

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Petition of i-wireless, LLC to Amend its Designation as an Eligible Telecommunications Carrier in the State of Utah to Participate in the Utah Universal Service Fund	<p style="text-align: center;"><u>DOCKET NO. 18-2526-01</u></p> <p style="text-align: center;"><u>ORDER APPROVING STIPULATION AND SETTLEMENT AGREEMENT</u></p>
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ISSUED: March 18, 2019

On July 27, 2018, i-wireless LLC (“i-wireless”) filed its Petition to Amend its Designation as an Eligible Telecommunications Carrier in the State of Utah to Participate in the Utah Universal Service Fund (“Petition”). In the Petition, i-wireless seeks an amendment to its existing eligible telecommunications carrier (“ETC”) designation, authorizing it to obtain Utah Universal Service Funds (“State USF”) for its Lifeline program.

On February 12, 2019, the parties filed a Stipulation and Settlement Agreement (“Settlement”), signed by the Division of Public Utilities (“DPU”), the Office of Consumer Services (“OCS”), and i-wireless (collectively, the “Parties”). The Public Service Commission (“PSC”) held a hearing to consider the Settlement on March 11, 2019.

In the Settlement, the Parties stipulate and agree i-wireless’s Lifeline product offering will offer an enhanced service to Utah customers that exceeds the Federal Communications Commission’s Lifeline requirements. The Parties further agree the enhanced Lifeline offering represents a benefit for Utah customers, is in the public interest, and furthers the statutory goal that basic service be available and affordable to all citizens of Utah.

Specifically, the Settlement provides that, as a condition of receiving State USF support, i-wireless will offer customers a bundle of services to include 750 voice minutes, unlimited text messages, and 2 GB of data at a net cost to the consumer of \$5.00 per month. The voice portion

of the bundled plan will include voicemail, caller ID, and national long distance calling without toll charges. Utah Lifeline customers may still elect to subscribe to i-wireless's national Lifeline plan offering, which does not qualify for Utah USF support, at no net cost to the customer. The company's offerings will increase the mobile broadband data offered to its Lifeline customers consistent with Federal Communications Commission rules and anticipated increases in federal minimum monthly service standards.

The Parties agree i-wireless will abide by additional requirements enumerated in the Settlement, including but not limited to the following: (i) i-wireless will maintain a Utah-specific fact sheet that provides customers concise and complete information about the services they will receive; (ii) i-wireless will receive \$3.50 per qualifying line per month pursuant to Utah Admin. Code R746-8-403 and Utah Code Ann. § 54-8b-15; (iii) customers who fail to make the monthly plan payment will be automatically moved to i-wireless's national voice plan in order to avoid loss of Lifeline benefits, and i-wireless will not seek Utah USF reimbursement for customers in a month where they do not pay for and receive the Utah Enhanced plan benefits; (iv) i-wireless will comply with all applicable state service quality and consumer protection requirements; (v) i-wireless will pay all applicable state and local regulatory fees; (vi) i-wireless agrees to adopt any changes to the Lifeline certification and verification process required by the Federal Communications Commission or by the PSC; (vii) i-wireless agrees that it will not decrease its enhanced Lifeline program offering for Utah customers or increase the net cost to consumers without PSC approval; (viii) i-wireless may increase its enhanced Lifeline program offering or decrease the net cost to consumers at any time; (ix) upon implementing any changes to its Lifeline offerings, i-wireless will timely file a notice with the PSC, the DPU, and the OCS

describing the changed plans; and (x) i-wireless is not presently seeking to modify its ETC service territory and if it intends, in the future, to modify the area in which it offers Lifeline services in Utah, i-wireless will timely file a notice with the PSC, the DPU, and the OCS identifying the modified area and requesting approval for modification of its service area.

At hearing, the DPU testified it believes approval of the Settlement to be just, reasonable, and in the public interest. Similarly, the OCS testified it believes the Settlement to be just and reasonable in result and that approval of the Settlement is in the public interest.

FINDINGS, CONCLUSIONS AND ORDER

Settlements of matters before the PSC are statutorily encouraged. To approve a settlement, the PSC must consider the interests of the public and other affected persons and find the settlement is just and reasonable in result. Utah Code Ann. § 54-7-1.

Based on our consideration of the Petition, the submitted written testimony, the testimony at hearing, and the Settlement, the PSC finds and concludes that approval of the Settlement is in the public interest and that the terms of the Settlement are just and reasonable in result.

The PSC, therefore, approves the Settlement and grants the Petition, as conditioned and supplemented by the Settlement.

DATED at Salt Lake City, Utah, March 18, 2019.

/s/ Michael J. Hammer
Presiding Officer

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Approved and confirmed March 18, 2019 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Jordan A. White, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#307150

Notice of Opportunity for Agency Review or Rehearing

Pursuant to Utah Code Ann. §§ 63G-4-301 and 54-7-15, a party may seek agency review or rehearing of this order by filing a request for review or rehearing with the PSC within 30 days after the issuance of the order. Responses to a request for agency review or rehearing must be filed within 15 days of the filing of the request for review or rehearing. If the PSC fails to grant a request for review or rehearing within 20 days after the filing of a request for review or rehearing, it is deemed denied. Judicial review of the PSC's final agency action may be obtained by filing a Petition for Review with the Utah Supreme Court within 30 days after final agency action. Any Petition for Review must comply with the requirements of Utah Code Ann. §§ 63G-4-401, 63G-4-403, and the Utah Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I CERTIFY that on March 18, 2019, a true and correct copy of the foregoing was served upon the following as indicated below:

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