

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

In the Matter of	DOCKET No. UT-_____
PETITION OF ASSURANCE WIRELESS USA, L.P., TO EXPAND ITS ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATED SERVICE AREA	Petition of Assurance Wireless USA, L.P., to Expand Its Eligible Telecommunications Carrier Designated Service Area

**PETITION OF ASSURANCE WIRELESS USA, L.P. TO EXPAND
ITS ELIGIBLE TELECOMMUNICATIONS CARRIER
DESIGNATED SERVICE AREA**

I. INTRODUCTION

1. Assurance Wireless USA, L.P. (“Assurance Wireless” or “the Company”), pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”), Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”), and Washington Administrative Code (“WAC”) 480-123-030, respectfully submits this Petition to the Washington Utilities and Transportation Commission (“Commission” or “PSC”) to expand its Eligible Telecommunications Carrier (“ETC”) designated service area for Lifeline only services in the state of Washington in a number of additional wire centers within its coverage area.

2. All correspondence, communications, pleadings, notices, orders, and decisions relating to this Petition should be addressed to the following attorneys on behalf of Assurance Wireless:

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3. The Commission previously designated Assurance Wireless (formerly Virgin Mobile) as an ETC for Low Income Support¹ from the federal Universal Service Fund on November 10, 2010, in Order 01 in Docket UT-100203. On November 14, 2011, Virgin Mobile filed a petition with the Commission to renew its designation as an ETC pursuant to Section 214(e)(2) of the Communications Act of 1934 and WAC 480-123, and on October 16, 2014, in Order 02 in the same Docket, the Commission granted an order renewing eligible telecommunications carrier designation and continued exemption from WAC 480-123-030(1)(d) with amended conditions (hereinafter “ETC Designation Order”). In renewing the designation of Assurance Wireless as an ETC, the Company was limited in its service area only to those wire centers listed in Attachment B to the ETC Designation Order. The existing ETC designation area for Assurance Wireless is materially smaller than its current wireless coverage area in Washington.

4. By this Petition, Assurance Wireless requests expansion of its designated ETC service area to encompass an expanded geographic area associated with a number of additional wire centers not currently within its designated ETC service area to provide wireless Lifeline-only service to those additional qualifying Washington households outside of the currently authorized

¹ Virgin Mobile was designated as an ETC for the purpose of receiving both Lifeline and Link Up support in the federal Low Income Support program, which provides subsidy to monthly telephone service expense and the initial charges for commencing telephone service, respectively. In its 2012 Lifeline Reform Order, the Federal Communications Commission (FCC) eliminated Link Up support on non-Tribal lands for all ETCs. As a result, Virgin Mobile no longer receives Link Up support.

wire centers. A listing of the additional wire centers in which the Company proposes to be designated as a Lifeline provider is listed in Exhibit A. This expansion will allow Assurance Wireless to provide Lifeline services to eligible low-income households anywhere it has wireless coverage in Washington. Consistent with its current Lifeline only ETC designation, the Company is not seeking designation in the expanded area to receive high-cost support from the Universal Service Fund.

5. Assurance Wireless is a wholly owned subsidiary of T-Mobile USA, Inc. (“T-Mobile”). T-Mobile is the second largest wireless carrier in the United States, headquartered in Bellevue, Washington. T-Mobile acquired Assurance Wireless when it completed its acquisition of Sprint Corporation in 2020. The principal offices of Assurance Wireless are located in Bellevue, Washington. Assurance Wireless continues to possess the financial, managerial, and technical capability to provide Lifeline service in compliance with Section 54.201(h) of the FCC’s Rules.

6. Assurance Wireless has been designated as a wireless ETC in 47 states and the District of Columbia.²

7. As demonstrated herein, Assurance Wireless meets all applicable statutory and regulatory requirements for designation as an ETC in the proposed expansion of its designated service area.³ The Commission’s grant of Assurance Wireless’s Petition would advance the public interest by enabling the Company to expand the availability of Assurance Wireless Lifeline service

² Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kansas, Kentucky, Louisiana, Idaho, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Montana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

³ The terms and conditions are available on Assurance’s website: www.assurancewireless.com.

to substantially more low-income consumers in Washington. Accordingly, Assurance Wireless respectfully requests that the Commission expeditiously approve this Petition.

II. DESIGNATED SERVICE AREA

8. WAC § 480-123-030(1)(a) requires Assurance Wireless to provide a description of the area or areas for which an ETC designation is sought. The Company seeks to expand its ETC service area so that it can offer Lifeline service throughout its coverage area. This area covers the service area of its affiliate, T-Mobile West LLC (“T-Mobile”), and has in part already been identified in the ETC Designation Order, in which the Commission renewed the designation of Assurance Wireless as an ETC to provide wireless Lifeline service in the wire centers/zip codes listed in Appendix B to the ETC Designation Order, Areas for Eligible Telecommunications Carrier Designation. The existing ETC designation area for Assurance Wireless is materially smaller than the current wireless coverage area in Washington of T-Mobile.

III. ASSURANCE WIRELESS MEETS APPLICABLE REQUIREMENTS

9. The FCC's rules and WAC 480-123-030 set forth the information that must be contained in a Petition for ETC designation.⁸ In its filings in support of its initial ETC Designation petition filed in this Docket and granted by the Commission in Order 1 on November 14, 2011,⁴ incorporated herein by reference, Assurance Wireless provided all the information required by the Commission and the FCC's rules in effect at the time. The Commission found in its ETC Designation Order that Assurance Wireless met the requirements for designation as an ETC. Assurance Wireless has complied with the conditions in the ETC Designation Order and will continue to do so. Assurance Wireless also complies with the service requirements applicable to

⁴ These filings in Docket UT-100203 include the initial filing on behalf of Virgin Mobile USA, L.P. (Feb. 1, 2010), two supplements to this initial petition for limited designation as an ETC (respectively, Aug. 12, 2010 and Nov. 1, 2010), and an exhibit replacing Exhibit 2 of the initial petition (Nov. 9, 2010).

the Lifeline support that it receives, including those new requirements that have been imposed since 2010.

A. Assurance Wireless Will Provide All Required Services in The Expanded Designated Service Area

10. Assurance Wireless will provide all services required by Section 54.101(a) of the FCC's Rules throughout its expanded designated service area in Washington, including voice and broadband Internet access services. Assurance Wireless' Lifeline services will meet or exceed the minimum service standards. The Company's current base Lifeline offering is free unlimited texting, 1000 talk minutes and 4.5GB of data.⁵

B. Assurance Wireless's Processes Comply with the Lifeline Verification and Enrollment Requirements, and the Company Remains Committed to Preventing Waste, Fraud and Abuse of the Lifeline Program

11. Section 54.410 of the FCC's rules requires ETCs to certify and verify a Lifeline customer's initial and continued eligibility. Assurance Wireless has processes in place to facilitate compliance with all federal customer enrollment requirements. Assurance Wireless has additional processes in place to guard against waste, fraud, and abuse, and to ensure compliance with all FCC rules designed to achieve those objectives.

C. Assurance Wireless Requests Exemption from WAC 480-123-030 (1)(f)

12. Assurance Wireless requests that the Commission exempt it from the ETC petition requirements set forth in WAC 480-123-030 (f). Subsection (1)(f) requires wireless carriers to provide a map in .shp format of proposed service areas (exchanges) with existing and planned locations of cell sites and shading to indicate where the carrier provides and plans to provide commercial mobile radio service signals. This requirement was adopted by the Commission in

⁵ The terms and conditions are available on Assurance's website – www.assurancewireless.com.

2006 to make subsection (1)(f) more consistent with subsection (1)(d).⁶ Subsection (1)(d) reflects the federal requirement articulated by the FCC in 2005 that those carriers be able to demonstrate how “high-cost universal service support will be used to improve its coverage, service quality or capacity in every wire center for which it seeks designation and expects to receive universal service support,”⁷ which applies specifically to carriers intending to seek high-cost support to fund additional construction and development of their networks.

13. This is not relevant for Lifeline-only providers, which receive low-cost support based on customer subscription and usage, not construction benchmarks and coverage metrics.⁸ Such concerns are generally absent from the FCC’s rules for Lifeline-only carriers and, if anything, are contrary to the specific restriction in Section 54.416 (c) that additional standards imposed by the state on an ETC are permitted to the extent such standards “ensure compliance with *state* Lifeline programs” (emphasis added).⁹ As with federal high-cost support, Assurance Wireless does not seek state Lifeline support. Therefore, Assurance Wireless should be exempt from the requirement to file a coverage map showing current and projected cell sites.

IV. EXPANSION OF ASSURANCE WIRELESS’S ETC SERVICE AREA WOULD PROMOTE THE PUBLIC INTEREST

14. In both Orders No. 1 and 2 in this Docket, the Commission found that designation of Assurance Wireless as an ETC would serve the public interest. Similarly, expansion of Assurance Wireless’s ETC service area will serve the public interest by providing a variety of

⁶ *Amending WAC 480-120-399, and Adopting WAC 480-123- 020 through WAC 480-123-080, and WAC 480-123-999 Relating to Designation and Certification of Eligible Telecommunications Carriers*, Docket UT-053021, R-534 at 3 (WUTC Jun. 27, 2006).

⁷ *See Federal-State Joint Board on Universal Service*, Report and Order, 20 FCC Rcd 6371, 6372-73, para. 2 (FCC 2005).

⁸ *See id.* at 6409, para. 86 (“accurate and legible maps will assist in the ETC designation process and ensure that high-cost support is targeted to the appropriate service areas”).

⁹ 47 CFR § 54.416 (c).

benefits to Lifeline-eligible consumers including increased consumer choice, high-quality service offerings, and mobility. The designated ETC area expansion will increase the number of low-income households that can benefit from Assurance Wireless's high quality mobile voice, text, and data services. Indeed, its presence in the expanded designated area will increase competition within the Lifeline market, which this Commission and the FCC have previously indicated is in the public interest. For the foregoing reasons, grant of this Petition is in the public interest.

V. CONCLUSION

15. Based on the foregoing, Assurance Wireless respectfully requests that the Commission promptly grant this Petition and expand its Lifeline-only ETC service area as described in this Petition.

Respectfully submitted this 31st day of March, 2025.

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