

- BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH -

Petition of DISH Wireless LLC d/b/a Gen Mobile for Designation as an Eligible Telecommunications Carrier in the State of Utah for the Limited Purpose of Offering Lifeline Service to Qualified Households

DOCKET NO. 23-2641-01

ORDER

ISSUED: August 31, 2026

BACKGROUND DISCUSSION

Dish Wireless L.L.C. d/b/a Gen Mobile (“DISH”) was granted status as an Eligible Telecommunications Carrier (“ETC”) in Utah by Public Service Commission (PSC) order dated November 20, 2023. On February 2, 2026, DISH submitted an email and letter (“DISH Letter”) to the PSC relating to its ETC status and its Utah Universal Public Telecommunications Service Support Fund (“UUSF”) remittances. The DISH Letter was unclear and resulted in numerous subsequent actions, communications, and filings involving DISH, the Division of Public Utilities (DPU), and the PSC. Relevant here¹ are: DPU’s May 12, 2026 filing (“DPU’s May Comments”);² DISH’s July 17, 2026 filing (“DISH Response”);³ and DPU’s August 12, 2026 filing (“DPU’s August Comments”).

DPU’s May Comments reflect its investigation into the DISH Letter. DPU determined, among other things, that the DISH Letter was vague, that DISH assigned certain wireless assets associated with the DISH Gen Mobile brand and its Utah ETC

¹ All docket entries may be found at: <https://psc.utah.gov/2023/03/06/docket-no-23-2641-01/>

² These comments are dated April 30, 2026, but were not received by the PSC until May 12, 2026, and included data responses provided by DISH during DPU’s investigation (“DISH Data Response”).

³ The DISH Response responded to DPU’s May Comments and to a PSC Order issued May 28, 2026.

accounts to Boost SubscriberCo L.L.C. (“Boost”), that DISH desired to transfer its ETC designation to Boost, that Boost has not been granted ETC status in Utah, and that DISH has never made a formal request to transfer DISH’s ETC designation to Boost. However, the DISH Data Response, included in DPU’s May Comments, represent that Boost is an affiliate company of DISH under the same existing parent, EchoStar Corporation⁴ (which acquired DISH’s original parent company in late 2023), and as between DISH and Boost, “[t]he day-to-day operations and personnel providing oversight remain unchanged[;] customer service protocols and contact information remain unchanged[;] service rates, terms, and conditions remain unchanged; and Lifeline services will continue to be offered under the ‘Gen Mobile’ brand name.”⁵

The DISH Response further clarified its position in this matter. DISH represented “that it does not seek to transfer or assign its existing” ETC to Boost, but instead “seeks authorization ... to relinquish its current ETC designation,[□] strictly coordinated with and conditioned upon the [PSC’s] grant of a new ETC designation for Lifeline-only in the State of Utah to [Boost], upon the formal filing of” Boost’s application for ETC status.⁶ DISH also requested procedural direction concerning the filing of its forthcoming ETC relinquishment application and the forthcoming application of Boost for ETC status.

⁴ See DPU’s May Comments, Ex. 1 (DISH Data Response at 1–2).

⁵ *Id.* at 2.

⁶ DISH Response at 1.

DPU's August Comments recommended that DISH proceed to relinquish its ETC "designation if/when Boost ... has been given [its own] ETC designation under a separate docket."⁷ DPU's August Comments also noted a deficiency in DISH's required UUSF remittances, but DPU later advised that all such remittances have been received.

FINDINGS, CONCLUSIONS, AND ORDER

This is a very unusual situation. We find DISH is an ETC in the State of Utah, and that Boost is not. We further find that DISH has allegedly transferred its Utah ETC-related customers to Boost. To address this unusual situation, DISH represents that Boost will seek ETC status in the State of Utah and that DISH will seek to relinquish its current ETC designation. Based on the DISH Response and the foregoing discussion and findings, we conclude that the recommendation in DPU's August Comments is appropriate and is consistent with representations in the DISH Response.

Accordingly, it is ordered that:

1. Boost shall promptly file, under a new and separate PSC docket number, 26-2667-01, an appropriate application with the PSC for designation as an ETC in the State of Utah, which will be adjudicated in the ordinary course; and

⁷ DPU's August Comments at 1.

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2. DISH shall promptly file, under a new and separate PSC docket number, 26-2641-01, an application with the PSC seeking to relinquish its ETC status if Boost's application is granted by the PSC.

DATED at Salt Lake City, Utah, August 31, 2026.

/s/ John E. Delaney
Presiding Officer

Approved and Confirmed August 31, 2026, as the Order of the Public Service Commission.

/s/ Jerry D. Fenn, Chair

/s/ David R. Clark, Commissioner

/s/ John S. Harvey, Ph.D., Commissioner

Attest:

/s/ Gary L. Widerburg
PSC Secretary
DW#346713

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 31, 2026, a true and correct copy of the foregoing was served upon the following as indicated below:

By Email:

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