

**Washington State Conditions on TracFone ETC Designation
(Revised February 25, 2010)**

Customer Protection and Eligibility Verification

1. Within 30 days of approval of its ETC designation in Washington and prior to offering Lifeline services, TracFone shall file the following for approval by the commission:
 - (1) TracFone's Lifeline rate plans, terms and conditions. The rates, terms and conditions should contain both the generic version for regular customers and the Lifeline-specific provisions including its Lifeline discounts available to qualifying low income households and detailed procedures how customers can participate in a particular Lifeline plan.
 - (2) TracFone's proposed language to be used in all advertising of Lifeline services and on its websites. The language should include information directing customers to the Washington State Office of the Attorney General for complaints regarding any Lifeline service issues.
 - (3) TracFone's Lifeline Customer Application Form.
2. TracFone shall file with the commission of any future changes to its rates, terms, or conditions at least 30 days prior to the change.
3. The information of TracFone's rates, terms and conditions shall be provided in a welcome package sent to Lifeline customers after enrollment in TracFone's Lifeline program, as well as at TracFone's official Lifeline websites.
4. TracFone shall also provide Lifeline customers with the choice of all other rate plans available to regular customers.
5. TracFone must offer SafeLink and the discounted Straight Talk plans, as described in its petition and amendments to the petition, at the same time. TracFone must offer discounted Straight Talk plans via retail outlets by October 1, 2010.
6. TracFone will deactivate a Lifeline account if the customer has no usage for 60 consecutive days. No fewer than eight business days before deactivation, TracFone shall send the customer a written notice by mail about the potential deactivation and ways to avoid unwanted deactivation. The customer will have a 30 day grace period from the deactivation date to reactivate the Lifeline account and restore the minutes accrued during the 60 day non-usage period and the 30 day grace period.
7. TracFone shall cooperate with the commission and the Department of Social and Health Services (DSHS) to work out a procedure to verify TracFone Lifeline customers' eligibility.

Annual Filing and Performance Review

8. By March 31 of each year, TracFone shall file with the commission its complete Lifeline customer records of the prior calendar year. The customer records are subject to review of the commission and the DSHS. The records must have all the necessary information and be in an electronic format required by the DSHS. After the commission and DSHS notify TracFone of the results of the review, TracFone must take appropriate measures to either correct the customer records or stop providing services to ineligible customers and report the resolutions to the agencies within 60 days of the notice. In addition, TracFone shall provide the number of Lifeline customers TracFone enrolls in the prior calendar year (SafeLink, Straight Talk Unlimited and Straight Talk All You Need, separately) as well as the number of Lifeline customers TracFone deactivates by the category of reasons (no usage for 60 consecutive days, annual verification unsuccessful, voluntary exit, etc.).

9. TracFone shall provide the commission a copy of its annual Lifeline Verification survey results it files with the Universal Service Administration Company (USAC) by August 31 of each year.
10. TracFone shall file with the commission by March 31 of each year, a report on the number of complaints, categorized by the different nature of complaints, it received from Washington Lifeline customers during the prior calendar year. This report will include complaints filed with the company, the commission's Consumer Protection and Communications Section, the Washington State Office of the Attorney General, and the Federal Communications Commission (FCC). The commission reserves the rights to revoke TracFone's ETC designation if TracFone fails to provide reasonable quality of service.
11. TracFone shall participate in a performance review of its Washington state Lifeline program that will be conducted one year after commencement of the company's Lifeline programs in Washington. The performance review will be conducted by the commission staff with an opportunity for input from DSHS, the state Emergency Management Division, Public Counsel, and other interested parties.

E911 Compliance

12. TracFone will cooperate with the Washington State Enhanced 911 Program and all PSAPs on 911-related issues and will upon request designate a representative to serve as a member or alternate member of the Washington State E911 Advisory Committee or its Communications Sub-committee.
13. TracFone will participate in the Washington State Enhanced 911 Program's "What's Your Location" public information campaign if the E911 program requests the participation of wireless carriers.
14. TracFone will collaborate with the Washington State Enhanced 911 Program to test the compatibility of its handsets with the new Emergency Service Information Network (ESINet) in Washington including supplying handsets representative of TracFone's proprietary software and technical assistance should call delivery discrepancies be discovered.

Other Issues

15. TracFone shall comply with rules on cessation of business as specified in WAC 480-120-083.
 - a. Prior to cessation of business, TracFone shall make arrangements with its underlying carriers to provide minutes already sold to customers under the same terms and conditions it has with the customers, or provide refunds to the existing customers;
 - b. TracFone shall provide written notice to the following persons at least 30 days in advance of cessation of service:
 - i. The commission;
 - ii. The state 911 program;
 - iii. Each of its customers;
 - iv. The national number administrator.
 - c. The notice to the commission and the state 911 program must include the same information required by WAC 480-120-083 (3);
 - d. The notice to the customers must include the same information required by WAC 480-120-083 (4);
 - e. The notice to the national number administrator must include the same information required by WAC 480-120-083 (7);

- f. TracFone shall file with the commission at least 30 days in advance of its cessation of business and request the relinquishment of its ETC designation in Washington.
- 16. TracFone shall collect and maintain necessary records and documentation to ensure its compliance with the applicable FCC and the commission's requirements, including existing requirements and any future modifications. The records and documentation should be provided to the commission staff upon request.
- 17. TracFone shall cooperate with commission staff on phone number conservation issues and comply with 47 C.F.R. §52.