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August 20, 2013

**VIA records@wutc.wa.gov ONLY**

Mr. Dave Danner, Executive Director  
State of Washington  
Utilities and Transportation Commission  
1300 S. Evergreen Park Dr., SW  
Olympia, WA 98504

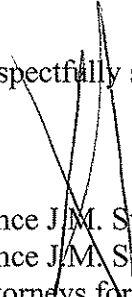
Re: i-wireless, LLC  
Docket No. UT-101640

Dear Mr. Danner:

Attached please find for filing in the above referenced docket, i-wireless, LLC's Application to Renew Designation as an Eligible Telecommunications Carrier.

If you have any questions or if I may provide you with additional information, please do not hesitate to contact me. Thank you.

Respectfully submitted,

  
Lance J.M. Steinhart  
Lance J.M. Steinhart, P.C.  
Attorneys for i-wireless, LLC

cc: Nicki Wollenhaupt

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Petition of

i-wireless, LLC

For an Exemption from WAC 480-123-030(1)(d),  
(f) and (g); and Designation as an Eligible  
Telecommunications Carrier

)  
) DOCKET NO. UT-101640  
)  
) I-WIRELESS, LLC'S APPLICATION  
) TO RENEW DESIGNATION AS AN  
) ELIGIBLE TELECOMMUNICATIONS  
) CARRIER  
)  
)

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*Attorneys for i-wireless, LLC*

August 20, 2013

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	)	

**I. INTRODUCTION**

i-wireless, LLC (“i-wireless” or the “Company”), by its undersigned counsel, hereby submits its application to renew its designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Washington (“Application”) and respectfully requests that the Washington Utilities and Transportation Commission (“Commission”) renew i-wireless’ ETC designation in accordance with the Commission's Order 01 issued in this docket on September 13, 2012.

**II. BACKGROUND**

On September 29, 2010, i-wireless, a provider of prepaid wireless mobile service, filed a petition with the Commission requesting designation as an ETC pursuant to section 214(e)(2) of the Communications Act of 1934, as amended (“the Act”), and Washington Administrative Code (“WAC”) 480-123-030. i-wireless subsequently filed three amendments to its petition, to clarify details of the Company’s Lifeline offering, provide updates regarding its Compliance Plan, and address federal rules changes regarding the Lifeline program. The Commission considered i-wireless’ petition, as amended, at its open meeting on September 13, 2012 and issued Order 01 on that date.

The Commission imposed the following condition on i-wireless in Order 01, Appendix B,

Condition 1:

i-wireless' designation as an Eligible Telecommunications Carrier (ETC) shall be for an interim period of one year from the effective date of the Commission's Order approving such designation, subject to Commission review. Before the end of one year after the effective date of the Order, i-wireless may seek to renew its designation pursuant to WAC 480-123-030 through -040. i-wireless' designation for the interim period shall continue until the Commission's decision to the designation.

In accordance with this condition, i-wireless files this Application seeking renewal of its ETC designation. As demonstrated below, i-wireless has complied with all conditions of Appendix B. Therefore, i-wireless requests the Commission approve its Application.

### **III. I-WIRELESS MEETS APPLICABLE COMMISSION REQUIREMENTS**

WAC 480-123-030 sets forth the information that must be contained in a petition for designation as an ETC. i-wireless provided all of the information in compliance with this rule in its initial Petition for Designation as an Eligible Telecommunications Carrier, as amended, ("Petition") filed in this docket. i-wireless incorporates these filings herein. The Commission found in Order 01 that i-wireless met the requirements of WAC 480-123-030, except for on provisions for which a waiver was granted. i-wireless has no changes to what it filed in its Petition, so there is no reason to find that i-wireless does not satisfy WAC 480-123-030.

### **IV. I-WIRELESS HAS COMPLIED WITH THE CONDITIONS OF ITS ETC DESIGNATION**

Appendix B to Order 01 lists the Washington State conditions on the Designation of i-wireless as an ETC. i-wireless complies with each of those conditions, referenced herein as "Condition # --."

**Condition #1:** States that i-wireless' designation as an ETC shall be for an interim period of one year and that i-wireless may seek to renew its designation pursuant to WAC 480-123-030 through -040. This Application is being filed in accordance with Condition 1.

**Condition #2:** Requires i-wireless to make a compliance filing within 30 days of the Commission's designation of i-wireless as an ETC and that i-wireless shall not offer Lifeline services until the Commission has approved its compliance filing. i-wireless submitted its Compliance Filing on September 26, 2012. In response to comments from Commission Staff, i-wireless filed an amended compliance filing on October 18, 2012. In a letter dated October 26, 2012 from David W. Danner, Executive Director and Secretary, the Commission approved i-wireless' compliance filing.

**Condition #3:** Requires i-wireless to file with the Commission any future changes to its rates, terms or conditions at least one day prior to the effective date of the change. i-wireless has complied and will continue to comply with this condition.

**Condition #4:** Requires i-wireless to provide information on its rates, terms and conditions in a welcome package sent to Lifeline customers after enrollment in i-wireless' Lifeline program, as well as at i-wireless' official Lifeline websites. i-wireless complies with this condition by providing information regarding rates, terms and conditions in a welcome package sent to Lifeline customers and by posting that information on its website at [www.accesswireless.com](http://www.accesswireless.com).

**Condition #5:** Requires i-wireless to provide Lifeline customers with the choice of all other rate plans available to regular customers. i-wireless complies with this condition by allowing Lifeline customers in Washington to apply their Lifeline discount, in lieu of free minutes, to the i-wireless retail plan of their choice.

**Condition #6:** Requires i-wireless to offer a plan with a minimum of 250 free minutes each month. i-wireless offers this plan.

**Condition #7:** Requires i-wireless to deactivate a Lifeline account if the customer has no usage for 60 consecutive days. In addition, Condition 7 provides that no fewer than eight business days before deactivation, i-wireless shall send the customer a written notice by mail about the potential deactivation and ways to avoid unwanted deactivation, and that the customer shall have a 30-day grace period from the deactivation date to reactivate the Lifeline account to restore the minutes accrued during the grace period. i-wireless has a non-usage procedure in place that complies with this condition.

**Condition #8:** Requires i-wireless to file quarterly reports 30 days after the end of each quarter, beginning on December 31, 2012, that provide the number of Lifeline customers by service plan that it enrolls each month and the number of deactivated Lifeline customers each month by service plan and the reasons for deactivation. i-wireless has filed all such quarterly reports.

**Condition #9:** Requires i-wireless to respond within 30 days to Commission Staffs information requests on i-wireless' Lifeline operations. i-wireless has timely responded to all requests for information from Commission Staff.

**Condition #10:** Requires i-wireless to cooperate with the Commission and the Department of Social and Health Services (DSHS) to work out a procedure to verify i-wireless' Lifeline customers' eligibility. i-wireless contacted DSHS to obtain access to the DSHS database to verify its Lifeline customers' eligibility, and will continue to cooperate with Commission Staff and DSHS.

**Condition #11:** Requires i-wireless to not deduct airtime minutes for calls to customer care made from the customer's handset by dialing 611, and that i-wireless explicitly state the policy of free 611 calls in its Lifeline service agreements. All i-wireless Washington Lifeline

customers may contact customer care by dialing 611 from their handsets without having any minutes deducted, and i-wireless' free customer care call policy is stated in its terms and conditions of service.

**Condition #12:** Requires i-wireless to have DSHS audit its Lifeline customers' eligibility at least once a year, until the national database for Lifeline customer eligibility is fully functional. To do so, i-wireless must file with the Commission its complete Lifeline customer records of the prior calendar year by March 31. i-wireless sent the required customer records to the Commission via overnight delivery on March 29, 2013.

**Condition #13:** Requires i-wireless to provide the Commission a copy of its annual Lifeline Verification survey results that it files with the Universal Service Administration Company (USAC) by August 31 of each year. i-wireless provided its 2012 annual Lifeline verification results (FCC Form 555) to the Commission on January 31, 2013.

**Condition #14:** Requires i-wireless to file with the Commission, by March 31 of each year, a report on the number of complaints, categorized by the different nature of complaints, that it received from Washington Lifeline customers during the prior calendar year. i-wireless filed this report with the Commission on March 28, 2013.

**Condition #15:** Requires i-wireless to cooperate with the Washington State Enhanced 911 Program (E911) and all Public Safety Answering Points on E911 issues and, upon request, to designate a representative to serve as a member or alternate member of the Washington State E911 Advisory Committee or its Communications Sub-committee. i-wireless remains willing to comply with this Condition, although i-wireless is not aware of any E911 issues that it needs to address at this time and has not received any requests to designate a representative to serve as a member of the Washington E911 Advisory Committee or its Communications Sub-committee.



**Condition #16:** Requires i-wireless to participate in the Washington State E911 Program's *"What's Your Location"* public information campaign if the E911 Program requests that participation of wireless carriers. i-wireless remains willing to comply with this Condition, although to-date the E911 Program has not requested i-wireless to participate in the *"What's Your Location"* campaign.

**Condition #17:** Requires i-wireless to collaborate with the Washington State E911 Program to test the compatibility of its handsets with the new Emergency Service Information Network in Washington, including supplying handsets should call delivery discrepancies be discovered. i-wireless remains willing to comply with this Condition.

**Condition #18:** Requires i-wireless to comply with rules on cessation of business as specified in WAC 480-120-083. i-wireless will comply with WAC 480-120-083.

**Condition #19:** Requires i-wireless to collect and maintain necessary records and documentation to ensure its compliance with the applicable FCC and Commission requirements, including existing requirements and any future modifications. i-wireless collects and maintains all records required by applicable state and federal requirements and will provide them to the Commission Staff upon request.

**Condition #20:** Requires i-wireless to cooperate with Commission Staff on phone number conservation issues and comply with 47 C.F.R. § 52. i-wireless will comply with this condition.

**Condition #21:** Requires i-wireless to comply with all applicable federal and Washington state statutes and regulations, including Enhanced 911 tax contributions. i-wireless complies and will continue to comply with applicable federal and state law.


**V. RENEWAL OF I-WIRELESS' ETC DESIGNATION IS IN THE PUBLIC INTEREST**

WAC 480-123-040 provides: "The Commission will approve a petition for designation as an ETC if the petition meets the requirements of WAC 480-123-030, the designation will advance some or all of the purposes of universal service found in 47 U.S.C. § 254, and the designation is in the public interest." In Order 01, the Commission found that granting i-wireless ETC status "will advance the purposes of universal service found in 47 U.S.C. § 254...will benefit low-income households in Washington... [and] is in the public interest" (§ 20). There is no change in circumstances in the past year to warrant a different conclusion.

**VI. CONCLUSION**

i-wireless meets this Commission's requirements for designation as an ETC and has complied with all conditions of its ETC designation (Appendix B, Order 01.) Furthermore, renewal of i-wireless' designation as an ETC is in the public interest because i-wireless' Lifeline service offers low-income consumers a free wireless telecommunications option. As recognized by the Commission, i-wireless' Lifeline offering is in the public interest. i-wireless respectfully requests the Commission approve its Application and issue an order renewing i-wireless' designation as an ETC.

Respectfully submitted this 20<sup>th</sup> day of August, 2013.

  
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*Attorneys for i-wireless, LLC*


State of Kentucky )

County of Campbell )

### Certification

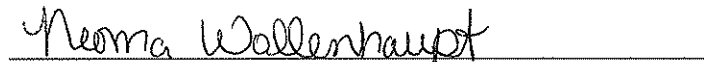
Personally appeared before the undersigned, an officer duly authorized to administer oaths, John Willis, who first being duly sworn, deposes and states that he is the Chief Operating Officer of i-wireless, LLC, Applicant in this application, and has read the same and knows the contents thereof, and confirms that the statements made herein are true to the best of his knowledge and belief.

Dated: 8/14/13

  
\_\_\_\_\_  
John Willis, Chief Operating Officer

Subscribed and sworn to before me, a Notary Public, this 15<sup>th</sup> day of August 2013.

(Notary Seal)

  
\_\_\_\_\_  
(Signature of person authorized to administer oath)

My Commission Expires: My Commission Expires August 29, 2015