13, 2015

Re: In the Matter of Cricket Communications, Inc.'s Relinquishment of Eligible Telecommunications Carrier Status in Utah per Docket No. 15-2551-01.

RECOMMENDATION:

The Division recommends that the Commission Relinquish Cricket Communications, Inc.'s ("Cricket") Eligible Telecommunications Carrier ("ETC") status in Utah.

ISSUES:

On March 12, 2015 Cricket filed a petition with the Commission requesting relinquishment of its ETC designation in the State of Utah. In the petition Cricket indicates it intends to relinquish its Lifeline-only ETC designation effective July 31, 2015.

To mitigate the impact of relinquishment on Cricket's 1,110 Lifeline customers the company will notify each Lifeline customer that it will no longer be an ETC. Cricket will offer each Lifeline customer the option of transitioning to a competitively priced 4G GSM wireless calling plan offered by New Cricket. As an additional step, Cricket will inform each affected customer that a Lifeline discount can be obtained from the remaining ETCs serving in the same areas as Cricket.

As stated in the Petition Cricket's legal threshold is outlined in 47 U.S.C. § 214(e)(4) which allows a State commission to permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. Cricket submitted a list of competitors who have been granted ETC status within the

wire centers where Cricket currently has customers. The Division reviewed the list of wire centers and list of other ETCs and agrees that there are other ETCs in those wire centers. Therefore the Division concludes that Cricket has met the threshold for relinquishment. Additionally, the Division does not feel that current customers of Cricket will be materially impacted by the relinquishment. Those customers can either choose to go to another company or transition to New Cricket.

Because of the reasons stated above, the Division recommends the Commission grant the petition to relinquish the ETC designation for Cricket and suggest the relinquishment become effective by the stated date of July 31, 2015.

cc: Trisha Schmid, Assistant Attorney General
Justin Jetter, Assistant Attorney General
Roger Moffitt, Attorney for AT&T Services, Inc.
John D. Sisemore, Director – Regulatory, AT&T Services, Inc.