

Washington State Conditions on TracFone ETC Designation

Customer Protection and Eligibility Verification

1. TracFone shall file, within 30 days of approval of its ETC designation petition in Washington, its terms and conditions of service, and rate plans including its Lifeline discounts available to qualifying low-income households. Further, TracFone shall notify the Commission of any future changes to its rates, terms, or conditions. The information of TracFone's rates, terms and conditions shall also be provided in a welcome package sent to Lifeline customers after enrollment in TracFone's Lifeline program, as well as at TracFone's official SafeLink website. The Commission reserves authority to revoke TracFone's ETC designation if it finds that the Lifeline discounts TracFone offers to eligible households, in the form of free minutes or otherwise, are not sufficient local usage to pass on the federal Lifeline support to the consumer.
2. TracFone shall file, within 30 days of approval of its ETC designation petition in Washington, proposed language to be used in all advertising of Lifeline service and on its website. The language on its website should include information directing customers to the Washington State Office of the Attorney General for complaints regarding any Lifeline service issues. The Commission Staff shall have the right to review and recommend changes to any proposed language.
3. TracFone shall also provide Lifeline customers with the choice of all other rate plans available to regular customers.
4. TracFone shall cooperate with the Commission and the Department of Social and Health Services (DSHS) to work out a procedure to verify SafeLink customers' eligibility.
5. TracFone shall file, within 30 days of approval of its ETC designation petition in Washington, its Lifeline Customer Application Form to the Commission. The Commission Staff shall have the right to review and recommend changes to the Customer Application Form.

Annual Filing

6. TracFone shall file with the Commission its complete Lifeline customer records by March 31 of each year. The customer records are subject to audit of the Commission and the DSHS. The records should have all the necessary information and be in an electronic format required by the DSHS. After the Commission and DSHS notify TracFone with audit results, TracFone must take appropriate measures to either correct the customer records or stop providing services to ineligible customers and report the resolutions to the agencies within 60 days of the notice.
7. TracFone shall provide the Commission a copy of its annual Lifeline Verification survey results it files with the Universal Service Administration Company (USAC) by August 31 of each year.
8. TracFone shall file with the Commission by March 31 of each year, a report on the number of complaints by each category of the nature of complaints it received from Washington Lifeline customers during the prior calendar year, including complaints filed with the Commission's Consumer Protection and Communications Section, the Washington State Office of the Attorney General, and the FCC. The Commission reserves the rights to revoke TracFone's ETC designation if TracFone fails to provide reasonable quality of service.

Cessation of Business

9. TracFone shall comply with rules on cessation of business as specified in WAC 480-120-083.
 - 1) Prior to cessation of business, TracFone shall make arrangements with its underlying carriers to provide minutes already sold to customers under the same terms and conditions it has with the customers, or provide refunds to the existing customers;
 - 2) TracFone shall provide written notice to the following persons at least 30 days in advance of cessation of service:
 - a. The Commission;
 - b. The state 911 program;
 - c. Each of its customers;
 - d. The national number administrator.
 - 3) The notice to the Commission and the state 911 program must include the same information required by WAC 480-120-083 (3);
 - 4) The notice to the customers must include the same information required by WAC 480-120-083 (4);
 - 5) The notice to the national number administrator must include the same information required by WAC 480-120-083 (7);
 - 6) TracFone shall file with the Commission at least 30 days in advance of its cessation of business and request the relinquishment of its ETC designation in Washington.

UTC Authority

10. TracFone shall collect and maintain necessary records and documentation to ensure its compliance with the applicable FCC and the Commission's requirements, including existing requirements and any future modifications. The records and documentation should be provided to the Commission Staff upon request.
11. The Commission reserves the right to conduct audits on TracFone's SafeLink program operation in Washington.
12. The Commission reserves the right to suspend or revoke TracFone's ETC designation based on proven violations of applicable laws governing ETCs or conditions set forth in the Commission Order designating TracFone as an ETC, and after a public hearing in which TracFone is afforded the opportunity to present testimony and evidence.
13. TracFone shall work with Commission Staff on phone number conservation issues and comply with 47 C.F.R. §52.