

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

1440 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-2111

TEL: (202) 371-7000
FAX: (202) 393-5760
www.skadden.com

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VIENNA

DIRECT DIAL
(202) 371-7392
DIRECT FAX
(202) 661-9192
EMAIL ADDRESS
JBEAHN@SKADDEN.COM

August 11, 2010

VIA OVERNIGHT DELIVERY

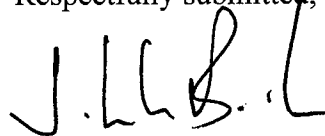
Dave Danner
Executive Director and Secretary
Washington Utilities and Transportation
Commission
1300 S. Evergreen Park Drive S.W.
P.O. Box 47250
Olympia, WA 98504-7250

Re: Petition of Virgin Mobile USA, L.P., Docket No. UT-100203

Dear Mr. Danner:

On behalf of Virgin Mobile USA, L.P., enclosed please find an original and twelve (12) copies of Virgin Mobile's Supplement to Petition for Limited Designation as an Eligible Telecommunications Carrier in the above-referenced docket. Please date stamp the extra copy of this filing and return it in the enclosed, self-addressed, prepaid envelope. Should you have any questions regarding this filing, please do not hesitate to contact me at 202-371-7392.

Respectfully submitted,



John M. Beahn
Counsel to Virgin Mobile USA, L.P.

Enclosures

2010 AUG 12 AM 9:48

RECEIVED
COMMUNICATIONS
DIVISION

Before the
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of)
)
Virgin Mobile USA, L.P.)
)
Petition for Limited Designation as an)
Eligible Telecommunications Carrier)
_____)

Docket No. UT-100203

STATE OF WA
UTIL. AND TRAN.
COMMISSION

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RECEIVED
REGISTRATION DIVISION

**SUPPLEMENT TO PETITION FOR LIMITED DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

I. INTRODUCTION

Virgin Mobile USA, L.P. (“Virgin Mobile” or the “Company”), by undersigned counsel, and pursuant to section 214(e)(2) of the Communications Act of 1934, as amended (“Act”), 47 U.S.C. § 214(e)(2), and Section 480-123-030 of the Washington Administrative Code, WASH. ADMIN. CODE § 480-123-030, hereby provides additional information to supplement its petition for limited designation as an eligible telecommunications carrier (“ETC”) in the State of Washington, which it filed with the Commission on February 1, 2010 (“Petition”).

Virgin Mobile submits that the enclosed information demonstrates that the Company fully satisfies all of the applicable requirements for ETC designation in Washington. Accordingly, Virgin Mobile respectfully requests that the Commission expeditiously approve the Company’s pending ETC designation request. Rapid grant of the request would advance the public interest because it would enable the Company to commence much needed Lifeline services to lower-income Washington residents as soon as possible.

II. DISCUSSION

A. Terms of Lifeline Service Offering

As noted in its Petition, Virgin Mobile has branded its prepaid Lifeline service “Assurance Wireless Brought To You By Virgin Mobile.” Under the current plan, eligible customers will receive 200 anytime prepaid voice minutes per month at no charge to the customer.¹ In addition to free voice services, prepaid Lifeline customers will have access to a variety of other standard features at no additional charge, including a voice mail account, caller I.D. and call waiting services. Customers may elect to add money to their account to purchase additional voice minutes priced at \$0.10/minute and text messages priced at \$0.10/text message, among other products and services offered by Virgin Mobile. New customers may elect to receive a free Assurance Wireless-branded handset with emergency 911 (“E911”) functionality. Current Virgin Mobile customers will be able to use their existing handsets to receive Lifeline services, or may elect to receive a free Assurance Wireless handset. Every handset that Virgin Mobile will provide to Lifeline customers will be fully compatible with 911 emergency services and compliant with Phase 1 and Phase 2 E911 requirements. Faulty handsets are covered under the manufacturer’s warranty for the first twelve months of service. Customers will receive a replacement handset upon return of a defective handset to the Company during this period without charge, and Virgin Mobile will pay all shipping costs for defective handsets.

Because of the prepaid nature of the service, eligible customers are not required to enter into a long-term contract to receive service and can discontinue use of the service at any time, for

¹ While residents of tribal lands in Washington can enroll in the Company’s existing Lifeline plan, Virgin Mobile is examining whether it can offer tribal customers an enhanced number of free monthly voice minutes, enabling the Company to seek Tier Four reimbursement. Until such time as the Company formally develops and launches a tribal offering that complies with applicable Commission requirements, it will not seek Tier Four Lifeline support.

any reason without penalty. Eligible customers can use their monthly voice minutes to place domestic long distance calls (intrastate and interstate) at no extra monthly charge. Customers can elect to add money to their account to purchase additional service beyond the 200 voice minutes, but are under no obligation to do so and cannot incur any charges unless money is voluntarily added to their account. To ensure that eligible customers have continued and uninterrupted access to emergency services and customer care personnel, minutes used during calls placed to 911 emergency services or Virgin Mobile or Assurance Wireless customer service centers are not decremented from a customer's account. Assurance Wireless customers will also be able access 911 service regardless of whether they have used all 200 minutes in their account in a given month and even if they have not added additional funds.

In addition to offering the convenience, security and mobility offered by wireless services, Virgin Mobile Lifeline services are free of the many limitations and restrictions that currently apply to services offered by other carriers. For instance, the rates for Virgin Mobile's Lifeline service plan include all applicable taxes and fees. Lifeline customers are also not required to make a deposit to begin or continue to receive service from Virgin Mobile. Virgin Mobile does not assess charges for activation or connection of Lifeline service. As a result, Lifeline customers will receive free service with no additional charges for taxes or activation.

B. Lifeline Customer Certification and Verification Process

Currently, applicants for Lifeline service request or complete an enrollment form by contacting a toll-free telephone number established by the Company. Applicants must provide all of the information on the enrollment form, including their name, residential address and relevant eligibility criteria. The enrollment form includes an applicant certification section where each applicant must attest under penalty of perjury that the applicant meets the relevant

eligibility criteria—whether program or income-based. Applicants are also required to certify under penalty of perjury that they are head of their household and receive Lifeline-supported service only from Virgin Mobile. The applicant must provide all supporting documentation as required by the state to the address provided by the Company.

As part of the enrollment process, Virgin Mobile tracks applicants' primary residential addresses and cross checks this information against internal databases to confirm that a Virgin Mobile Lifeline account has not already been activated for that address or individual. If a name or address submitted by a Lifeline applicant is associated with a customer who already receives Virgin Mobile Lifeline service, or if the address provided is not a valid U.S. postal address, Virgin Mobile will review the application to ascertain whether the customer is attempting to activate multiple Virgin Mobile Lifeline accounts and, if so, deny the application. Virgin Mobile also requires applicants to certify under penalty of perjury that they are head of their household and receive Lifeline-supported service only from Virgin Mobile.

C. Virgin Mobile Is Able to Remain Functional in Emergency Situations

As a wholly owned subsidiary of Sprint Nextel Corporation ("Sprint"), Virgin Mobile is able to remain functional in emergency situations as required by the FCC's regulations.² Sprint has established a variety of internal programs, policies and teams dedicated to analyzing, assessing and responding to emergency situations. These programs, policies and teams ensure the timely and effective deployment of Sprint's products and services to allow the public and private sectors to function in emergency situations. Indeed, Sprint's network is monitored 24 hours a day, 7 days a week, 365 days a year by its network monitoring centers. Local switching

² See 47 C.F.R. § 54.202(a)(2).

offices staffed by trained technicians and management coordinate with these larger operation centers to ensure that Sprint's networks are properly maintained and network performance is at expected levels.

In addition, Sprint has reasonable amounts of back-up power to ensure functionality without an external power source, and has implemented reasonable practices to reroute traffic around damaged facilities and manage traffic spikes resulting from emergency situations. Each cell site in the Sprint network is equipped with battery back-up power in accordance with WAC 480-123-030(1)(g). The company is also capable of rerouting traffic around damaged facilities because many cell sites in the Sprint network provide overlapping coverage for neighboring areas. Such design redundancy ensures that coverage continues in the event of damage to a particular facility. In the event of a major failure of a cell site, neighboring sites could be adjusted to provide coverage to a wider service area. These practices significantly reduce the chance that emergencies, fiber cuts or equipment failures will result in a loss of service.


III. CONCLUSION

As demonstrated above, the enclosed information confirms that Virgin Mobile meets all of the applicable requirements for ETC designation in the State of Washington and such designation is in the public interest.

WHEREFORE, for all of the foregoing reasons, Virgin Mobile respectfully requests that the Commission expeditiously designate Virgin Mobile as an ETC in the State of Washington solely for purposes of participating in the Lifeline program.

Respectfully submitted,

VIRGIN MOBILE USA, L.P.



John M. Beahn
Skadden, Arps, Slate, Meagher & Flom LLP
1440 New York Avenue, N.W.
Washington D.C. 20015
Tel: 202-371-7392

Counsel to Virgin Mobile USA, L.P.

Elaine Divelbliss
Virgin Mobile USA, L.P.
10 Independence Blvd.
Warren, NJ 07059
Tel: 908-607-4017

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