

Before the

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of)

Petition of TracFone Wireless, Inc.)
for Designation as an Eligible Telecommunications)
Carrier in the State of Washington for the Limited)
Purpose of Offering Lifeline Service to Qualified)
Households)

Docket No. UT-093012

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STATE OF WASH
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COMMISSION

**AMENDMENT TO PETITION OF TRACFONE WIRELESS, INC.
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER
IN THE STATE OF WASHINGTON FOR THE LIMITED PURPOSE OF
OFFERING LIFELINE SERVICE TO QUALIFIED HOUSEHOLDS**

TracFone Wireless, Inc. ("TracFone"), by its undersigned counsel, hereby amends its Petition for Designation as an Eligible Telecommunications Carrier ("ETC") in the State of Washington to clarify the scope of its petition and request an exemption from certain requirements in WAC 480-123-030.

By this amendment TracFone withdraws its request to be designated as an ETC for purposes of providing Link Up services. TracFone also requests the Commission to exempt it from the ETC petition requirements set forth in WAC 480-123-030 (d), (f), and (g). Sub-section (d) states that an ETC petitioner must provide a substantive plan of the investments to be made with the initial federal support and a description of how those expenditures will benefit customers. This requirement applies to carriers that seek high-cost support to fund investments to their network. TracFone solely seeks designation as an ETC so it can provide Lifeline services. Moreover, as a reseller, TracFone does not own or control any networks or other facilities. Therefore, TracFone has no basis for filing an investment plan, and as such, should be

exempt from that requirement.

Sub-section (f) requires wireless petitioners 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. TracFone, as a reseller, does not own or control cell sites nor does it have any plans to develop cell sites. As a reseller, TracFone's coverage area encompasses the aggregate coverage areas of its underlying carriers in Washington. TracFone does not have access to the underlying carriers' lists of geographic service areas or maps of service areas showing the location of cell sites. In addition, the underlying carriers' maps are subject to non-disclosure agreements. While TracFone has requested permission from its underlying carriers to provide coverage maps to the Commission, TracFone has not received permission from those carriers as of the date of this amendment. Given that TracFone does not have access to the maps, TracFone seeks an exemption from the requirement to provide coverage maps.

Sub-section (g) provides that a petition for ETC designation must contain information that demonstrates a petitioner's ability to remain functional in emergency situations including information that demonstrates it has at least four hours of back up battery power at each cell site, back up generators at each microwave hub, and at least five hours back up battery power and back up generators at each switch. As explained in TracFone's ETC Petition, at page 12, TracFone has the ability to remain functional in emergency situations. TracFone is a reseller; it does not own or operate any cell sites, microwave hubs, or switches. Therefore, the requirement at sub-section (g) that TracFone demonstrate that it has back up battery power or generators is not applicable.

CONCLUSION

Based on the foregoing, TracFone requests that the Commission grant its request for exemption from WAC 480-123-030 (d), (f), and (g). Furthermore, based on this Amendment, as well as on information contained in TracFone's ETC Petition, all of the applicable requirements for designation as an ETC have been met by TracFone. Accordingly, TracFone requests that the Washington Utilities and Transportation Commission promptly grant its petition for designation as an eligible telecommunications carrier.

Respectfully submitted,



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