



State of Utah  
Department of Commerce  
Division of Public Utilities

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--= M E M O R A N D U M =--

**To:** Public Service Commission

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

**Date:** May 9, 2017

**Re:** Budget Prepay, Inc. d/b/a Budget Mobile's Application for Approval of Relinquishment of Eligible Telecommunications Carrier Designation. Per Docket No. 17-2554-01.

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**RECOMMENDATION:**

Acknowledge the relinquishment of Eligible Telecommunications Carrier designation request by Budget Prepay, Inc. d/b/a Budget Mobile ("Budget").

**BACKGROUND:**

On April 27, 2017 Budget. filed an application in accordance with 47 U.S.C. § 214(e), 47 C.F.R. § 54.205 to relinquish its Eligible Telecommunications Carrier Designation in the State of Utah, effective June 5, 2017.

47 U.S.C. § 214(e)(4) states, in pertinent part:

A State Board [...] shall permit an eligible telecommunications carrier relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State Board [...] of the relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State Board [...] shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.

The request to discontinue service in Utah is a result of Budget making a business decision to discontinue offering service to customers as a result of the Lifeline changes required by the FCC. At the time of the application Budget provided wireless service in approximately eighty-nine (89) wire centers across Utah. The Division reviewed the information provided by Budget and verified that each wire center is served by the incumbent local exchange carrier in addition to numerous other competitive wireless Lifeline providers.

At the time of the petition Budget has less than 150 wireless Lifeline subscribers in Utah. On or about May 1, 2017 Budget was beginning the process of notifying customers of their plan to cease offering Lifeline service in the State of Utah.

The Division supports the discontinuance request of Budget. The company has followed the federal guidelines necessary when exiting a market. Because of the competitive choices available to consumers in the State of Utah and Budget following the rules as required for exiting the market, the Division recommends granting the discontinuance application.

cc: Justin Jetter, Assistant Attorney General  
Todd B. Lantor, Counsel, Budget PrePay