

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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

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Docket No. \_\_\_\_\_

May 16, 2017

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**PETITION OF ASSIST WIRELESS, INC.**

Assist Wireless, Inc. (“Assist” or “Company”), by its counsel, respectfully submits this Petition for Designation as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”), Section 54.201 et seq. of the Rules of the Federal Communications Commission (“FCC”), and Commission Rule R746-360-1. Assist requests that the Utah Public Service Commission (“Commission”) grant it designation as a wireless ETC in Utah for the purposes of receiving (1) federal universal service Lifeline support in the geographic areas specified in this Petition (2) federal tribal universal service Lifeline support in the geographic areas specified in this Petition, and (3) Utah state Universal Public Telecommunications Service Support Fund support. Assist does not request ETC status for the purpose of receiving support from any of the other Universal Service Funds (“USF”).

As discussed in more detail below, Assist meets the statutory and regulatory requirements for designation as an ETC for both federal and Utah state support. Assist is able and prepared to offer Lifeline-supported services throughout the designated service area in Utah.<sup>1</sup> Granting ETC status to Assist will benefit the public interest by making the Company’s services available to a broad range of low-income consumers. Because the availability of Assist’s services so clearly

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<sup>1</sup> See Section II.B.5.

serves the interests of Utah consumers, Assist respectfully requests that the Commission grant this Petition expeditiously. In support of this Petition, Assist provides the following information:

## **I. OVERVIEW OF PETITIONER AND SERVICE OFFERINGS**

### **A. Company Overview**

Assist is a Texas corporation with principal offices at 2330 Gravel Drive, Fort Worth, Texas 76118. The Company registered with the Utah Secretary of State as a foreign corporation operating in Utah on March 17, 2017.<sup>2</sup> Assist has been designated as an ETC by the States of Arkansas, Maryland, Missouri, Oklahoma, and Wisconsin. Assist has pending ETC applications in California, Louisiana, Michigan, Minnesota, Texas, and Washington. In Arkansas, Maryland, Missouri, and Oklahoma, Assist presently provides Lifeline service by resale of national carriers' wireless networks. In Wisconsin, Assist has been recently designated as an ETC with authority to provide service to its end users via a recently completed network configuration consisting of Assist's own facilities in combination with network elements provided by one or more national wireless carriers. All inbound and outbound calls for California, Utah, and Washington Lifeline customers will be provisioned with the same network configuration as in Wisconsin, and Assist's facilities will be utilized in the provision of all inbound and outbound calls. The ETC designation cases in Louisiana and Texas are procedurally "stayed" pending approval of a compliance plan by the FCC.<sup>3</sup> Assist has not yet determined whether to amend the petitions in Louisiana and Texas for provisioning through the network configuration as described herein.

Assist will manage all aspects of the customer experience, including setting service pricing, handset selection, marketing materials, and live customer service. Assist's prepaid,

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<sup>2</sup> A copy of the Company's foreign qualification documents for Utah is attached hereto as Exhibit 1.

<sup>3</sup> See footnote 12 herein.

budget-friendly pricing will give many low-income consumers the option of having basic mobile phone service without the burden of hidden costs, varying monthly charges, or contractual commitments. Customers will also be able to customize their mobile phone service to suit their needs with Assist's available bundles of minutes and text packages to supplement their mobile plan.

The Company has been providing service since March 2011. Assist serves approximately [REDACTED] Lifeline customers. Assist is successfully providing Lifeline-supported services and has a steadily increasing customer base. Assist leases its switching facilities which are dedicated to Assist's exclusive use as more particularly described in Confidential Exhibit 2. In addition, Assist has back-office and operations support systems (OSS) that are ideally suited to serve low-income subscribers. Assist Wireless has invested substantial sums to evaluate, design, develop and integrate these systems.

Assist's customer base typically will be low-income consumers who qualify for Lifeline service. Many customers will not have phone service of any kind prior to enrollment. Assist's customers will depend on and benefit greatly from Assist's inexpensive and flexible pricing plans. Assist will not impose credit checks or require any deposits or contractual commitments. Most of Assist's customers likely will turn to the Company because they cannot afford the postpaid services provided by traditional wireless carriers. The Company will affirmatively reach out to the low-income sector of the consumer base to offer attractive and affordable communications options. As such, Assist will contribute to the expansion of mobile wireless services for low-income consumers and will seek ETC designation in additional states and jurisdictions so that it may continue to expand the service options for low-income consumers.

Assist will provide affordable prepaid mobile voice and broadband services, including text messaging, along with user-friendly handsets and high quality customer service. Assist's products and plans will be specially geared toward serving lower income communities, and its service models and pricing plans reflect this mission. Assist will not require service contracts from its customers and it always ensures competitive low pricing for its services and products. By providing affordable service, Assist can reach out to those who are often ignored by traditional carriers.

#### B. Proposed Lifeline Offering.

Assist has the ability to provide all services and functionalities supported by the universal service program, as detailed in Section 54.101(a) of the Federal Communications Commission Rules (47 C.F.R. § 4.101(a)). Upon designation, Assist will provide Lifeline service to qualifying low-income households requesting these services in Utah in accordance with 47 C.F.R. § 4.202(a)(1). As demonstrated herein, Assist meets all of the statutory and regulatory requirements for designation as an ETC and for participation in the federal Lifeline program and for reimbursement from the Utah state Universal Public Telecommunications Service Support Fund. Assist respectfully requests that the Commission process and grant this application expeditiously so that qualified Utah residents can benefit from the high-quality services the Company intends to offer.

##### 1. All Plans

All wireless plans will include a free handset and the following Custom Calling features:

- (1) Caller ID;
- (2) Call Waiting;
- (3) Call Forwarding;
- (4) 3-Way Calling; and
- (5) Voicemail.

No activation fee will apply to Lifeline Utah customers. There is no additional charge for toll calls. Calls to 911 are free. Calls to customer service by dialing 611 are free. Wireless handsets will be delivered at no charge to qualifying customers and service will be activated upon certification of the customer for Lifeline. Assist will comply with the FCC's *Lifeline Modernization Order*'s new handset requirements.<sup>4</sup> Assist will use all low-income universal service support to offer service plans with no monthly recurring charge, thus ensuring that the consumer receives 100% of all universal service support funding for which the Company will seek reimbursement from the Universal Service Fund necessary to provide the free minutes of airtime as provided in the plans. Assist will also offer plans with increased voice, text, and data, and Assist will use all low-income universal service support to discount these plans, thus ensuring that the consumer receives 100% of all universal service support funding for these plans as well.

## 2. Individual Lifeline Plans

Assist initially proposes to offer eight different Lifeline-assisted plans to Utah Lifeline consumers.<sup>5</sup> For qualified Lifeline customers who do not want a data plan, Assist offers three plans offering varying amounts of voice minutes and text messages. Assist offers plans that meet the FCC's minimum standards for voice minutes.<sup>6</sup> For qualified Lifeline customers who do want a data plan, Assist offers five plans with varying amounts of voice minutes, text messages, and mobile broadband. These Assist plans meet the FCC's minimum standards for mobile

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<sup>4</sup> See *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) (hereinafter, "Lifeline Modernization Order"), at ¶ 378.

<sup>5</sup> See Exhibit 3, "Proposed Lifeline Offerings," summarizing the Company's retail wireless rate plans to which Assist seeks to apply the Lifeline discount.

<sup>6</sup> See Lifeline Modernization Order at ¶ 64.

broadband.<sup>7</sup> Additionally, Assist proposes to provide Lifeline services to eligible residents residing on Federally Recognized Tribal Lands in Utah.

### 3. State-Supported Plans

As stated above, each of Assist's proposed plans meets the FCC's minimum standards for federal Lifeline support. Additionally, three of Assist's plans meet the Commission's standards for state Lifeline support. Assist requests support from Utah's state support fund for the limited purpose of providing support to its customers for the following plans:

- Unlimited Talk/Text/500MB
- Unlimited Talk & Unlimited Text + 1 GB
- Unlimited/Unlimited/2GB

Under the Commission's rules, an ETC may receive state support "only to provide basic telecommunications service."<sup>8</sup> Basic telecommunications services constitute

a local exchange service consisting of access to the public switched network; touch-tone, or its functional equivalent; local flat-rated, unlimited usage, exclusive of extended area service; single-party service with telephone number listed free in directories that are received free; access to operator services; access to directory assistance, lifeline and telephone relay assistance; access to 911 and E911 emergency services; access to long-distance carriers; access to toll limitation services; and other services as may be determined by the Commission.<sup>9</sup>

Three of Assist's Lifeline plans offer unlimited minutes and meet the R746-360-6.A.1 requirements. These plans provide:

- a local exchange service consisting of access to the public switched network;
- touch-tone, or its functional equivalent;
- local flat-rated, unlimited usage, exclusive of extended area service;
- single-party service with telephone number listed free in directories that are received free;
- access to operator services;

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<sup>7</sup> See Lifeline Modernization Order at ¶ 65.

<sup>8</sup> Commission Rule R746-360-6.A.1

<sup>9</sup> Commission Rule R746-360-2.C.

- access to directory assistance, lifeline and telephone relay assistance;
- access to 911 and E911 emergency services; and
- access to long-distance carriers.

These plans do not provide access to toll limitation services; however, such access is not applicable. Like most wireless carriers, Assist does not differentiate domestic long distance usage from local usage, and all usage is paid for in advance. There are no "tolls" or charges to be paid for long distance calls.

## **II. ASSIST SATISFIES THE COMMISSION'S AND THE FCC'S REQUIREMENTS FOR ETC DESIGNATION**

Section 214(e)(2) of the Act provides that, upon request and consistent with the public interest, convenience and necessity, the Commission may designate more than one common carrier as an ETC in areas served by a rural telephone company and shall do so with respect to all other areas, provided that the requesting carrier (i) offers services that are supported by federal universal service support mechanisms and (ii) advertises the availability of such services.<sup>10</sup> FCC rules impose additional requirements on a carrier requesting ETC designation. As demonstrated below, Assist more than satisfies each of these requirements.

### **A. Assist Will Operate as a Common Carrier.**

Assist will operate as a common carrier as defined in 47 U.S.C. § 153(10) and thus is eligible for designation as an ETC. The FCC has consistently held that providers of wireless services are to be treated as common carriers for regulatory purposes. Moreover, Assist is a commercial mobile radio service ("CMRS") provider. Section 332(c)(1)(A) of the Act states that CMRS providers will be regulated as common carriers.<sup>11</sup>

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<sup>10</sup> 47 U.S.C. §214(e)(2); see also 47 C.F.R. § 54.201(d).

<sup>11</sup> See 47 U.S.C. § 332(c)(1)(A).

B. Assist Will Provide the Services Designated for Lifeline Support.

The FCC has determined that voice telephony services and broadband Internet access services shall be supported by the federal USF program.<sup>12</sup> Eligible voice telephony services must provide:

- voice grade access to the public switched network;
- local usage;
- access to emergency services; and
- toll limitation for qualifying low-income consumers.

Upon receiving the requested designation as an ETC, Assist will provide each of these required services throughout its designated service area, as described in more detail below. Assist's Lifeline service offering will be provided as described in this Petition and pursuant to details on the Company's website, available at: <http://www.assistwireless.com>. Assist will offer Lifeline subscribers attractive voice telephony and broadband service plans. The Company's Lifeline subscribers will be eligible to receive the same service plans that Assist will make available to the public at large.

1. Means of providing Lifeline service.

Section 214(e)(1)(A) of the federal Communications Act requires that a carrier must use its own facilities or a combination of its own facilities and resale of another carrier's facilities in order to provide universal service supported services. Assist does not seek forbearance from the "own facilities" requirement.<sup>13</sup> Assist will instead provide Lifeline services through a

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<sup>12</sup> 47 C.F.R. § 54.101(a).

<sup>13</sup> In its *Lifeline Reform Order*, the FCC decided to forbear from applying the federal Communications Act's facilities requirement of section 214(e)(1)(A) to all telecommunications carriers that seek limited ETC designation to participate in the Lifeline program, subject to certain conditions. One of those conditions was: "the carrier must file, and the Bureau must approve, a compliance plan providing specific information regarding the carrier's service offerings and outlining the measures the carrier will take to implement the obligations contained in this Order as well as further safeguards against waste, fraud and abuse the Bureau may deem necessary." *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (FCC rel. Feb. 6, 2012) ("*Lifeline Reform Order*") at ¶368. Assist Wireless did timely file

combination of resale and its own facilities as explained in attached Confidential Exhibit 2 “Assist Wireless Own Facilities Description.” Assist has recently completed a new network for provision of wireless voice telephony and broadband which utilizes a combination of elements provided by a national wireless carrier with Assist’s own facilities. This network will be used for all calls to and from Assist’s Lifeline customers in Utah.

Pursuant to its ETC designation, Assist will provide supported services as follows:

2. Voice Grade and Broadband Access.

The FCC has stated that voice-grade access consists of the ability for a user to make and receive telephone calls within a specified bandwidth.<sup>14</sup> Assist will provide this service via the network configuration explained in the attached Confidential Exhibit 2. Consistent with the Lifeline Modernization Order,<sup>15</sup> Assist proposes plans that meet the FCC’s minimum broadband data offerings. Assist’s offerings are discussed above at Section I.B.2 and in attached Exhibit 3.

3. Access to emergency services.

The Company will provide access to emergency services provided by local government or public safety officials, including 911 and E911 where available. As noted, calls to 911 emergency services will always be free and will be available regardless of service activation

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a compliance plan with the FCC. In fact, a total of seventy-eight (78) compliance plans were submitted to the Wireline Competition Bureau (“Bureau”). In the second half of 2012, twenty (20) plans were approved by the Bureau. The last approval was released December 26, 2012. Since that time, and to the best of Assist Wireless’ knowledge and information, the Bureau has not approved any compliance plan whatsoever and has not provided any public explanation as to why over fifty (50) plans – including the plan submitted by Assist Wireless - have been allowed to languish with no action. No announcement was ever made as to how or why particular plans were selected for approval or why companies whose pending compliance plans are substantially the same as those approved have not also received approval.

<sup>14</sup> *Federal-State Joint Board on Universal Service*, 12 FCC Rcd 8776, 8810-11 (1997).

<sup>15</sup> *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).

status or availability of minutes. In addition, Assist will comply with any FCC or Commission requirements regarding customer access to 911 and E-911 services as well as the provision of E911-compatible handsets.

4. Toll limitation for qualifying low-income consumers.

Assist will not provide toll limitation service (“TLS”). Like most wireless carriers, Assist does not differentiate domestic long distance usage from local usage and all usage is paid for in advance.

5. Service area.

Sections 214(e)(2) and 214(e)(5) of the Act provide that ETC designations shall be made for a “service area,” defined as a geographic area established by the state commission. Assist requests a designation that is statewide in scope, subject to the existence of the network facilities of the national wireless carriers whose network elements will be utilized in Assist’s network configuration and the corresponding coverage of such facilities.<sup>16</sup>

C. Assist Will Advertise its Lifeline Service Offerings.

Assist will advertise the availability of its services and charges in a manner reasonably designed to reach Lifeline-eligible consumers.<sup>17</sup> The Company intends to advertise its Lifeline services using media of general distribution.<sup>18</sup> Assist will expand its advertising efforts if necessary to ensure that Lifeline-eligible customers are aware of the service offerings.<sup>19</sup>

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<sup>16</sup> A list of wire centers in which the Company requests ETC designation is attached hereto as Exhibit 4.

<sup>17</sup> 47 C.F.R. §§ 54.201(d)(2), 54.405(b).

<sup>18</sup> See 47 C.F.R. § 214(e)(1)(B) and 47 C.F.R. § 54.201(d)(2).

<sup>19</sup> See 47 C.F.R. § 54.405(b).

In addition, Assist will comply with the FCC's revised rules regarding information to be included in marketing materials.<sup>20</sup> Specifically, Assist's marketing materials will state, in easily understood language, that: (i) the service is a Lifeline service; (ii) Lifeline is a government assistance program; (iii) the service may not be transferred to someone else; (iv) consumers must meet certain eligibility requirements before enrolling in the Lifeline program; (v) the Lifeline program permits only one Lifeline discount per household; (vi) documentation is necessary for enrollment; and (vii) Assist is the provider of the services. Moreover, Assist's Lifeline customer application/certification form will state that Lifeline is a federal benefit and that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

D. Assist Complies with the Commission's and the FCC's Additional Obligations for ETCs.

1. Assist certifies that it will comply with the applicable FCC service requirements.

Per the requirements of 47 CFR § 54.202(a)(1)(i), Assist certifies that it will comply with the service requirements applicable to the low-income support it receives as a result of designation as an ETC for the purposes of receiving Lifeline.

2. Assist has the ability to remain functional in emergency situations.<sup>21</sup>

Assist's Lifeline services will remain functional in emergency situations. Assist certifies that it will be able to function in emergency situations to the extent that its underlying network providers are able to do so. Assist will provide service using its own facilities and elements, including emergency services, of the national wireless network of [REDACTED]. [REDACTED] [REDACTED] comply with applicable requirements for emergency service, including available power

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<sup>20</sup> 47 C.F.R. § 54.405;

<sup>21</sup> See, e.g., 47 C.F.R. § 54.202(a)(2).

supplies. [REDACTED] have implemented state-of-the-art network reliability standards, and Assist and its customers benefit from their high standards. Throughout its existence, Assist's service reliability has compared favorably with that of any operator in the CMRS industry.

Assist is capable of managing traffic spikes that may occur during emergency situations and can reroute traffic in the event of damaged facilities. Both Assist, [REDACTED] have sufficient back-up power to ensure functionality if its external power supply is unavailable. Indeed, [REDACTED] certified to the FCC that their networks function in emergency situations.<sup>22</sup>

3. Assist will satisfy applicable consumer protection and service quality standards.

The FCC's rules require the petitioner to demonstrate that it satisfies applicable consumer protection and service quality standards. The FCC has stated that a wireless petitioner's commitment to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service ("CTIA Consumer Code") will satisfy this requirement.<sup>23</sup> Assist commits to comply with the CTIA Consumer Code to ensure that the Company offers its subscribers the highest level of protection and quality service.<sup>24</sup>

Assist's pledge to provide quality service, and to comply with the CTIA Consumer Code and applicable Utah rules on consumer protection and service quality, evidences Assist's commitment to satisfy all of the applicable consumer protection and service quality standards. The Company will make every effort to resolve expeditiously complaints received by the

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<sup>22</sup> [REDACTED]

<sup>23</sup> 47 C.F.R. § 54.202(a)(3).

<sup>24</sup> *See, e.g.*, 47 C.F.R. § 54.202(a)(3).

Commission and will designate a specific contact person to work with Commission staff to resolve any complaints or other compliance issues. Assist's customers will be able to call customer service by dialing 611 from their Assist handset and no minutes will be used or decremented for the call. Customers also will be able to call, toll-free, (866) 966- 2628 from any phone to reach customer service. Live customer service operators will be available between 8:00 am and 8:00 pm Monday through Friday (all times Eastern Standard Time).

4. Assist is financially and technically capable of providing Lifeline services in compliance with the FCC's rules.

The FCC's rules require ETC petitioners to demonstrate financial and technical capability to comply with the FCC's Lifeline service requirements.<sup>25</sup> Among the factors to be considered are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, and whether the carrier relies exclusively on Lifeline reimbursement to operate, and whether the carrier receives revenues from other sources.

Assist has provided service since March of 2011, and has a management team with substantial experience in providing wireless communications service. Assist's key management team of Byron Young, David Dorwart, and Kelly King has over 50 years of combined telecommunications experience. Their experience and skill sets specifically make them capable of fulfilling the requirements necessary to manage the implementation and ongoing support of this ETC designation.<sup>26</sup>

Assist has never had a lapse in collecting and remitting any public purpose program surcharges of any kind. Assist leases its own dedicated switching facilities, and has back-office and operations support systems (OSS) that are ideally suited to serve low income subscribers.

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<sup>25</sup> *Lifeline Reform Order*, ¶¶ 387-388.

<sup>26</sup> See attached Exhibit 5, "Assist Wireless Key Personnel."

Assist has invested substantial sums to evaluate, design, develop and integrate these systems. Further, Assist does not rely exclusively on Lifeline reimbursement to operate, as it receives revenues from other sources in the form of non-Lifeline customers.

5. Assist will comply with FCC requirements on certification and verification.

Section 54.410 of the FCC's Rules requires ETCs to comply with certification of eligibility and verification of continued eligibility requirements for Lifeline participation. The Rules were substantially overhauled in the 2012 FCC Lifeline Reform Order.<sup>27</sup> The Lifeline Reform Order adopts a number of measures intended to standardize Lifeline enrollment and compliance on a nationwide basis. Assist will certify and verify consumer eligibility in accordance with the FCC's requirements.

6. Assist will comply with Commission and FCC requirements on fees, charges, and reports.

Assist will comply with all applicable Commission and FCC requirements on fees, charges, and reports. The Company will not collect service deposits for its plans and will not charge a number-portability fee for Lifeline accounts.<sup>28</sup> Furthermore, Assist will comply with the FCC's annual reporting requirements for ETCs as set forth in Section 54.422 of the FCC's Rules.<sup>29</sup>

### **III. DESIGNATED CONTACT INFORMATION.**

A. The legal name, address and telephone number of the Company and its designated contact person is:

Assist Wireless, LLC  
Byron Young  
CEO

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<sup>27</sup> See Lifeline Reform Order, ¶ 97, *et seq.*

<sup>28</sup> See 47 C.F.R. § 54.401(c), (e).

<sup>29</sup> See 47 C.F.R. § 54.422.

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B. The name, address and telephone number of the Company's attorneys are:

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#### **IV. GRANT OF THIS PETITION WILL SERVE THE PUBLIC INTEREST.**

A. Designation of Assist as a competitive ETC will lead to increased competition.

Assist submits that the public interest would be benefited by Assist's designation as an ETC in the requested expanded study area. The FCC has observed that "the best way to [increase competition and innovation] is to increase the number of service providers offering Lifeline services."<sup>30</sup>

The additional ETC competition will serve the public interest. Consumers will benefit from Assist's high quality service, competitive pricing and a dedicated focus and marketing emphasis on low-income consumers who are eligible for Lifeline supported services. Assist offers low-income consumers a competitive option of no contract/no credit check/no deposit service. Assist further expects consumers will choose Assist's service offerings for their high quality service and Assist's attention to overall customer satisfaction.

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<sup>30</sup> *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Proposed Rule, FCC 15-71 (FCC rel. Jun. 22, 2015) at ¶ 115.

As provided by the Act, the availability of basic telecommunications services to low-income consumers is critical to the provision of public health, safety, and other services. In addition, the FCC has long acknowledged the benefits to consumers of being able to choose from a variety of telecommunications providers and the resulting variety of telecommunications services they provide.<sup>31</sup>

B. Designation of Assist as a competitive ETC will benefit the USF

The designation of Assist as a competitive ETC will not have a negative impact on the USF. If Assist's offering does not provide consumer benefits, then it will win no customers and receive no support from the USF, in which case no party or consumer is harmed. On the other hand, if Assist's offering provides significant consumer benefits, then it will win customers and other competitors can be expected to respond by improving their service offerings in order to retain customers. Again, no party or consumer is harmed and consumers get the well-documented benefit of ongoing investment, improvements, and price and service enhancements caused by competition. It is also important to recognize that in the case of Lifeline support, an ETC receives USF support only for the customers it obtains. In the scenario where a competitive ETC obtains a Lifeline customer from another ETC, only the "capturing" ETC provides Lifeline discounts, and as a result, only the "capturing" ETC receives support reimbursement.

In addition, all providers are required to contribute a portion of the interstate revenues received from their customers to the USF. Assist will make such contributions in accordance with current federal regulations. As such, approving Assist as an ETC may actually result in new contributions to the USF that were previously nonexistent.

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<sup>31</sup> *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.").

Assist reiterates that it is applying for ETC designation solely for the purpose of providing Lifeline discounts to qualified low-income consumers and to seek reimbursement for the same. Assist will not seek or accept high-cost support unless it returns to the Commission requesting an appropriate amended designation in a separate docket.

## V. CONCLUSION

Assist respectfully requests that the Commission expeditiously issue an order designating the Company as an ETC in Utah throughout the non-rural service area specified above for the purpose of receiving federal support and Utah Universal Public Telecommunications Service Support Fund support for provision of low-income communications services on a wireless basis to qualified low-income customers.

Respectfully submitted,

By:  \_\_\_\_\_

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