

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Petition of Sage Telecom Communications, LLC d/b/a TruConnect 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. 20-2601-01</u></p> <p style="text-align: center;"><u>ORDER APPROVING STIPULATION AND SETTLEMENT AGREEMENT</u></p>
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ISSUED: August 27, 2020

On April 16, 2020, Sage Telecom Communications, LLC d/b/a TruConnect (“TruConnect”) filed its Petition to Amend its Designation as an Eligible Telecommunications Carrier (ETC) in the State of Utah to Participate in the Utah Universal Service Fund (“Petition”) with the Public Service Commission (PSC). TruConnect seeks an amendment to its existing ETC designation, authorizing it to obtain Utah Universal Service Funds (UUSF) for its Lifeline program.

On April 30, 2020, TruConnect filed direct testimony, and no other party filed any other testimony. On July 15, 2020, the parties filed a Stipulated Settlement Agreement (“Settlement”), signed by the Division of Public Utilities (DPU), the Office of Consumer Services (OCS), and TruConnect (collectively, with DPU and OCS, the “Parties”).

On August 3, 2020, the PSC held a hearing to consider the Settlement.

In the Settlement, the Parties agree TruConnect will offer Lifeline services to Utah customers that meet or exceed the Federal Communications Commission’s (FCC) Lifeline minimum service standards. The Parties agree the 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.

The Settlement conditions UUSF support to TruConnect upon its offering to Lifeline customers (i) the option of 1,000 voice minutes, unlimited text messages, and 3 GB of data (or unlimited voice, minutes, unlimited text messages, and 3GB of data for residents of federally-recognized tribal lands) at a net cost to the customer of \$0.00 per month; (ii) the voice portion of the bundled plan will include voicemail, caller ID, and national long distance calling without toll charges; and (iii) Utah Lifeline customers may purchase, at their option, additional voice and data as maintained on www.truconnect.com.

The Settlement also states that on and after December 1, 2019, the FCC's minimum monthly service standard "will be calculated" in accordance with the formula contained in the FCC's Minimum Service Standard Rule, 47 C.F.R. § 54.408(c)(2)(ii)(A)-(D), (c)(2)(iii). The Settlement states that, as of the date of the changes, TruConnect will change the amount of mobile broadband data offered to its Lifeline customers to conform with the amount calculated consistent with this regulation.

The Settlement also conditions TruConnect's universal service offering as an ETC upon meeting the following additional requirements (described in more detail in the Settlement): (i) TruConnect will maintain a Utah-specific fact sheet that provides customers concise and complete information about the services they will receive; (ii) TruConnect 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) TruConnect will comply with all applicable state service quality and consumer protection requirements; (iv) TruConnect will pay all applicable state and local regulatory fees as a condition of receiving UUSF; (v) TruConnect will adopt any changes to the Lifeline certification and verification process required by the FCC or the PSC; and (vi) upon

implementing any changes to its Lifeline offerings, TruConnect will timely file a notice with the PSC, the DPU, and the OCS describing the changed plans.

At hearing, the DPU testified it believes approval of the Settlement is just, reasonable, and in the public interest. The DPU also testified it was unaware of any opposition to the Settlement. The OCS testified it believes the Settlement is just and reasonable in result and in the public interest. Similarly, TruConnect testified it believes the Settlement is in the public interest.

FINDINGS, CONCLUSIONS, AND ORDER

Settlement 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 including its additional Utah-specific conditions, the PSC finds and concludes the terms of the Settlement are just and reasonable in result, and that approval of the Settlement is in the public interest, in particular for low-income Utah customers.

The PSC approves the Settlement and grants the Petition to designate TruConnect as an ETC for purposes of participating in the UUSF.

DATED at Salt Lake City, Utah, August 27, 2020.

/s/ Yvonne R. Hogle
Presiding Officer

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Approved and confirmed August 27, 2020 as the Order of the Public Service Commission of Utah.

/s/ Thad LeVar, Chair

/s/ David R. Clark, Commissioner

/s/ Ron Allen, Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#315170

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 30 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 August 27, 2020, a true and correct copy of the foregoing was served upon the following as indicated below:

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