

**BEFORE THE  
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

DISH Wireless L.L.C. )  
Petition for Designation as an Eligible )  
Telecommunications Carrier in the State of )  
Washington for the Limited Purpose of ) Docket No. UT-230144  
Providing Lifeline Service to Qualifying )  
Customers )  
)

**SECOND AMENDED PETITION OF DISH WIRELESS L.L.C. FOR  
DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN  
THE STATE OF WASHINGTON FOR THE LIMITED PURPOSE OF  
OFFERING LIFELINE SERVICE TO QUALIFIED HOUSEHOLDS**

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**I. INTRODUCTION**

DISH Wireless L.L.C. dba Gen Mobile (“DISH Wireless” or the “Company”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)<sup>1</sup> and Sections 54.101 through 54.207<sup>2</sup> of the Rules of the Federal Communications Commission (“FCC”),<sup>3</sup> and the rules and regulations of the Washington Utilities and Transportation Commission (the “Commission”), including Section 480-123-030 of the Washington Administrative Code (“WAC”), hereby submits this Second Amended Petition (the “Petition”) for Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Washington. This Petition supplements petition filed on March 30, 2023. The Company seeks ETC designation for the limited purpose of providing Lifeline service under the brand name “Gen Mobile” to qualifying Washington consumers, including those on federally

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<sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>2</sup> 47 C.F.R. §§ 54.101-54.207.

<sup>3</sup> DISH Wireless files this Petition in accordance with the rules adopted by the FCC in the *2012 Lifeline Reform Order*. See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket Nos. 11-42 and 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (“*2012 Lifeline Reform Order*”).

recognized Tribal lands. DISH Wireless hereby submits this amendment to its Petition as set forth herein.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Petition should be addressed to:

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## **II. AMENDMENT TO THE PETITION**

Pursuant to WAC 480-07-110, DISH Wireless supplements Section IV.O. of its Petition requesting the Commission to exempt the Company from the requirements of WAC 480-123-030(g) with respect to its own facilities. An exemption from the foregoing statute will be in furtherance of the public interest.

### **A. EXEMPTION FROM WAC 480-123-030(g) FOR DISH WIRELESS' NETWORK**

As stated earlier in its Petition, DISH Wireless' greenfield 5G network operates in a cloud-native environment that is not encumbered by traditional technology and will be more flexible and resilient in the event of service outages. As the nation's first cloud-native, greenfield standalone ("SA") Open Radio Access Network ("O-RAN") network. The DISH O-RAN architecture consists of Radio Units ("RUs"), which are deployed on DISH's 5G sites, and Distributed Units ("DUs"), which control the RUs. Each DU is located at or near the base of the 5G site. The DUs interface with Centralized Units ("CUs"), which are hosted in a data center. These combined network elements provide a RAN solution that handles all radio level control and subscriber data traffic. In addition, DISH's 5G sites are deployed with radios from various

vendors. Such multi-vendor deployment exemplifies the flexibility and resiliency that O-RAN offers. For example, DISH 5G sites can have a Fujitsu radio paired with a Mavenir DU while others may can have a Fujitsu radio paired with a Samsung DU. The antennas on DISH's 5G sites utilize support all DISH component carriers in its different bands, including antennas suitable for special cases such as where there is less than normal usable vertical space on the tower. DISH's 5G site architecture is compliant with relevant O-RAN specifications. In areas where the Company's network is not built out or optimized, DISH Wireless has partner carrier networks that provide coverage, including in emergency situations. Statute requirement WAC 480-123-030(g) is applicable to legacy network structures and should not impose burdens on a new entrant such as DISH Wireless. The statute does not anticipate for the Company's O-RAN architecture and the aforementioned coverage ecosystem it has created with its underlying carriers.

**B. EXEMPTION FROM WAC 480-123-030(g) IS IN THE PUBLIC INTEREST**

The Commission will advance the public interest by exempting the WAC 480-123-030(g) requirement in order to designate DISH Wireless as an ETC in the State of Washington. Such exemption will allow DISH Wireless to offer the Gen Mobile-branded Lifeline services based on some of the latest technologies for wireless services subject to device compatibility and network coverage. If granted, this exemption will bolster competition among Lifeline service providers. This will also give low-income Washington consumers the choice to choose, and benefit from, newer technology for their Lifeline services.

### **III. CONCLUSION**

Based on the foregoing, granting DISH Wireless this exemption from WAC 480-123-030(g) for its petition to be designated as an ETC in the State of Washington is consistent with and in the public interest.

*WHEREFORE*, DISH Wireless respectfully requests that the Commission to grant DISH Wireless's exemption request from WAC 480-123-030(g) in the Company's Petition for ETC designation in the State of Washington for the purpose of participating in the Lifeline program.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alison Minea", written over a horizontal line.

Alison Minea  
DISH Wireless L.L.C.