

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of	)	DOCKET UT-111570
	)	
BUDGET PREPAY, INC.,	)	BUDGET PREPAY, INC.'S
	)	PETITION TO RELINQUISH ITS
For an Exemption from WAC 480-123-	)	DESIGNATION AS AN ELIGIBLE
030(1)(d), (f) and (g); and Designation as	)	TELECOMMUNICATIONS
an Eligible Telecommunications Carrier	)	CARRIER

Budget PrePay, Inc. (“Budget PrePay”) respectfully requests relinquishment of its Lifeline-only Eligible Telecommunications Carrier (“ETC”) designation pursuant to 47 U.S.C. § 214(e)(4), 47 C.F.R. § 54.205 in Washington, effective as of June 5, 2017. In support of its Petition, Budget states as follows:

1. On August 29, 2011, Budget PrePay, Inc. (“Budget”) filed a petition with the Washington Utilities and Transportation Commission (“Commission”) in this docket requesting designation as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”), and WAC 480-123-030.
2. On August 6, 2012, the Commission issued Order 01 (“Order”) granting Budget’s request for designation as a Lifeline-only ETC in certain areas within Washington,<sup>1</sup> and setting forth conditions in Appendix B to the Order, including requiring Budget to comply with rules on cessation of business as specified in WAC 480-120-083.<sup>2</sup> On February 14, 2014, Budget’s Lifeline-only ETC designation was continued, subject to amended conditions.<sup>3</sup>

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<sup>1</sup> Docket UT-111570, Order 01, Appendix A (listing ILEC wire centers approved for designation).

<sup>2</sup> *Id.*, Appendix B, para. 14.

<sup>3</sup> Docket UT-111570, Order 02.

3. Budget now intends to relinquish its Lifeline-only ETC designation and to cease doing business in all areas of Washington for which it is currently designated an ETC. Such relinquishment and cessation is to become effective on June 5, 2017.
4. Relinquishment of Budget's Lifeline-only ETC designation will not affect the amount of federal Lifeline support available to other ETCs in the state.
5. Budget is entitled to relinquish its ETC designation pursuant to 47 U.S.C. §214(e)(4) which states, in pertinent part:

A State commission...**shall permit an eligible telecommunications carrier to relinquish its designation** as such a carrier **in any area served by more than one eligible telecommunications carrier**. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission...of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission...shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.

*Id.* (emphasis added). The FCC rule essentially reiterates the same requirements in § 214(e)(4) and states, in pertinent part, that a “state commission shall permit” an ETC to “relinquish its designation as such in any area served by more than one [ETC].” 47 C.F.R. § 54.205(a) and (b). The FCC rule also requires that the ETC “shall give advance notice to the state commission of such relinquishment.” *Id.* Finally, the FCC rules require State commissions to ensure that the relinquishing ETC's customers will

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be served by the remaining ETC(s) and ensure sufficient notice to permit the purchase and construction of facilities if necessary. *Id.*

6. The wire centers impacted by this request along with the incumbent local exchange carrier (“ILECs”) currently serving those wire centers are identified in Exhibit A.<sup>4</sup> Because Budget’s designation was co-extensive with the wire center boundaries of the ILECs listed, and because each ILEC listed is an ETC, all of Budget’s ETC area will continue to be served by an ILEC which is an ETC. In addition, the Commission has designated other competitive ETCs which continue to provide Lifeline service within some or all of Budget’s current ETC-designated area, such as TracFone Wireless and Boomerang Wireless. Because there is already at least one other ETC in all areas in which Budget is currently designated as an ETC, the Commission is required by federal law to permit Budget to relinquish its Lifeline-only ETC designation.
7. To the best of Budget’s knowledge, no purchase or construction of facilities by other carriers will be necessary.<sup>5</sup> Because other ETCs currently serve the entire area in which Budget is designated as an ETC in Washington, the Commission need not provide notice to those carriers to permit them to purchase or construct facilities to ensure that Budget’s customers will continue to receive service.

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<sup>4</sup> Which is identical to **Appendix A** to the Commission’s Order. *See* Docket UT-111570, Order 01, Appendix A.

<sup>5</sup> 47 U.S.C. §214(e)(4).

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8. Budget seeks to relinquish its Lifeline-only ETC designation effective on June 5, 2017.  
Budget requests that the Commission approve Budget's petition or allow it to become effective on consent or no action no later than June 5, 2017.
9. Budget is taking steps to mitigate the impact of relinquishment on its current Lifeline customers and will ensure that these customers receive ample notice of the change in their Lifeline service. Budget has fewer than 1400 Lifeline customers in its ETC designated areas in Washington.
10. Budget will notify each Lifeline customer in writing that it will no longer be an ETC at least thirty (30) days, and again ten (10) days, in advance of its cessation of service. The notice to the customers will include the information required by WAC 480-120-083(4). If a Budget customer decides to obtain service from another provider, there will be no early termination fee, as Budget customers are not subject to such fees. **Exhibit B** hereto is a sample copy of the notification Budget intends to send, via U.S. Mail, to each of its Lifeline customers on or before April 30, 2017. In addition, as Budget customers are most familiar with receiving information from Budget via text message, Budget will also send each Lifeline customer at least one text message no later than May 25, 2017 directing them to a website(s) with information about alternative Lifeline providers.
11. Budget will continue to provide existing eligible Lifeline customers with the Lifeline discount and claim reimbursement for the Lifeline discount until the effective date of relinquishment. Budget does not plan to seek reimbursement for the Lifeline discount after June 5, 2017.

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12. In order to avoid customer confusion and assist with a smooth transition process, Budget will stop accepting new Lifeline applications as of the date of this Petition and will inform potential customers inquiring about Lifeline of the pendency of this Petition.<sup>6</sup>
13. As required by Condition No. 14 in Appendix B to the Order, Budget will, at least thirty (30) days in advance of cessation of service, provide written notice to the state 911 program,<sup>7</sup> each of its customers as described above, and the national number administrator.<sup>8</sup> This petition serves as notice to the Commission.

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<sup>6</sup> *Application of Sprint Nextel Corporation to Relinquish Its Designation as an Eligible Telecommunications Carrier*, Texas PUC Docket No. 40543, Staff Memo at 2 (July 25, 2012) (“Ms. Kimberly Scardino, Deputy Division Chief, the FCC TAPD, stated in an email to Staff dated July 24, 2012, that Staff’s requirement that no new Lifeline customers be enrolled in Sprint Nextel’s Lifeline plan after the 90-day notices have been sent does not conflict with Federal ETC requirements.”).

<sup>7</sup> The notice to the state 911 program will include the information as required by WAC 480-120-083(3).

<sup>8</sup> The notice to the national number administrator will include the information as required by WAC 480-120-083(7).

**CONCLUSION**

For the foregoing reasons, Budget respectfully requests that the Commission allow the petition to become effective with no action or grant it expeditiously, allowing Budget to relinquish its Lifeline-only ETC designation in Washington, effective June 5, 2017.

RESPECTFULLY SUBMITTED this 24<sup>th</sup> day of April, 2017.

Lukas, LaFuria, Gutierrez & Sachs, LLP

By \_\_\_\_\_ /s/

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**EXHIBIT A**

<b>COMPANY</b>	<b>EXCHANGE</b>
CenturyTel of Washington	Ames Lake
CenturyTel of Washington	Arletta
CenturyTel of Washington	Basin City
CenturyTel of Washington	Beaver
CenturyTel of Washington	Blakely Island
CenturyTel of Washington	Carnation
CenturyTel of Washington	Cheney
CenturyTel of Washington	Chewelah
CenturyTel of Washington	Clallam Bay
CenturyTel of Washington	ClearWater
CenturyTel of Washington	Connell
CenturyTel of Washington	Cowiche
CenturyTel of Washington	Edwall-Tyler
CenturyTel of Washington	Elma
CenturyTel of Washington	Eltopia
CenturyTel of Washington	Fall City
CenturyTel of Washington	Forks
CenturyTel of Washington	Fox Island
CenturyTel of Washington	Friday Harbor
CenturyTel of Washington	Gig Harbor
CenturyTel of Washington	Hansville
CenturyTel of Washington	Humptulips
CenturyTel of Washington	Kahlotus
CenturyTel of Washington	Kingston
CenturyTel of Washington	Lake Quinault
CenturyTel of Washington	Lakebay
CenturyTel of Washington	Lind
CenturyTel of Washington	Mathews Corner
CenturyTel of Washington	McCleary
CenturyTel of Washington	Medical Lake
CenturyTel of Washington	Mesa
CenturyTel of Washington	Montesano
CenturyTel of Washington	Neah Bay
CenturyTel of Washington	North Bend

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CenturyTel of Washington	Ocosta
CenturyTel of Washington	Orting
CenturyTel of Washington	Pacific Beach
CenturyTel of Washington	Reardan
CenturyTel of Washington	Ritzville
CenturyTel of Washington	Royal City
CenturyTel of Washington	Snoqualmie Pass
CenturyTel of Washington	South Prairie
CenturyTel of Washington	Spangle
CenturyTel of Washington	Sprague
CenturyTel of Washington	Starbuck
CenturyTel of Washington	Tieton
CenturyTel of Washington	Twisp
CenturyTel of Washington	Vader
CenturyTel of Washington	Vashon
CenturyTel of Washington	Washtucna
Ellensburg Telephone Company	Ellensburg
Ellensburg Telephone Company	Kittitas
Ellensburg Telephone Company	Lauderdale
Ellensburg Telephone Company	Selah
Ellensburg Telephone Company	Thorp
Ellensburg Telephone Company	Vantage
Frontier Communications Northwest Inc.	Acme
Frontier Communications Northwest Inc.	Alger
Frontier Communications Northwest Inc.	Anacortes
Frontier Communications Northwest Inc.	Arlington
Frontier Communications Northwest Inc.	Benton City
Frontier Communications Northwest Inc.	Big Lake
Frontier Communications Northwest Inc.	Blaine
Frontier Communications Northwest Inc.	Bothell
Frontier Communications Northwest Inc.	Brewster
Frontier Communications Northwest Inc.	Burlington
Frontier Communications Northwest Inc.	Camas-Washougal
Frontier Communications Northwest Inc.	Cashmere
Frontier Communications Northwest Inc.	Conway
Frontier Communications Northwest Inc.	Coupeville
Frontier Communications Northwest Inc.	Custer



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Frontier Communications Northwest Inc.	Darrington
Frontier Communications Northwest Inc.	Edison
Frontier Communications Northwest Inc.	Everett
Frontier Communications Northwest Inc.	Everson
Frontier Communications Northwest Inc.	Fairfield
Frontier Communications Northwest Inc.	Farmington
Frontier Communications Northwest Inc.	Ferndale
Frontier Communications Northwest Inc.	Garfield
Frontier Communications Northwest Inc.	George
Frontier Communications Northwest Inc.	Halls Lake
Frontier Communications Northwest Inc.	Kennewick
Frontier Communications Northwest Inc.	Kirkland
Frontier Communications Northwest Inc.	La Conner
Frontier Communications Northwest Inc.	Latah
Frontier Communications Northwest Inc.	Laurel
Frontier Communications Northwest Inc.	Leavenworth
Frontier Communications Northwest Inc.	Lyman-Hamilton
Frontier Communications Northwest Inc.	Lynden
Frontier Communications Northwest Inc.	Marysville
Frontier Communications Northwest Inc.	Monroe
Frontier Communications Northwest Inc.	Moscow
Frontier Communications Northwest Inc.	Mt Vernon
Frontier Communications Northwest Inc.	Naches
Frontier Communications Northwest Inc.	Newport
Frontier Communications Northwest Inc.	Oak Harbor
Frontier Communications Northwest Inc.	Oakesdale
Frontier Communications Northwest Inc.	Palouse
Frontier Communications Northwest Inc.	Priest River
Frontier Communications Northwest Inc.	Pullman
Frontier Communications Northwest Inc.	Quincy
Frontier Communications Northwest Inc.	Richland
Frontier Communications Northwest Inc.	Richmond Beach
Frontier Communications Northwest Inc.	Rockford
Frontier Communications Northwest Inc.	Rosalia
Frontier Communications Northwest Inc.	Sedro Woolley
Frontier Communications Northwest Inc.	Silver Lake
Frontier Communications Northwest Inc.	Skykomish

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Frontier Communications Northwest Inc.	Snohomish
Frontier Communications Northwest Inc.	Soap Lake
Frontier Communications Northwest Inc.	Stanwood
Frontier Communications Northwest Inc.	Sultan
Frontier Communications Northwest Inc.	Sumas
Frontier Communications Northwest Inc.	Tekoa
Frontier Communications Northwest Inc.	Wenatchee
Frontier Communications Northwest Inc.	Westport
Frontier Communications Northwest Inc.	Woodland
Hat Island Telephone Company	Hat Island
Hood Canal Telephone Company	Union
Inland Telephone Company	Dewatto
Inland Telephone Company	Prescott
Inland Telephone Company	Uniontown
Kalama Telephone Company	Kalama
Lewis River Telephone Company	La Center
Mashell Telecom	Eatonville
Mashell Telecom	Kapowsin
McDaniel Telephone Company	Onalaska
Pend Oreille Telephone Company	Cusick
Qwest Corporation/CenturyLink	Aberdeen- Hoquiam
Qwest Corporation/CenturyLink	Auburn
Qwest Corporation/CenturyLink	Bainbridge Island
Qwest Corporation/CenturyLink	Battle Ground
Qwest Corporation/CenturyLink	Belfair
Qwest Corporation/CenturyLink	Bellevue
Qwest Corporation/CenturyLink	Bellingham
Qwest Corporation/CenturyLink	Bremerton
Qwest Corporation/CenturyLink	Buckley
Qwest Corporation/CenturyLink	Castle Rock
Qwest Corporation/CenturyLink	Centralia
Qwest Corporation/CenturyLink	Chehalis
Qwest Corporation/CenturyLink	Clarkston
Qwest Corporation/CenturyLink	Cle Elum
Qwest Corporation/CenturyLink	Colfax
Qwest Corporation/CenturyLink	Copalis
Qwest Corporation/CenturyLink	Coulee Dam

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Qwest Corporation/CenturyLink	Dayton
Qwest Corporation/CenturyLink	Deer Park
Qwest Corporation/CenturyLink	Des Moines
Qwest Corporation/CenturyLink	Easton
Qwest Corporation/CenturyLink	Elk
Qwest Corporation/CenturyLink	Ephrata
Qwest Corporation/CenturyLink	Graham
Qwest Corporation/CenturyLink	Green Bluff
Qwest Corporation/CenturyLink	Hoodsport
Qwest Corporation/CenturyLink	Issaquah
Qwest Corporation/CenturyLink	Kent
Qwest Corporation/CenturyLink	Liberty Lake
Qwest Corporation/CenturyLink	LongView Kelso
Qwest Corporation/CenturyLink	Loon Lake
Qwest Corporation/CenturyLink	Maple Valley
Qwest Corporation/CenturyLink	Moses Lake
Qwest Corporation/CenturyLink	Newman Lake
Qwest Corporation/CenturyLink	Olympia
Qwest Corporation/CenturyLink	Omak
Qwest Corporation/CenturyLink	Othello
Qwest Corporation/CenturyLink	Pasco
Qwest Corporation/CenturyLink	Pateros
Qwest Corporation/CenturyLink	Pomeroy
Qwest Corporation/CenturyLink	Port Angeles
Qwest Corporation/CenturyLink	Port Ludlow
Qwest Corporation/CenturyLink	Port Orchard
Qwest Corporation/CenturyLink	Port Townsend
Qwest Corporation/CenturyLink	Puyallup
Qwest Corporation/CenturyLink	Renton
Qwest Corporation/CenturyLink	Ridgefield
Qwest Corporation/CenturyLink	Rochester
Qwest Corporation/CenturyLink	Roy
Qwest Corporation/CenturyLink	Seattle
Qwest Corporation/CenturyLink	Sequim
Qwest Corporation/CenturyLink	Shelton
Qwest Corporation/CenturyLink	Silverdale
Qwest Corporation/CenturyLink	Spokane

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Qwest Corporation/CenturyLink	Springdale
Qwest Corporation/CenturyLink	Sumner
Qwest Corporation/CenturyLink	Tacoma
Qwest Corporation/CenturyLink	Touchet
Qwest Corporation/CenturyLink	Vancouver
Qwest Corporation/CenturyLink	Waitsburg
Qwest Corporation/CenturyLink	Walla Walla
Qwest Corporation/CenturyLink	Warden
Qwest Corporation/CenturyLink	Yakima
St John Co-Op Telephone & Telegraph Company	St John
Tenino Telephone Company	Bucoda
Tenino Telephone Company	Tenino
The Toledo Telephone Company	Toledo
United Telephone Company of The Northwest	Chimacum
United Telephone Company of The Northwest	Dallesport
United Telephone Company of The Northwest	Gardiner
United Telephone Company of The Northwest	Grandview
United Telephone Company of The Northwest	Granger
United Telephone Company of The Northwest	Harrah
United Telephone Company of The Northwest	Hood Canal
United Telephone Company of The Northwest	Mabton
United Telephone Company of The Northwest	Mattawa
United Telephone Company of The Northwest	Paterson
United Telephone Company of The Northwest	Poulsbo
United Telephone Company of The Northwest	Prosser
United Telephone Company of The Northwest	Sunnyside
United Telephone Company of The Northwest	Toppenish
United Telephone Company of The Northwest	Wapato
United Telephone Company of The Northwest	White Salmon
United Telephone Company of The Northwest	Whitstran
United Telephone Company of The Northwest	Willard
Whidbey Telephone Company	South Whidbey
Yelm Telephone Company	Rainier
Yelm Telephone Company	Yelm

**Exhibit B**

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April 24, 2017

Name  
Address  
City, State, ZIP

**\*\*IMPORTANT NOTICE REGARDING YOUR LIFELINE SERVICE\*\***

Dear Budget Mobile Customer:

Please be advised that Budget Mobile is seeking to relinquish its authority to provide Lifeline services in Washington. If granted by the Washington Utilities and Transportation Commission (WUTC), Budget Mobile will no longer provide Lifeline service in Washington.

If you are an existing customer with Budget Mobile, you will be required to seek Lifeline service from another authorized carrier in Washington. If you do not transfer your existing Lifeline wireless service by June 5, 2017 from Budget to another Lifeline provider, you risk a loss of Lifeline service.

In an effort to help with this transition of service, you may access the WUTC website at <https://www.utc.wa.gov/consumers/telephone/Pages/telephoneAssistanceProgram.aspx> for links and information regarding Lifeline in Washington. In addition, you may access the Universal Service Administrative Company's webpage at <http://www.lifelinesupport.org/ls/companies/companies.aspx> to see a list of Lifeline providers in Washington or call USAC at 1-888-641-8722 and press 1 for additional assistance. These resources will help you determine which Lifeline provider is best for you.

Budget Mobile would like to take this opportunity to express our gratitude for the many years of being able to provide wireless phone services. If you have any questions or concerns regarding the change to your wireless account or establishing service with another company, you can call Budget Mobile at 1-888-777-4007 and speak to a Customer Service Representative. We will be happy to answer any questions you may have.

Sincerely,

