## KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

333 WEST WACKER DRIVE

26TH FLOOR

CHICAGO, IL 60606

FACSIMILE (312) 857-7095 www.kelleydrye.com

DIRECT LINE: (312) 857-7087 EMAIL: mdover@kelleydrye.com

via E-mail and Overnight Delivery

(312) 857-7070

January 3, 2017

Mr. Gary Widerburg Commission Administrator Utah Public Service Commission 160 East 300 South, 4th Floor Salt Lake City, Utah 84114

> Re: <u>Notice of Modification to the Lifeline Service Offering and Terms and Conditions</u> of American Broadband and Telecommunications Company; Docket No. 15-2579-01

Dear Mr. Widerburg:

American Broadband and Telecommunications Company (American Broadband or the Company) has been designated by the Utah Public Service Commission (Commission) as an Eligible Telecommunications Carrier for the provision of wireless Lifeline services.<sup>1</sup> On December 16, 2016, the Company notified the Commission that in order to comply with the new minimum service standard requirements adopted in the Federal Communications Commission's (FCC's) 2016 Lifeline Modernization Order,<sup>2</sup> effective December 2, 2016, American Broadband began offering the following service plans to Lifeline-eligible subscribers in Utah: 500 voice minutes + 500 text messages per month at no charge to Lifeline-eligible consumers; and 500 MB of data + 250 voice minutes + 500 text messages per month at no charge to Lifeline-eligible consumers.

AUSTIN,TX HOUSTON,TX LOS ANGELES,CA NEW YORK,NY PARSIPPANY, NJ STAMFORD, CT WASHINGTON, DC

AFFILIATE OFFICE MUMBAI, INDIA

BRUSSELS, BELGIUM

<sup>&</sup>lt;sup>1</sup> Petition of American Broadband & Telecommunications Company for Designation as an Eligible Telecommunications Carrier for the Purpose of Offering Lifeline Service on a Wireless Basis, Docket No. 15-2579-01, Order Approving Settlement Stipulation and Application for Designation as an Eligible Telecommunications Carrier (July 16, 2015).

<sup>&</sup>lt;sup>2</sup> See Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund, WC Docket Nos. 11-42, 09-197, 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (Apr. 27, 2016) (Lifeline Modernization Order).

## KELLEY DRYE & WARREN LLP

January 3, 2017 Page Two

Due to market considerations, American Broadband has decided to modify its Lifeline offering so that all subscribers will receive 500 voice minutes, 500 text messages, and 500 MB or broadband data each month, at no cost to the subscriber. A revised "fact sheet" reflecting these changes is enclosed with this notice. This information will also be reflected in American Broadband's amended Terms and Conditions, which will be available on the Company's website, https://www.americanassistance.com/.

In accordance with the Order granting American Broadband's ETC application, it is the Company's understanding that no further notice or approval is required from the Commission in connection with these modifications.

Please contact the undersigned at (312) 857-7087 if you have any questions.

Respectfully submitted,

Michael R. Dover

Counsel to American Broadband and Telecommunications Company

Enclosure

## IMPORTANT INFORMATION ABOUT YOUR AMERICAN BROADBAND AND TELECOMMUNICATIONS COMPANY LIFELINE SERVICE

AMERICAN ASSISTANCE is brought to you by AMERICAN BROADBAND and includes the provision of a free E911 compliant wireless handset with a free voicemail account and custom calling features such as caller ID and call waiting. This government sponsored Lifeline telephone service is subject to your continuing eligibility and annual recertification. Only one Lifeline subsidy per household is allowed; your participation in this program requires that you or anyone in your household do not receive a Lifeline subsidy on any other phone, either wireless or wireline. If you no longer participate in the low-income assistance program under which you originally qualified or if your income exceeds the qualifying amount, you must notify American Broadband immediately. As a recipient of Lifeline service you may not give away or sell this phone; Lifeline service is non-transferrable.

- Your enrollment in the program will be for 12 months, unless your eligibility status changes, you select a different carrier, or there is no activity on your phone for 30 consecutive days. Your enrollment may be renewed based on your yearly re-certification of Lifeline eligibility.
- You will receive a minimum of 500 free nationwide minutes, 500 text messages and 500 MB of 3G data each month, at no charge. This offer may increase but will not decrease. American Broadband will inform you of any changes. (You must qualify and follow the procedures provided to you by American Broadband to receive free minutes and elect a Plan.)
- Unused minutes or data in any 30-day month do not carry over to the next month.
- Minutes will be charged for both outgoing and incoming calls. Available minutes can be used as set forth below.
  - There is no charge for calls to directory assistance, however the duration of the call, including time you are on hold, will count as minutes used.
  - Emergency calls to 911 will not count against your minutes and can be made even if you have no remaining minutes.
  - Calls to American Broadband customer service using 611 will not count against your minutes.
  - Partial minute usage is rounded up.
- To contact an American Broadband customer service representative, please dial 611 from your American Broadband handset or dial American Broadband's toll-free number 1-866-966-2628.
- Additional minutes, texts and data can be added by calling American Broadband customer service or visiting a local Utah retailer. Additional minutes, texts and data are available for thirty (30) days from purchase, and will not carry over into the next month. Additional minutes, texts and data can be used for voice or texts as follows:

<u>kt Top Ups:</u> Data Top	Ups:
• 10 Text - \$0.99	100 MB - \$5.99
00 Talk - \$3.99 • 2	250 MB - \$9.99
00 Talk - \$6.99 • 5	500 MB - \$14.99
00 Talk - \$12.99 • 1	1 GB - \$22.99
00 Talk/Text - \$4.99 • 2	2 GB - \$42.99
50 Talk/Text - \$9.99 • 3	3 GB - \$59.99
00 Talk/Text - \$15.99 • 5	5 GB - \$74.99
000 Talk/Text \$24.99	
00 Talk - \$3.99 • 2   00 Talk - \$6.99 • 2   00 Talk - \$12.99 • 2   00 Talk/Text - \$4.99 • 2   50 Talk/Text - \$9.99 • 2   00 Talk/Text - \$15.99 • 2	250 MB - \$9.99 500 MB - \$14.99 1 GB - \$22.99 2 GB - \$42.99 3 GB - \$59.99

- At the end of 12 months American Broadband will contact you to verify that you are still eligible for Lifeline support to continue to receive free minutes monthly. You must respond to American Broadband or you will automatically be de-enrolled from the Lifeline program.
- If you have purchased additional airtime and have remaining minutes and days of service at the end of your Lifeline eligibility, you will be subject to the Terms and Conditions of American Broadband's retail wireless services.
- Your wireless Lifeline service from American Broadband is governed by American Broadband's Lifeline Terms and Conditions of Service, which will be provided to you upon service initiation, and are available at: littp://www.americanassistance.com/terms-and-conditions.

## YOU ARE ENCOURAGED TO READ ALL MATERIALS PROVIDED TO YOU CAREFULLY FOR COMPLETE DETAILS REGARDING YOUR AMERICAN BROADBAND WIRELESS LIFELINE SERVICE.