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April 14, 2017

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

electronically submitted

Re: Petition of Blue Jay Wireless, LLC for Limited Designation as a Wireless Eligible Telecommunications Carrier in the State of Washington and Request Confidential Treatment of Exhibit F to the Petition

Dear Mr. King,

Blue Jay Wireless, LLC (Blue Jay or the Company), through its counsel, hereby submits to the Washington Utilities and Transportation Commission (Commission) the attached Petition for Limited Designation as an Eligible Telecommunications Carrier.

Blue Jay respectfully requests that the Commission accord confidential status to Exhibit F provided with the Amended Petition that falls squarely within the scope of WAC 480-07-160(2)(c):

Valuable commercial information, including trade secrets or confidential marketing, cost, or financial information, or customer-specific usage and network configuration and design information, as provided in RCW 80.04.095.

The material in question consists of financial statements for the Company. This information is submitted in support of Blue Jay's ETC request and is held confidentially by Blue Jay. This material fits solidly within the scope of WAC 480-07-160(2)(c) and disclosure would unnecessarily injure the Company's competitive position in the communications market in Washington and elsewhere.

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Because the information for which confidential treatment is requested fits demonstrably within the scope of WAC 480-07-160 and because Blue Jay would suffer injury by disclosure of this information, Blue Jay requests that the Commission accord confidential status to this information.

Sincerely,

BLUE JAY WIRELESS, LLC



By _____

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**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

IN THE MATTER OF THE	Docket No. UT-_____
PETITION OF BLUE JAY WIRELESS, LLC	
FOR LIMITED DESIGNATION AS A	
WIRELESS ELIGIBLE	
TELECOMMUNICATIONS CARRIER IN THE	
<u>STATE OF WASHINGTON</u>	

**PETITION OF BLUE JAY WIRELESS, LLC FOR
LIMITED DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Blue Jay Wireless, LLC (Blue Jay or the Company), by its counsel, respectfully submits this Petition for limited Designation as an Eligible Telecommunications Carrier (ETC) pursuant to section 214(e)(2) of the Communications Act of 1934, as amended (the Act), section 54.201 *et seq.* of the rules of the Federal Communications Commission (FCC) and WAC 480-123-030.

Blue Jay requests that the Washington Utilities and Transportation Commission (Commission) grant it designation as a wireless ETC in Washington for the sole purpose of receiving federal universal service Lifeline support in the geographic areas specified in this Petition. The Company does not request ETC status for the purpose of receiving support from any of the other federal Universal Service Funds (USF). Finally, as discussed in more detail below, Blue Jay requests that the Commission grant it an exemption from the requirements of WAC 480-123-030(1)(d), (f) and (g).

As discussed in more detail below, Blue Jay meets the statutory and regulatory requirements for designation as an ETC and is able and prepared to offer the Lifeline-supported services throughout the State of Washington. Granting ETC status to Blue Jay will benefit the

public interest by making the Company's services available to a broad range of low-income consumers. Because the availability of Blue Jay's services so clearly serves the interests of Washington consumers, Blue Jay respectfully requests that the Commission grant this Petition expeditiously. In support of this Petition, Blue Jay provides the following information:

I. THE APPLICANT

Blue Jay is a Texas limited liability company with principal offices at 4240 International Parkway, Suite 140, Carrollton, TX 75007.¹ The Company is registered with the Washington Secretary of State as a foreign limited liability company operating in Washington,² but is not yet operational in the state. The name under which the petitioner will be providing telecommunications service in Washington is Blue Jay Wireless, LLC.

Blue Jay has been granted ETC designation in Arizona, California, Colorado, Hawaii, Kentucky, Michigan, Minnesota, Missouri, Nevada, North Dakota, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Texas, Utah and Wisconsin. Additionally, the Company has applications pending for ETC designation in the following states: New Jersey, New Mexico and South Dakota. Moreover, Blue Jay is awaiting designation as an ETC by the FCC in the states of Alabama, Connecticut, Delaware, Florida, New Hampshire, New York, North Carolina, Tennessee, and Virginia, as well as the District of Columbia.³ Further, the Company is preparing to file petitions for ETC designation in additional states. None of Blue Jay's petitions for ETC designation have been denied.

¹ An organizational chart showing Blue Jay's corporate ownership and a list of affiliated entities are attached as Exhibit A.

² A copy of Blue Jay's registration with the Washington Secretary of State is attached hereto as Exhibit B.

³ Blue Jay also may add Maine to its Federal ETC petition.

Blue Jay operates as a common carrier, providing wireless mobile phone services to approximately 150,000 consumers across the United States. Blue Jay will provide domestic and international voice and data services, primarily to low-income consumers. As a reseller of wireless services, Blue Jay will purchase wireless network service from Sprint and T-Mobile on a wholesale basis and resell these services to its customers.⁴ Blue Jay will provide affordable prepaid mobile phone and broadband service, including calling, text messaging, and broadband Internet access along with user-friendly handsets and high quality customer service. Blue Jay's products and plans will be specially geared toward serving lower income communities, and its service models and pricing plans will reflect this mission. The Company will not require service contracts from its customers and it will always ensure competitive low pricing for its services and products. By providing affordable service, Blue Jay can reach out to those who are often ignored by traditional carriers.

Blue Jay will manage and market all aspects of the customer experience, including setting service pricing, handset selection, marketing materials, and live customer service. The Company's prepaid, budget-friendly pricing will give many low-income consumers the option of having mobile phone and broadband service without the burden of hidden costs, varying monthly charges, or contractual commitments. Customers will be able to customize their mobile service to suit their needs with Blue Jay's pay-as-you-go rechargeable mobile phone plans.

Blue Jay's customer base will likely be low-income consumers and the majority are unlikely to have phone service of any kind prior to enrollment. Blue Jay's customers will depend on and benefit greatly from Blue Jay's inexpensive and flexible pricing plans. Blue Jay will not impose credit checks nor will it require any deposits or contractual commitments. Most

⁴ Blue Jay purchases the services of Sprint and T-Mobile through an intermediary, Prepaid Wireless Group.

of Blue Jay's customers will likely turn to Blue Jay because they cannot afford the postpaid services provided by traditional wireless carriers. Blue Jay will affirmatively reach out to the low-income sector of the consumer base to offer attractive and affordable communications options. As such, Blue Jay will contribute to the expansion of mobile wireless services for low-income consumers and intends to seek ETC designation in additional states and territories so that it may continue to expand the service options for low-income consumers.

II. BLUE JAY'S PROPOSED ETC OPERATIONS AND QUALIFICATIONS

1. Authority for Designation of Eligible Telecommunications Carriers.

Section 214(e)(2) of the Act provides that, upon request and consistent with the public interest, convenience and necessity, the Commission may designate more than one common carrier as an ETC in areas served by a rural telephone company and shall do so with respect to all other areas, provided that the requesting carrier (i) offers the services that are supported by federal universal service support mechanisms; and (ii) advertises the availability of such services.⁵ Commission rules, as well as those of the FCC, impose additional requirements on a carrier requesting ETC designation. As demonstrated below, Blue Jay more than satisfies each of these requirements.

2. Blue Jay Will Operate as a Common Carrier.

Blue Jay will operate as a common carrier as defined in 47 U.S.C. § 153(10) and thus is eligible for designation as an ETC. The FCC has consistently held that providers of wireless services are to be treated as common carriers for regulatory purposes. Moreover, section 332(c)(1)(A) of the Act states that CMRS providers will be regulated as common carriers.⁶

⁵ 47 U.S.C. §214(e)(2). *See also* 47 C.F.R. § 54.201(d).

⁶ *See* 47 U.S.C. § 332(c)(1)(A).

3. Blue Jay Will Provide the Services Designated for Support

The FCC has identified the following as supported services, which are to be offered by an ETC and will be supported by the federal USF program:

- voice grade access to the public switched network
- local usage
- access to emergency services
- toll limitation for qualifying low-income consumers,⁷ and
- broadband Internet access service.⁸

Upon receiving the requested designation as an ETC, Blue Jay will provide each of these required services, as described in more detail below, throughout its designated service area.

The Company will have the option to provide service via resale of underlying carrier services provided by T-Mobile and Sprint. Section 214(e)(1)(A) of the Act provides that an ETC must provide services “using its own facilities or a combination of its own facilities and resale of another carrier’s services.”⁹ Pursuant to the FCC’s 2012 decision reforming the Lifeline program, however, resellers are granted blanket forbearance from this facilities requirement, subject to conditions, in connection with limited ETC designation to participate in the Lifeline program.¹⁰ The FCC conditioned blanket forbearance on the petitioner’s provision of 911

⁷ See 47 C.F.R. § 54.101(a)(1).

⁸ See 47 C.F.R. § 54.101(a)(2).

⁹ 47 U.S.C. § 214(e)(1)(A).

¹⁰ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice Of Proposed Rulemaking, FCC 12-11, ¶ 368 (Feb. 6, 2012) (2012 Lifeline Reform Order). Blue Jay is also aware of the recent rule changes adopted by the FCC in its Lifeline Modernization Order. See *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38, ¶ 374 (rel. Apr. 27, 2016) (Lifeline Modernization Order). The Company is complying and will continue comply with the additional requirements of that order as they become effective (e.g., using the National Verifier).

service and the petitioner having obtained an approved compliance plan.¹¹ Blue Jay is committed to comply with those 911 service requirements with regard to its voice Lifeline services and obtained approval from the FCC's Wireline Competition Bureau of its Compliance Plan on December 26, 2012.¹²

A copy of this plan and a copy of the FCC Public Notice approving the Company's Compliance Plan and the associated Erratum are appended as **Exhibit C**.¹³ As a result of the FCC's approval of its compliance plan, Blue Jay is not required to meet the "own facilities" requirement of section 214(e)(1)(A). Consequently, the Company's proposal to operate as an ETC in Washington using resold services will be entirely compliant with FCC requirements.

Pursuant to its ETC designation, Blue Jay will provide supported services as follows:

Voice Grade Access

The FCC has stated that voice-grade access consists of the ability for a user to make and receive telephone calls within a specified bandwidth.¹⁴ Blue Jay will provide this via resale of T-Mobile and Sprint mobile services to low-income customers in its designated service area.

Local Usage

The FCC's rules require an applicant for ETC designation to demonstrate that its proposed local usage plan is comparable to one offered by the ILEC in the same designated

¹¹ 2012 Lifeline Reform Order ¶¶ 368, 373.

¹² See *Wireline Competition Bureau Approves the Compliance Plans of Airvoice Wireless, Amerimex Communications, Blue Jay Wireless, Millennium 2000, Nexus Communications, PlatinumTel Communications, Sage Telecom, Telrite, and Telscape Communications*, WC Docket Nos. 09-197, 11-42, Public Notice, DA 12-2063 (2012). The FCC does not require companies to continually update their compliance plans. Blue Jay's Compliance Plan, while not updated since 2012, provides a "snapshot" of the Company's Lifeline compliance practices in order to ensure the Commission that Blue Jay takes reasonable steps to adhere to the Lifeline rules.

¹³ The FCC notice approving Blue Jay's Compliance Plan misstated the date on which the Company made final revisions. An Erratum was issued to correct this error.

¹⁴ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, First Report and Order, 12 FCC Rcd 8776, 8810-11 (May 8, 1997).

service area. The determination of comparability requires a case-by-case review, taking into account value-added capabilities and services included within a service plan.

Following Commission approval of this petition, Blue Jay will offer the following Lifeline service packages throughout its designated service area in Washington:

- **500 anytime prepaid minutes and unlimited text messages per month**, without rollover, at no charge.¹⁵
- **500 MB of mobile broadband data, 250 anytime prepaid minutes and unlimited text messages per month**, without rollover, at no charge.
- **500 MB of mobile broadband data, 500 anytime prepaid minutes, and unlimited text messages per month**, without rollover, for \$3.50 per month.
- **Tribal Resident Lifeline 1 GB, Unlimited Voice and Text Plan.** Each month the customer will receive 1 GB of mobile broadband data, unlimited anytime voice minutes and text messages at no charge. There are no rollover minutes with this plan as minutes are unlimited. This plan will only be available to Tribal residents.¹⁶

All plans will include nationwide domestic long-distance at no extra per minute charge, as well as Caller ID, Voice Mail, Call Waiting and Three-Way Calling. Therefore, Blue Jay's usage plans are different from but comparable to one offered by the ILEC in the same designated service area. Customer service (611) and emergency (911) calls will all be free, regardless of service activation or availability of minutes, and will not count against the customer's airtime.

¹⁵ Blue Jay's plans are consistent with the minimum voice and broadband service requirements adopted in the Lifeline Modernization Order. See Lifeline Modernization Order ¶¶ 69-113.

¹⁶ In order to verify that applicants seeking to enroll in Blue Jay's Tribal Lifeline plan are eligible to receive the enhanced Tribal Lifeline benefit, Blue Jay will deploy its proprietary geo-mapping tool in Washington. Pursuant to the FCC's current rules, ETCs are not required to verify a Tribal applicant's self-certification of residence on Tribal lands and Tribal residents are not required to prove their residence on Tribal lands. Therefore, prior to the implementation of the geo-mapping tool, the only mechanism available to Blue Jay for determining whether a subscriber resided on Tribal land was to rely on the self-certification made at the time of enrollment. This geo-mapping tool allows Blue Jay to identify verify whether a customer resides on Tribal lands before enrolling them in the Lifeline program with the enhanced Tribal benefit. Blue Jay has worked cooperatively with the FCC to ensure that the agency is comfortable with its geo-mapping tool and the process used for ensuring that only subscribers who are eligible for an enhanced Lifeline benefit get it.

Directory assistance calls (411) will be free; however, they will count as airtime minutes of usage. Lifeline customers can purchase the following additional bundles of minutes, text messages and/or data:

- 1,000 voice or text units - \$10.00
- 1 GB - \$10.00
- Unlimited minutes and unlimited text messages – \$15.75

Airtime and data “top-ups” will be available for purchase at the Company’s retail locations,¹⁷ by calling Blue Jay’s customer service department, and on its website.

In addition to free voice services, customers can select either a free wireless handset (including smartphones for the broadband plans) or purchase an upgraded phone.¹⁸ Free handsets are new, not refurbished, which separates Blue Jay from some other competitors in the market. For those customers with smartphones, data can be added to any phone plan.

Additional information regarding the Company’s plans, rates and services can be found on its website www.bluejaywireless.com. The terms and conditions for Blue Jay’s service are readily available at <http://www.bluejaywireless.com/terms/>.

Access to emergency services

The Company will provide access to emergency services provided by local government or public safety officials, including 911 and E911 where available and will comply with any FCC or Commission requirements regarding E911-compatible handsets. As discussed further in Blue Jay’s enclosed Compliance Plan, Blue Jay will comply with the FCC’s forbearance grant

¹⁷ Blue Jay customers may purchase “top-ups” from customer service representatives or at Ace Cash locations.

¹⁸ Blue Jay is prepared to comply with the hotspot and Wi-Fi capability requirements for handsets adopted in the Lifeline Modernization Order upon the effective date of that requirement. *See* Lifeline Modernization Order ¶ 378.

conditions relating to the provision of 911 and E911 services and handsets. Calls to 911 emergency services will always be free and will be available regardless of service activation status or availability of minutes.

Toll limitation for qualifying low-income consumers

In its initial operations, Blue Jay will not provide toll limitation service (TLS). Like most wireless carriers, Blue Jay does not differentiate domestic long distance usage from local usage and all usage is paid for in advance. Pursuant to the 2012 Lifeline Reform Order, subscribers to such “all-distance” services are not considered to have voluntarily elected to receive TLS.¹⁹ If, in future, Blue Jay should offer a Lifeline service that differentiates between local usage and long distance usage, the Company commits to provide TLS to customers of that service.

Broadband Internet access services

Blue Jay’s broadband Internet access services (BIAS) will provide subscribers the capability to transmit data to and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service. Blue Jay’s service packages that include BIAS are listed above.

4. Advertising the Availability of Blue Jay’s Universal Service Offerings

Blue Jay will advertise the availability of its service and charges in a manner reasonably designed to reach Lifeline-eligible consumers and will comply with the FCC’s rules regarding information to be included in advertisements.²⁰ The Company intends to advertise its Lifeline services using media such as the Internet and social media, newspapers of general circulation,

¹⁹ See 2012 Lifeline Reform Order ¶ 230.

²⁰ 47 C.F.R. §§ 54.201(d)(2), 54.405(b).

and radio and television, as well as through in-person enrollments, as a means of reaching those consumers that are likely to qualify for Lifeline services. Blue Jay will use these advertising media to advertise the availability of its services to Lifeline customers and will expand its advertising efforts if necessary to ensure that Lifeline-eligible customers are aware of the service offerings.²¹ Blue Jay will ensure that all of its Lifeline advertising materials comply with the FCC's rule section 54.405(c). Specifically, Blue Jay's advertising materials will state, in easily understood language, that: (i) the service is a Lifeline service; (ii) Lifeline is a government assistance program; (iii) the service may not be transferred to someone else; (iv) consumers must meet certain eligibility requirements before enrolling in the Lifeline program; (v) the Lifeline program permits only one Lifeline discount per household; (vi) that documentation is necessary for enrollment; and (vii) Blue Jay is the provider of the services. In addition, Blue Jay's application/certification form will state that subscribers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program. An example of the type of advertising materials that Blue Jay intends to use in Washington is attached as **Exhibit D**.

5. Compliance with Additional ETC Obligations

*Blue Jay has the ability to remain functional in emergency situations.*²²

As discussed herein, Blue Jay will utilize the Sprint and T-Mobile networks to provide Blue Jay's mobile services. The Company has access to the extensive and well-established Sprint and T-Mobile networks and facilities and believes that the Sprint and T-Mobile networks are capable of managing traffic spikes that may occur during emergency situations and can

²¹ See 47 C.F.R. § 54.405(b).

²² See, e.g., 47 C.F.R. § 54.202(a)(2); see also Lifeline Modernization Order ¶ 282.

reroute traffic in the event of damaged facilities. Blue Jay also understands that Sprint and T-Mobile have sufficient back-up power to ensure functionality if an external power supply is unavailable.

Blue Jay will satisfy applicable consumer protection and service quality standards.

The FCC has stated that a wireless applicant's commitment to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service (CTIA Consumer Code) will satisfy this consumer protection and service quality requirement. Blue Jay complies with applicable consumer protection requirements and the CTIA Consumer Code. Blue Jay agrees to continue to comply with the CTIA Consumer Code to ensure it offers its subscribers the highest level of protection and quality service.²³ Blue Jay's pledge to provide quality service and voluntarily to comply with this code evidences its commitment to satisfying all of the applicable consumer protection and service quality standards. The Company will make every effort to resolve complaints received by the Commission and will designate a specific contact person to work with Commission staff to resolve any complaints or other compliance issues.

Blue Jay is financially and technically capable of providing Lifeline services in compliance with the FCC's rules

The FCC's rules require ETC petitioners to demonstrate financial and technical capability to comply with the FCC's Lifeline service requirements.²⁴ Among the factors to be considered are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate,

²³ See, e.g., 47 C.F.R. § 54.202(a)(3); see also Lifeline Modernization Order ¶ 282.

²⁴ See, e.g., 47 C.F.R. § 54.202(a)(4).

whether the carrier receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding.

As demonstrated in the key personnel resumes attached as **Exhibit E**, Blue Jay's core team has extensive experience in the wireless sector, and as such has the technical capability to provide Lifeline services in compliance with the FCC's rules. A copy of Blue Jay's most recent financial statements is attached as **Exhibit F** (filed under seal).

Further, the Company has provided local and long distance voice services, without interruption, for nearly four years, broadband service for nearly three years and Lifeline services since June 2013. Currently, the Company provides voice and/or broadband service to approximately 150,000 subscribers including several thousand non-Lifeline subscribers. In addition, Blue Jay has developed a technology distribution platform designed to disrupt the traditional wireless reseller model and provide more value to consumers than traditional wireless resale offerings. Blue Jay has partnered with two types of mobile application partners to deliver a portfolio of apps that advance its mission. The first type of mobile application partner provides a service that enables customers to earn additional value (e.g., additional voice minutes and data), including through a variety of company-specific applications. The second type of mobile application partner provides a social benefit to our customers, including telehealth services, jobs applications, and education and training resources. The Blue Jay mobile app ecosystem enables customers to earn additional value while achieving its social mission to help customers receive vital access to healthcare, jobs, program needs and education and to other social services.

Finally, Blue Jay has not been the subject of an ETC revocation proceeding by the FCC or any state.²⁵

²⁵ The Company entered into a settlement and consent decree on July 15, 2016 with the FCC's Enforcement Bureau which closed an investigation and audit appeal involving Blue Jay's provision of Lifeline services to eligible

Certification and Verification Issues

Blue Jay is aware of the FCC's current requirements regarding certification and verification of a customer's qualification for Lifeline service and has implemented procedures to ensure the requirements are met. As described in Blue Jay's FCC-approved compliance plan, Blue Jay has detailed and comprehensive procedures in place to address customer certification and verification requirements as well as those requirements addressing de-enrollment and duplication of service. These procedures comply with the FCC's customer certification and verification requirements.²⁶ Blue Jay also will comply with the FCC's annual certification and reporting requirements as well as the FCC's measures to prevent waste, fraud and abuse of Lifeline services.²⁷ In particular, Section E of Blue Jay's Compliance Plan discusses steps that the Company will take to ensure activation of service and to implement de-enrollment in the event of inactivity for a period of sixty days.²⁸ To carry out these commitments, Blue Jay conducts extensive training for all of its employees and enrollment agents. Blue Jay intends to carry forth this model for Lifeline enrollments in Washington.

Other ETC Compliance Obligations

subscribers in Hawaii. *See* Blue Jay Wireless, File No. EB-IHD-14-00017212, Order, DA 16-790 (rel. July 15, 2016) (Consent Decree). However, the Consent Decree contained no finding or admission of wrongdoing by Blue Jay, and affirmed Blue Jay's good standing as an ETC. Moreover, the Consent Decree did not involve a fine or civil penalty and instead allowed Blue Jay to make good on a prior commitment to "make the Fund whole" for enhanced Lifeline benefits provided based on self-certifications of residency on Hawaiian Home Lands made by the subscribers that were later determined by Blue Jay to be inaccurate. Therefore, Blue Jay's financial and technical ability to provide Lifeline service will not be materially compromised by the Consent Decree.

²⁶ 47 C.F.R. § 54.410.

²⁷ 47 C.F.R. §§ 54.416, 54.422; *See also Telecommunications Carriers Eligible for Universal Service Support; Virgin Mobile USA, L.P. Petition for Designation as an Eligible Telecommunications Carrier in the State of Alabama, et al.*, DA 10-2433, ¶ 24 (2010) (2010 Virgin Mobile ETC Order). Blue Jay will also communicate with Washington social service agencies and the National Lifeline Accountability Database (NLAD) to verify Lifeline customers' eligibility.

²⁸ Blue Jay will comply with the amended non-usage rules adopted in the Lifeline Modernization Order.

Blue Jay will not collect service deposits for its plans and will not charge a number-portability fee for Lifeline accounts.²⁹ Blue Jay will timely pay all applicable federal, state, and local regulatory fees, including universal service and E911 fees.³⁰

Finally, Blue Jay will comply with all operational and compliance requirements for wireless ETCs contained in Washington state law and Commission Rules and Decisions, consistent with the FCC's rules.

6. Request for Exemption from Specified Provisions of WAC 480-123-030

Blue Jay respectfully requests that the Commission exempt it from compliance with certain provisions of WAC 480-123-030 that are demonstrably inapplicable to Blue Jay's proposed operations in Washington. WAC 480-123-030(1)(d) instructs an ETC applicant to submit a "substantive [investment] plan" for federal support received in the first two years – a requirement intended to track investment of high-cost support in carriers' networks. As noted above, Blue Jay does not seek to receive federal or state high-cost support (and the Lifeline subsidies that it does seek offset discounts provided to customers). WAC 480-123-030(1)(f) requires an ETC applicant to submit detailed network maps including current and future locations of cell sites and WAC 480-123-030(1)(g) requires submission of network infrastructural details supporting the applicant's ability to remain functional in an emergency. Both of these requirements contemplate a facilities-based ETC operation. Blue Jay, however, is a pure wireless reseller that does not own its own facilities and does not have access to this data for its underlying carriers. For this reason, Blue Jay requests that the Commission exempt the

²⁹ See 47 C.F.R. §§ 54.401(c), (e).

³⁰ Blue Jay specifically commits that it will remit the Washington 911 excise tax.

Company from compliance with these provisions, to the extent appropriate, consistent with its recent decisions.³¹

7. The Public Interest Will Be Served by Grant of This Petition

Designation of Blue Jay as an ETC for Lifeline purposes will further the Commission's universal service goals and thus benefit Washington consumers. Specifically, the Company will offer prepaid low cost wireless service to low-income consumers, thereby increasing consumer choice by enabling the entry of a provider offering affordable voice and broadband services to low-income consumers. Further, grant of the Petition will provide consumers with access to high quality service and the benefits of a mobile service.³² The mobility of the service will be particularly attractive to Lifeline-eligible consumers who may frequently change residences or work in migratory jobs. Wireless service therefore offers a stable contact method where traditional landline service would be unavailable or not a viable option. Blue Jay's prepaid wireless service is an especially attractive option for low-income consumers because it alleviates customer concerns regarding hidden costs, varying monthly charges and long term contract issues.

³¹ *Petition of TracFone Wireless, Inc. for Exemption from WAC 480-123-030(1) (d), (f) and (g); and Designation as an Eligible Telecommunications Carrier for the Purpose of Receiving Lifeline Support from the Federal Universal Service Fund*, Docket UT-093012, Order 03, Final Order Adopting Settlement Agreement; Granting on Condition, Designation as an Eligible Telecommunications Carrier and Exemption from Provisions of WAC 480-123-030; Granting WITA's Petition to Withdraw Intervention (June 24, 2010) (granting TracFone's request for exemption from these three provisions). Similarly, Virgin Mobile was granted exemption from compliance with WAC 480-123-030(1)(d) because the company did not seek receipt of high-cost support. *Petition of Virgin Mobile USA, L.P. for an Exemption from WAC 480-123-030(1)(d) and Designation as an Eligible Telecommunications Carrier*, Docket UT-100203, Order 01, Order Granting the Exemption From Provisions of WAC 480-123-030(1)(d), Investment Plan, and Designation as an Eligible Telecommunications Carrier (Nov. 10, 2010) (Virgin Mobile Washington ETC Order).

³² As discussed above, Blue Jay will comply with the Consumer Code for Wireless Service of CTIA – The Wireless Association.

Many consumers in Washington are faced with making difficult choices about how to allocate and spend their limited resources. The ability to meet their communications needs while at the same time anticipating and controlling the associated costs is critical. Blue Jay's prepaid service offerings and rechargeable mobile phone plans will enable customers to tailor their wireless services to their needs and budgets and the prepaid nature of the service also will provide an alternative for "unbanked" consumers. Further, Blue Jay will not impose credit checks thereby providing an alternative for those low-income consumers unable to obtain credit for post-paid services provided by traditional carriers.

Blue Jay's prepaid mobile calling service packages will provide low-income consumers in Washington with a generous number of anytime minutes at low cost to the consumers as well as 911 emergency calling. These low-cost minutes and services are an invaluable resource for cash-strapped consumers who may be seeking employment and need a means to contact potential employers. The packages are also useful for those consumers that need the ability to stay in touch with children or other family members as well as to contact 911 emergency services when needed. Blue Jay's services will provide consumers with a valuable alternative for obtaining telephone service and this competition in turn could spur other service providers to improve their service options.

Further, as described above, Blue Jay will enhance competition in the market in Washington by providing attractive service plans and high-quality devices and customer service. Unlike some other Lifeline providers, Blue Jay does not provide refurbished handsets to subscribers who choose a free phone option – all handsets are new. Moreover, because of Blue Jay's extensive training for employees and enrollment agents, the Company will have a consistent and reliable enrollment process that will enhance the customer experience.

Finally, designation of Blue Jay as an ETC in Washington will not significantly burden the federal USF. Blue Jay recognizes the Commission’s concerns in this regard; however, the FCC has repeatedly observed that designation of ETCs for Lifeline services only should not impose an undue burden on the USF and, moreover, that such impact as does occur is outweighed by the benefits to consumers in urgent need of such assistance.³³ Similarly, this Commission has recognized the need to make additional wireless Lifeline plans available to Washington consumers.³⁴ Furthermore, as part of the Lifeline Modernization Order, the FCC adopted budget mechanism in a new rule, section 54.423, that sets an initial annual budget of \$2.25 billion beginning January 1, 2017, indexed to inflation.³⁵ As discussed elsewhere in this Petition, Blue Jay commits to fully comply with those reform efforts.

8. Proposed Service Area

Sections 214(e)(2) and 214(e)(5) of the Act provide that ETC designations shall be made for a “service area,” defined as a geographic area established by the state commission. The Company seeks certification to operate as an ETC in the geographic service areas where its underlying carriers, Sprint and T-Mobile, provide coverage within the State of Washington.³⁶ A list of the exchanges in Washington where Blue Jay seeks ETC designation is attached as

Exhibit G.

³³ See, e.g., *Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Designation as an Eligible Telecommunications Carrier in the States of New York, North Carolina, Pennsylvania, Tennessee and Virginia*, Order, pp.11-12 (rel. Mar. 5, 2009).

³⁴ See, e.g., *Virgin Mobile Washington ETC Order*.

³⁵ See *Lifeline Modernization Order*, ¶ 400.

³⁶ Consistent with FCC holdings, there is no need for a “creamskimming” analysis in connection with Blue Jay’s Petition because the Company is seeking ETC designation only for purposes of receiving federal low-income support. See, e.g., *Virgin Mobile USA, L.P.*, Order, 24 FCC RCD 3381, ¶ 39 n. 101 (2009).

III. LEGAL AUTHORITY

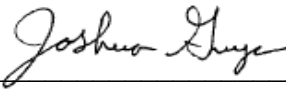
The Washington Utilities and Transportation Commission has jurisdiction of this matter pursuant to the provisions of 47 U.S.C. § 214.

IV. CONCLUSION

Blue Jay respectfully requests that the Commission expeditiously issue an order designating the Company as an ETC in Washington throughout the service area specified above for the purpose of receiving federal support and reimbursement for provision of low-income communications services on a wireless basis to qualified low-income customers.

Respectfully Submitted,

BLUE JAY WIRELESS, LLC

By 

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Joshua T. Guyan
Jennifer R. Wainwright
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Designated Representative to Accept Service on Behalf of Blue Jay Wireless, LLC:

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Washington, D.C. 20007
Tel: 202-342-8566; Fax: 202-342-8451
Email: jguyan@kelleydrye.com
Relationship to Party: Counsel

Dated: April 14, 2017

**BEFORE THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

IN THE MATTER OF THE		Docket No. UT-_____
PETITION OF BLUE JAY WIRELESS, LLC		
FOR LIMITED DESIGNATION AS A		
WIRELESS ELIGIBLE		
TELECOMMUNICATIONS CARRIER IN THE		
STATE OF WASHINGTON		

VERIFICATION OF DAVID WAREIKIS

I, David Wareikis, do hereby certify under penalty of perjury under the laws of the State of Washington, as follows:

I am the Chief Executive Officer of Blue Jay Wireless, LLC (“Blue Jay”), a Texas limited liability company, with principal offices at 4240 International Parkway, Suite 140, Carrollton, TX 75007.

I have reviewed the foregoing Petition requesting designation of Blue Jay as an Eligible Telecommunications Carrier in Washington pursuant to 47 U.S.C. § 214(e) and attest that the facts stated therein are true and correct to the best of my knowledge.

Executed at Carrollton, Texas, on April 14, 2017.



David Wareikis
Chief Executive Officer
Blue Jay Wireless, LLC

List of Exhibits

Exhibit A – Ownership Chart and List of Affiliated Entities

Exhibit B – Washington Secretary of State Registration

Exhibit C – FCC Compliance Plan (filed December 19, 2012; approved December 26, 2012)

Exhibit D – Sample Advertisement

Exhibit E – Key Personnel Resumes

Exhibit F – Financial Statements (filed under seal)

Exhibit G – Exchange list

Exhibit A

Ownership Chart and List of Affiliated Entities

Blue Jay Wireless, LLC*Ownership Capitalization Table***Pro Forma Ownership**

Member's Name	7/6/2016
Marc A. Sparks	15.38%
David Wareikis	12.76%
King Arthur Family, L.P.	1.39%
Joseph D. Woods	1.39%
Palmar Ventures, LLC	4.24%
VCA Wireless Partnership, LP	31.81%
Best Efforts Equity Deal	31.05%
Lender Interests	2.00%
Total	100.0%

Blue Jay Wireless, LLC

Affiliates List

- Cardinal Wireless Distributors, LLC
- Timber Creek Wireless Fund I, LLC
- Splash Media, LP
- Agency Matrix, LLC
- Drivers Insurance Group, LLC
- Cobalt Real estate Services, LLC
- P.C. Processing, Inc.
- Team Systems, LLC
- LeadStart, LLC
- CenCal Holdings, LLC
- Timber Creek Capital, LP
- Timber Creek Ranch, LP and
- Ajax Partners II, LLC.

Exhibit B

Washington Secretary of State Registration

UNITED STATES OF AMERICA

The State of



Washington

Secretary of State

I, **SAM REED**, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

CERTIFICATE OF REGISTRATION

to

BLUE JAY WIRELESS, LLC

a/an TX Limited Liability Company. Charter documents are effective on the date indicated below.

Date: 8/17/2012

UBI Number: 603-231-355



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

A handwritten signature in cursive script that reads "Sam Reed".

Sam Reed, Secretary of State

Exhibit C

FCC Compliance Plan (filed December 19, 2012; approved December 26, 2012)

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

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December 19, 2012

VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Blue Jay Wireless, LLC Revised Compliance Plan; WC Docket Nos. 09-197, 11-42

Dear Ms. Dortch:

On May 11, 2012, Blue Jay Wireless, LLC ("Blue Jay") submitted its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.¹ On July 5, July 23, August 14 and November 30, Blue Jay revised its Compliance Plan to provide additional details and clarifications.

Blue Jay has further revised its Compliance Plan (p. 14) to clarify Blue Jay's process for de-enrollment of customers that fail to respond to the annual eligibility verification. Nothing else in the Compliance Plan has been changed.

Blue Jay hereby re-submits its complete Compliance Plan with the above revision. Based on the minor nature of this change, Blue Jay reiterates its request for expeditious approval of its Compliance Plan.

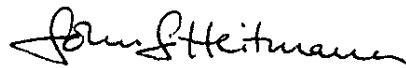
¹ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012).

KELLEY DRYE & WARREN LLP

Marlene H. Dortch, Secretary
December 19, 2012
Page Two

This letter and revised Compliance Plan are being filed electronically for inclusion in the public record of the above-referenced proceedings. Please feel free to contact the undersigned with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John J. Heitmann". The signature is written in a cursive style with a large initial "J".

John J. Heitmann
Joshua T. Guyan

Counsel to Blue Jay Wireless, LLC

cc: Kim Scardino
Jonathan Lechter
Divya Shenoy
Garnet Hanly

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

<p>In the Matter of</p> <p>Telecommunications Carriers Eligible to Receive Universal Service Support</p> <p>Lifeline and Link Up Reform and Modernization</p> <p>Blue Jay Wireless, LLC</p>	<p>WC Docket No. 09-197</p> <p>WC Docket No. 11-42</p>
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BLUE JAY WIRELESS, LLC COMPLIANCE PLAN

Blue Jay Wireless, LLC (“Blue Jay” or the “Company”),¹ through its undersigned counsel, hereby respectfully submits and requests expeditious treatment of its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.²

¹ The Company hereby also reports its corporate and trade names, identifiers, and its holding company, operating companies and affiliates as: Link Distributors, LLC (affiliate), Cardinal Wireless Distributors, LLC (affiliate), Timber Creek Wireless Fund I, LLC (affiliate), Splash Media, LP (affiliate), Agency Matrix, LLC (affiliate), Drivers Insurance Group, LLC (affiliate), Cobalt Real estate Services, LLC (affiliate), P.C. Processing, Inc. (affiliate), Team Systems, LLC (affiliate), LeadStart, LLC (affiliate), CenCal Holdings, LLC (affiliate), Timber Creek Capital, LP (affiliate), Timber Creek Ranch, LP (affiliate) and Ajax Partners II, LLC (affiliate).

² See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report And Order and Further Notice Of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012) (“*Lifeline Reform Order*”). The Company herein submits the information required by the Compliance Plan Public Notice. See *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197, 11-42, Public Notice, DA 12-314 (rel. Feb. 29, 2012).

The Company commends the Commission's commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline customers. The Company will comply with 911 requirements as described below and it is submitting this Compliance Plan in order to qualify for blanket forbearance from the facilities requirement of section 214(e)(1)(A) of the Communications Act and participate as an eligible telecommunications carrier ("ETC") in the Lifeline program.³

The Company will comply fully with all conditions set forth in the *Lifeline Reform Order*, as well as with the Commission's Lifeline rules and policies more generally.⁴ This Compliance Plan describes the specific measures that the Company intends to implement to achieve these objectives. Specifically, this Compliance Plan: (1) describes the specific measures that the Company will take to implement the obligations contained in the *Lifeline Reform Order*, including the procedures the Company will follow in enrolling a subscriber in Lifeline and submitting for reimbursement for that subscriber from the Low-Income Fund, materials related to initial and ongoing certifications and sample marketing materials; and (2) provides a detailed description of how the Company will offer Lifeline services, the geographic areas in which it will offer services, and a detailed description of the Company's Lifeline service plan offerings.

³ See *Lifeline Reform Order*, ¶ 368. Although the Company qualifies for and seeks to avail itself of the Commission's grant of forbearance from the facilities requirement of section 214(e)(1)(A) for purposes of the federal Lifeline program, the Company reserves the right to demonstrate to a state public utilities commission that it provides service using its own facilities in a state for purposes of state universal service funding under state program rules and requirements. The Company will follow the requirements of the Commission's Lifeline rules and this Compliance Plan in all states in which it provides Lifeline service and receives reimbursements from the federal Low-Income Fund, including in any state where the public utilities commission determines that Blue Jay provides service using its own facilities for purposes of a state universal service program.

⁴ In addition, this Compliance Plan is consistent with the compliance plan filed by Global Connection Inc. of America. See Global Connection of America Inc. Compliance Plan, WC Docket Nos. 09-197, 11-42 (Apr. 30, 2012). The Global Connection compliance plan was approved on May 25, 2012. See Public Notice, DA 12-828.

ACCESS TO 911 AND E911 SERVICES⁵

Pursuant to the *Lifeline Reform Order*, forbearance is conditioned upon the Company: (1) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; and (2) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.⁶ The Company will comply with these conditions on the first day that it begins providing service.

The Company will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission and consumers are hereby assured that all Company customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from Company handsets, even if the account associated with the handset has no minutes remaining.

The Company will use Sprint Nextel and Verizon Wireless its underlying wireless network providers/carriers through a Mobile Virtual Network Enabler (MVNE) intermediary – Natel Networks, LLC (“Natel Networks”). Sprint Nextel and Verizon Wireless will route 911 calls from the Company’s customers in the same manner as 911 calls from their own retail customers. To the extent that these underlying wireless network providers/carriers are certified in a given PSAP territory, this 911 capability will function the same for the Company. The Company will also enable 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active or suspended. Finally, the Company will transmit all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

⁵ See Compliance Plan Public Notice at 3.

⁶ See *Lifeline Reform Order*, ¶ 373.

E911-Compliant Handsets. The Company will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. All of the Company's phones will be E911-capable handsets. The Company will use phones from suppliers that have been through a stringent certification process to ensure that the handset models used meet all 911 and E911 requirements. As a result, any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

COMPLIANCE PLAN

I. PROCEDURES TO ENROLL A SUBSCRIBER IN LIFELINE⁷

A. Policy

The Company will comply with the uniform eligibility criteria established in new section 54.409 of the Commission's rules, as well as any additional certification and verification requirements for Lifeline eligibility in states where the Company is designated as an ETC.

Therefore, all subscribers will be required to demonstrate eligibility based at least on: (1) household income at or below 135% of the Federal Poverty Guidelines for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in new sections 54.409(a)(2) or 54.409(a)(3) of the Commission's rules. In addition, through the certification requirements described below, the Company will confirm that the subscriber is not already receiving a Lifeline service and no one else in the subscriber's household is subscribed to a Lifeline service.

⁷ See Compliance Plan Public Notice at 3.

B. Eligibility Determination

Blue Jay will qualify and enroll Lifeline customers through five primary input channels including: 1) Internet/Web Form Transaction, 2) Store and Field Form Transaction, 3) Toll-Free Facsimile Form Transaction, 4) USPS Mail Form Transaction and 5) Voice/IVR Form Transaction. Regardless of which channel the customer uses to apply for service, each customer will receive the same disclosures, be required to supply the same information and make the same certifications via Blue Jay's standard application/certification form (discussed further below and provided in Exhibit A).

Initially Blue Jay will enroll the vast majority of its Lifeline customers in-person at Blue Jay branded storefronts. Through its affiliation with Drivers Insurance Group, LLC, which sells state minimum required car insurance to predominantly low-income consumers, Blue Jay has access to 1,000 storefronts nationwide that can be co-branded to sell Blue Jay wireless Lifeline service. By using permanent storefront locations Blue Jay customers will always know where they can go to ask questions, get replacement equipment (e.g., batteries and chargers) and purchase additional services or upgrades.

As part of its enrollment process, Blue Jay will route all enrollment documentation through a common validation backbone that will perform five relevant verification checks in real-time before approving qualifying subscribers for Lifeline service. These five checks are: 1) Service Availability Verification (validates the availability of service to qualifying subscribers through a database of approved Blue Jay service areas); 2) Service Address Verification (validates the service address of qualifying subscribers through USPS and/or Melissa databases); 3) Non-Duplicate Subscriber Verification (confirms internal non-duplicate status of qualifying subscribers by a combination of name, address, telephone number, date of birth and last four

digits of Social Security number); 4) Identity Verification (validates the identity of qualifying subscribers through viewing government-issued identification or Lexis Nexis); and 5) Eligibility Verification (where available, validates the eligibility of qualifying subscribers through state-specific and program-specific Internet databases). In the event that such web services are unavailable or the qualifying subscriber shows proof of eligibility via physical documentation, Blue Jay will note the type of documentation presented; the timestamp of presentation; the Blue Jay employee, agent or representative ("Company personnel") to whom the documentation was presented; and the deletion timestamp (for documentation that was physically received by Blue Jay). When available, Blue Jay will validate the eligibility and non-duplication of qualifying subscribers through the national database.

The manner in which the sales will be made will be slightly different, but the obligations imposed by the new rules will be addressed directly by Blue Jay. All employees will be thoroughly trained on the enrollment process to ensure all five relevant verification checks are made before approving qualified subscribers for Lifeline service.

If the Company cannot determine a prospective subscriber's eligibility for Lifeline by accessing income databases or program eligibility databases, Company personnel will review documentation establishing eligibility pursuant to the Lifeline rules.⁸ All personnel who interact with current or prospective customers will be trained to assist Lifeline applicants in determining whether they are eligible to participate based on the federal and state-specific income-based and/or program-based criteria. These personnel will be trained to answer questions about Lifeline eligibility, and will review required documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements using state-specific checklists.

⁸ See *Lifeline Reform Order*, ¶ 100; section 54.410(b)(1)(i)(B), 54.410(c)(1)(i)(B).

Proof of Eligibility. Company personnel will be trained on acceptable documentation required to establish income-based and program-based eligibility.⁹ Acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice letter of participation in a qualifying state, federal or Tribal program; (3) program participation documents (e.g., the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.¹⁰

Acceptable documentation of income eligibility includes the prior year's state, federal, or Tribal tax return; current income statement from an employer or paycheck stub; a Social Security statement of benefits; a Veterans Administration statement of benefits; a retirement/pension statement of benefits; an Unemployment/Workmen's Compensation statement of benefits; federal or Tribal notice letter of participation in General Assistance; or a divorce decree, child support award, or other official document containing income information for at least three consecutive months' time.¹¹

Company personnel will examine this documentation for each Lifeline applicant, and will record the type of documentation used to satisfy the income- or program-based criteria by checking the appropriate box on the application form.¹² In addition, Company personnel will fill in, where available, the last four digits of an account or other identifying number on the proof document, the date of the proof document and the expiration of the proof document. The

⁹ See *Lifeline Reform Order*, ¶ 101. See also USAC Guidance available at <http://www.usac.org/li/telecom-carriers/step06/default.aspx>.

¹⁰ *Id.* and section 54.410(c)(1)(i)(B).

¹¹ See *Lifeline Reform Order*, ¶101; section 54.410.(b)(1)(i)(B).

¹² See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(iii), 54.410(c)(1)(iii).

Company will not retain a copy of this documentation, except where state rules require such retention.¹³ For customers enrolled via the Internet, Toll-Free Facsimile, USPS Mail, or Voice/IVR, the customer will be required to fax or e-mail proof of eligibility documentation to the Company. Proof will be reviewed by Company personnel prior to service activation and then deleted. Where the Company personnel conclude that proffered documentation is insufficient to establish such eligibility, the Company will deny the associated application and inform the applicant of the reason for such rejection. In the event that Company personnel cannot ascertain whether documentation of a specific type is sufficient to establish an applicant's eligibility, the matter will be escalated to supervisory personnel at the Company's corporate headquarters.¹⁴ In addition, a Blue Jay employee will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement.

Further, Blue Jay will not enroll customers at retail locations where Blue Jay does not have an agency agreement with the retailer. Blue Jay will require an agent retailer to have any employees involved in the enrollment process go through the standard Blue Jay training process, same as it would for any other agent. By establishing agency relationships with all of its Company personnel, including future retail outlets, Blue Jay meets the "deal directly" requirement adopted in the TracFone Forbearance Order.¹⁵

The Commission determined in the *Lifeline Reform Order* that ETCs may permit agents or representatives to review documentation of consumer program eligibility for Lifeline because "the Commission has consistently found that '[l]icensees and other Commission regulatees are

¹³ See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(ii), 54.410(c)(1)(ii).

¹⁴ See *id.*

¹⁵ See Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i), CC Docket no. 96-45, Order, FCC 05-165, ¶19 (2005).

responsible for the acts and omissions of their employees and independent contractors.”¹⁶

Because Blue Jay is responsible for the actions of all of its employees and agents, including those enrolling customers in any Blue Jay owned or affiliated retail locations, and a Blue Jay employee will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement, the Company will always “deal directly” with its customers to certify and verify the customer’s Lifeline eligibility.

De-Enrollment for Ineligibility. If the Company has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, the Company will notify the subscriber of impending termination in writing and in compliance with any state dispute resolution procedures applicable to Lifeline termination, and give the subscriber 30 days to demonstrate continued eligibility.¹⁷ A demonstration of eligibility must comply with the annual verification procedures below and found in new rule section 54.410(f), including the submission of a certification form. If a customer contacts the Company and states that he or she is not eligible for Lifeline or wishes to de-enroll for any reason, the Company will de-enroll the customer within five business days. Customers can make this request by calling the Company's customer service number and will not be required to submit any documents.

C. Subscriber Certifications for Enrollment

The Company will implement certification policies and procedures that enable consumers to demonstrate their eligibility for Lifeline assistance to Company personnel as detailed in the *Lifeline Reform Order*, together with any additional state certification requirements.¹⁸ The

¹⁶ *Lifeline Reform Order*, ¶ 110.

¹⁷ *See Lifeline Reform Order*, ¶ 143; section 54.405(e)(1).

¹⁸ *Lifeline Reform Order*, ¶ 61; section 54.410(a).

Company shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that these procedures will prevent the Company's customers from engaging in such abuse of the program, inadvertently or intentionally. Every applicant will be required to complete an application/certification form containing disclosures, and collecting certain information and certifications as discussed below.¹⁹ Applicants that seek to enroll based on income eligibility will be referred to a worksheet showing the Federal Poverty Guidelines by household size.²⁰ Applicants that do not complete the form in person will be required to return the signed application/certification to the Company by mail, facsimile, electronic mail or other electronic transmission. In addition, Company personnel will verbally explain the certifications to consumers when they are enrolling in person or over the phone.²¹

Disclosures. The Company's application and certification forms will include the following disclosures: (1) Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the applicant's de-enrollment

¹⁹ See Model Application/Certification Form, included as Exhibit A. See Compliance Plan Public Notice at 3.

²⁰ See Income Eligibility Worksheet, included as Exhibit B.

²¹ See *Lifeline Reform Order*, ¶ 123.

from the program; and (6) Lifeline is a non-transferable benefit and the applicant may not transfer his or her benefit to any other person.²²

Applications and certification forms will also state that: (1) the service is a Lifeline service, (2) Lifeline is a government assistance program, and (3) only eligible consumers may enroll in the program.²³

In addition, the Company will notify the applicant that the prepaid service must be personally activated by the subscriber and the service will be deactivated and the subscriber de-enrolled if the subscriber does not use the service for 60 days.²⁴

Information Collection. The Company will also collect the following information from the applicant in the application/certification form: (1) the applicant's full name; (2) the applicant's full residential address (P.O. Box is not sufficient²⁵); (3) whether the applicant's residential address is permanent or temporary; (4) the applicant's billing address, if different from the applicant's residential address; (5) the applicant's date of birth; (6) the last four digits of the applicant's Social Security number (or the applicant's Tribal identification number, if the subscriber is a member of a Tribal nation and does not have a Social Security number); (7) if the applicant is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the applicant, his or her dependents, or his or her household receives benefits; and (8) if the applicant is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.²⁶

²² See *id.*, ¶ 121; section 54.410(d)(1).

²³ See section 54.405(c).

²⁴ See *Lifeline Reform Order*, ¶ 257.

²⁵ See *Lifeline Reform Order*, ¶ 87.

²⁶ See section 54.410(d)(2).

Applicant Certification. Consistent with new rule section 54.410(d)(3), the Company will require the applicant to certify, under penalty of perjury, in writing or by electronic signature or interactive voice response recording,²⁷ the following: (1) the applicant meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the applicant will notify the Company within 30 days if for any reason he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the applicant is receiving more than one Lifeline benefit, or another member of the applicant's household is receiving a Lifeline benefit; (3) if the applicant is seeking to qualify for Lifeline as an eligible resident of Tribal lands, he or she lives on Tribal lands; (4) if the applicant moves to a new address, he or she will provide that new address to the Company within 30 days; (5) if the applicant provided a temporary residential address to the Company, the applicant will be required to verify his or her temporary residential address every 90 days; (6) the applicant's household will receive only one Lifeline service and, to the best of the applicant's knowledge, the applicant's household is not already receiving a Lifeline service; (7) the information contained in the applicant's certification form is true and correct to the best of the applicant's knowledge; (8) the applicant acknowledges that providing false or fraudulent information to receive Lifeline benefits is punishable by law; and (9) the applicant acknowledges that the applicant may be required to re-certify his or her continued eligibility for Lifeline at any time, and the applicant's failure to re-certify as to the applicant's continued eligibility will result in de-enrollment and the termination of the applicant's Lifeline benefits pursuant to the de-enrollment policy included below and in the Commission's rules.

²⁷ See *Lifeline Reform Order*. ¶¶ 168-69; section 54.419.

In addition, the applicant will be required to authorize the Company to access any records required to verify the applicant's statements on the application/certification form and to confirm the applicant's eligibility for the Company Lifeline credit. The applicant must also authorize the Company to release any records required for the administration of the Company Lifeline credit program, including to USAC to be used in a Lifeline program database.²⁸

D. Annual Verification Procedures

The Company will annually re-certify all subscribers by querying the appropriate eligibility databases or obtaining a signed certification from each subscriber consistent with the certification requirements above and new section 54.410(d) of the Commission's rules. This certification will include a confirmation that the applicant's household will receive only one Lifeline service and, to the best of the subscriber's knowledge, the subscriber's household is receiving no more than one Lifeline service.²⁹ Further, the verification materials will inform the subscriber that he or she is being contacted to re-certify his or her continuing eligibility for Lifeline and if the subscriber fails to respond, he or she will be de-enrolled in the program.³⁰

2012 Verification. Blue Jay does not currently have any Lifeline customers. In the (unlikely) event that the Company has any Lifeline subscribers as of June 1, 2012, the Company will re-certify the eligibility of each of its existing subscribers as of June 1, 2012 on a rolling basis by the end of 2012 and report the results to USAC by January 31, 2013.³¹ The Company

²⁸ See Section 54.404(b)(9). The application/certification form will also describe the information that will be transmitted, that the information is being transmitted to USAC to ensure the proper administration of the Lifeline program and that failure to provide consent will result in the applicant being denied the Lifeline service. *See id.*

²⁹ *See Lifeline Reform Order*, ¶ 120.

³⁰ *See id.*, ¶ 145.

³¹ *See id.*, ¶ 130.

will contact its subscribers via text message to their Lifeline supported telephone, or by mail, phone, email or other Internet communication. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact the Company.

Verification De-Enrollment. The Company will de-enroll subscribers that do not respond to the annual verification or fail to provide the required certification.³² The Company will send a single written notice explaining that failure to respond to the re-certification request within 30 days will result in the subscriber's de-enrollment from the Lifeline program. If the subscriber does not respond within the 30 days, the Company will de-enroll the subscriber within five business days.

E. Activation and Non-Usage

The Company will not consider a prepaid subscriber activated, and will not seek reimbursement for Lifeline for that subscriber, until the subscriber activates the Company's prepaid service by completing an outbound call. An outbound call must be made in order for the service to be activated and for Blue Jay to seek Lifeline reimbursement for that customer. For phones sold in-person, the customer must complete an outbound call in front of the representative upon taking possession of the phone in order to complete the enrollment process. In the event phones are mailed to the customer's address, the customer must dial an activation code which will connect them to a customer service representative. The customer then has to provide the customer service representative with identification information and confirm Lifeline service was ordered.

³² See *id.*, ¶ 142; section 54.54.405(e)(4).

In addition, after service activation, the Company will provide a de-enrollment notice to subscribers that have not used their service for 60 days. After 60 days of non-use, the Company will provide notice to the subscriber that failure to use the Lifeline service within a 30-day notice period will result in de-enrollment.³³ Subscribers can “use” the service by: (1) completing an outbound call; (2) purchasing minutes from the Company to add to the subscriber’s plan; (3) answering an incoming call from a party other than the Company; or (4) responding to a direct contact from the Company and confirming that the subscriber wants to continue receiving the service.³⁴

If the subscriber does not respond to the notice, the subscriber will be de-enrolled and the Company will not request further Lifeline reimbursement for the subscriber. The Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.³⁵

F. Additional Measures to Prevent Waste, Fraud and Abuse

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicates, the Company will implement measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. These measures entail additional emphasis in written disclosures as well as live due diligence.

In addition to checking the database when it becomes available, Company personnel will emphasize the “one Lifeline phone per household” restriction in their direct sales contacts with

³³ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

³⁴ See *Lifeline Reform Order*, ¶ 261; section 54.407(c)(2).

³⁵ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

potential customers. Training materials will include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction. All Company personnel interacting with existing and potential Lifeline customers will undergo training regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan.

Blue Jay Company personnel that will interact with existing and potential Lifeline customers will be required to complete a rigorous training program upon commencing employment and prior to performing other duties for the Company. During this program, Company personnel are thoroughly trained on compliance practices, policies and procedures including, among other areas, a thorough training on the enrollment process. For example, Company personnel that will perform customer enrollment are trained on how to use the Company's office support systems, to read aloud the appropriate disclosures to prospective customers such as the "one-per-household" and activation and non-usage requirement disclosures, request additional documentation proving identity and address verification and what constitutes proof of eligibility, among other important practices.

Company personnel are also trained to display Blue Jay approved marketing materials and banners and wear Blue Jay branded t-shirts with name badges and pictures when performing in-person enrollment. Blue Jay will have a designated employee compliance training manager who is accessible to Company personnel for questions after training. Company personnel are also trained what to do in the event they suspect fraud or any violation. The Company has a whistleblower policy for Company personnel to immediately report any violation of compliance policies and procedures. If Company personnel violates any of the Company's or program's compliance policies and procedures, the terms and conditions of his or her employee or vendor

agreement, or engages in any illegal, fraudulent, deceptive, or unethical business conduct, Blue Jay will invoke immediate disciplinary action and may contact appropriate authorities.

Database. When the National Lifeline Accountability Database (“National Database”) becomes available, the Company will comply with the requirements of new rule section 54.404. The Company will query the National Database to determine whether a prospective subscriber is currently receiving a Lifeline service from another ETC and whether anyone else living at the prospective subscriber’s residential address is currently receiving Lifeline service.³⁶

One-Per-Household. The Company will implement the requirements of the *Lifeline Reform Order* to ensure that it provides only one Lifeline benefit per household³⁷ through the use of its application and certification forms discussed above, database checks and its marketing materials discussed below. Upon receiving an application for the Company’s Lifeline service, the Company will search its own internal records to ensure that it does not already provide Lifeline-supported service to someone at the same residential address.³⁸ If so, and the applicant lives at an address with multiple households, the Company will require the applicant to complete

³⁶ See *Lifeline Reform Order*, ¶ 203. Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. See *Lifeline Reform Order*, ¶¶ 189-195; section 54.404(b)(6). Further, Company will update each subscriber’s information in the National Database within ten business days of any change, except for de-enrollment, which will be transmitted within one business day. See section 54.404(b)(8),(10).

³⁷ A “household” is any individual or group of individuals who are living together at the same address as one economic unit. A household may include related and unrelated persons. An “economic unit” consists of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. See *Lifeline Reform Order*, ¶ 74; section 54.400(h).

³⁸ See *Lifeline Reform Order*, ¶ 78.

and submit a written USAC document containing the following: (1) an explanation of the Commission's one-per-household rule; (2) a check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households; (3) a space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant's household and share in the household's expenses or benefit from the applicant's income, pursuant to the Commission's definition; and (4) the penalty for a consumer's failure to make the required one-per-household certification (*i.e.*, de-enrollment).³⁹ Further, if a subscriber provides a temporary address on his or her application/certification form collected as described above, the Company will verify with the subscriber every 90 days that the subscriber continues to rely on that address.⁴⁰

In addition, Company personnel will inform each Lifeline applicant that he or she may be receiving Lifeline support under another name, and facilitate the applicant's understanding of what constitutes "Lifeline-supported services," and ability to determine whether he or she is already benefiting from Lifeline support, by informing the consumer that all Lifeline services may not be currently marketed under the name Lifeline. Blue Jay will also ask each customer whether they are receiving Lifeline service from one of the other major Lifeline providers in the state (*e.g.*, SafeLink, Assurance). Finally, at the time of enrollment, Blue Jay will check each applicant against a pooled duplicates database established by CGM, LLC.

Marketing Materials. Within the deadline provided in the *Lifeline Reform Order*, the Company will include the following information regarding its Lifeline service on all marketing materials describing the service: (1) it is a Lifeline service, (2) Lifeline is a government

³⁹ *Id.* The USAC worksheet is available at <http://www.usac.org/li/tools/news/default.aspx#582>.

⁴⁰ See *Lifeline Reform Order*, ¶ 89.

assistance program, (3) the service is non-transferable, (4) only eligible consumers may enroll in the program, (5) the program is limited to one discount per household; (6) that documentation is necessary for enrollment; (7) Blue Jay's name (the ETC); and (8) the Company's application/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.⁴¹ These statements will be included in all print, audio video and web materials (including social networking media) used to describe or enroll customers in the Company's Lifeline service offering, as well as the Company's application forms and certification forms.⁴² This specifically includes the Company's website (www.bluejaywireless.com) and outdoor signage.⁴³ A sample of the Company's marketing materials is included as Exhibit C.

G. Company Reimbursements From the Fund

To ensure that the Company does not seek reimbursement from the Fund without a subscriber's consent, the Company will certify, as part of each reimbursement request, that it is in compliance with all of the Commission's Lifeline rules and, to the extent required, has obtained valid certification and verification forms from each of the subscribers for whom it is seeking reimbursement.⁴⁴ Further, the Company will submit its FCC Forms 497 to the eighth day of each month in order to be reimbursed the same month.⁴⁵

⁴¹ See *Lifeline Reform Order*, ¶ 275; section 54.405(c).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ See *Lifeline Reform Order*, ¶ 128; section 54.407(d).

⁴⁵ See *Lifeline Reform Order*, ¶¶ 302-306.

In addition, the Company will keep accurate records as directed by USAC⁴⁶ and as required by new section 54.417 of the Commission's rules. For example, Blue Jay will keep the following records for each subscriber's individual Lifeline account, among other records, if applicable and as permitted: 1) date that Blue Jay queried the duplicates database; 2) date and information that Blue Jay transmitted to the duplicates database; 3) date of transmission of updated customer information to database; 4) date and database upon which the ETC determined income-based eligibility where available; 5) date and documentation/data source used to determine income-based eligibility if no database was available to determine subscriber eligibility;⁴⁷ 6) date, database, and program on which ETC determined subscriber eligibility; 7) date and records detailing the documentation a subscriber provided to demonstrate Lifeline eligibility; 8) state Lifeline administrator documentation of customer eligibility, and subscriber's certification of eligibility; 9) date of customer service activation; 10) application/certification and annual re-certification forms for each subscriber associated with a date and time of signature; and 11) date of transmission of customer de-enrollment to database.

H. Annual Company Certifications

The Company will submit an annual certification to USAC, signed by a Company officer under penalty of perjury, that the Company: (1) has policies and procedures in place to review consumers' documentation of income- and program-based eligibility and ensure that its Lifeline subscribers are eligible to receive Lifeline services;⁴⁸ (2) is in compliance with all federal

⁴⁶ See section 54.407(e).

⁴⁷ Such documentation includes the documentation listed in Section I.B. *supra*.

⁴⁸ See *Lifeline Reform Order*, ¶ 126; section 54.416(a)(1).

Lifeline certification procedures;⁴⁹ and (3) has obtained a valid certification form for each subscriber for whom the carrier seeks Lifeline reimbursement.⁵⁰

In addition, the Company will provide the results of its annual re-certifications/verifications on an annual basis to the Commission, USAC, the applicable state commission and the relevant Tribal governments (for subscribers residing on Tribal lands).⁵¹ Further, as discussed above, the Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.⁵²

The Company will also annually report to the Commission, USAC, and relevant state commissions and the relevant authority in a U.S. territory or Tribal government as appropriate,⁵³ the company name, names of the company's holding company, operating companies and affiliates, and any branding (such as a "dba" or brand designation) as well as relevant universal service identifiers for each entity by Study Area Code.⁵⁴ The Company will report annually information regarding the terms and conditions of its Lifeline plans for voice telephony service offered specifically for low-income consumers during the previous year, including the number of minutes provided and whether there are additional charges to the consumer for service, including minutes of use and/or toll calls.⁵⁵ Finally, the Company will annually provide detailed information regarding service outages in the previous year, the number of complaints received and certification of compliance with applicable service quality standards and consumer

⁴⁹ See *Lifeline Reform Order*, ¶ 127; section 54.416(a)(2).

⁵⁰ See section 54.416(a)(3).

⁵¹ See *Lifeline Reform Order*, ¶¶ 132,148; section 54.416(b).

⁵² See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

⁵³ See section 54.422(c).

⁵⁴ See *Lifeline Reform Order*, ¶¶ 296, 390; section 54.422(a).

⁵⁵ See *Lifeline Reform Order*, ¶ 390; section 54.422(b)(5).

protection rules, as well as a certification that the Company is able to function in emergency situations.⁵⁶

I. Cooperation with State and Federal Regulators

The Company has cooperated and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse. More specifically, the Company will:

- Make available, upon request, state-specific subscriber data, including the names and addresses of Lifeline subscribers, to USAC and to each state public utilities commission where the Company operates for the purpose of determining whether an existing Lifeline subscriber receives Lifeline service from another carrier;⁵⁷
- Assist the Commission, USAC, state commissions, and other ETCs in resolving instances of duplicative enrollment by Lifeline subscribers, including by providing to USAC and/or any state commission, upon request, the necessary information to detect and resolve duplicative Lifeline claims;
- Promptly investigate any notification that it receives from the Commission, USAC, or a state commission to the effect that one of its customers already receives Lifeline services from another carrier; and
- Immediately de-enroll any subscriber whom the Company has a reasonable basis to believe⁵⁸ is receiving Lifeline-supported service from another ETC or is no longer eligible – whether or not such information is provided by the Commission, USAC, or a state commission.

II. Description of Lifeline Service Offerings⁵⁹

The Company will offer its Lifeline service in the states where it is designated as an ETC⁶⁰ and throughout the coverage area of the Sprint Nextel and Verizon Wireless footprints.

⁵⁶ See *Lifeline Reform Order*, ¶ 389; section 54.422(b)(1)-(4).

⁵⁷ The Company anticipates that the need to provide such information will sunset following the implementation of the national duplicates database.

⁵⁸ See section 54.405(e)(1).

⁵⁹ See Compliance Plan Public Notice at 3.

⁶⁰ The Company is not yet designated as an ETC in any states, but it filed a petition for ETC designation in Alabama, Connecticut, Delaware, the District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee and Virginia with the Commission on

Blue Jay purchases wireless minutes from an intermediary, Natel Networks, which purchases wholesale minutes from Sprint Nextel and Verizon Wireless. Blue Jay's Lifeline offering will provide all non-Tribal customers with the option to choose a plan with 250 anytime prepaid minutes per month at no charge. Tribal customers will all have the option to choose an unlimited plan. 611 customer service and 911 emergency calls will all be free, regardless of service activation or availability of minutes, and will not count against the customer's airtime. All plans will include domestic long-distance at no extra per minute charge. Directory assistance calls (411) will be free, however, they will count as airtime minutes of usage. Lifeline customers can purchase additional bundles of minutes for as low as \$0.05/minute depending on the minute package purchased. For example, customers can purchase a 200 minute package for \$10.00. Airtime "top-up" minutes will be available for purchase at the Company's retail locations and on its website.

The Company will offer two basic Lifeline service packages throughout all of its service territories, except for Tribal areas where the Company will offer two plans that are only available to Tribal residents. The Company's basic Lifeline programs are listed below.

Lifeline Free Plan 125. Each month the customer will receive 125 free anytime voice minutes. Text messaging will be assessed at a rate of 1 minute per text message for sending and 1 minute per text message for receiving text messages. Unused minutes will rollover from month to month. This plan will be available in all states where the Company offers service except in Tribal areas.

Lifeline Free Plan 250. Each month the customer will receive 250 free anytime voice minutes. Text messaging will be assessed at a rate of 1 minute per text message for sending and

May 21, 2012, and applications for ETC designation in Oklahoma, Arizona and Colorado. The Company intends to prepare additional petitions and file where permitted.

1 minute per text message for receiving text messages. There are no rollover minutes with this plan. Unused minutes will expire each month on the service expiration date. This plan will be available in all states where the Company offers service except in Tribal areas.⁶¹

Tribal Resident Lifeline Unlimited Plan. Each month the customer will receive unlimited anytime voice minutes for \$5.00 per month plus fees and taxes. Text messaging will not be available with the unlimited talk plan. There are no rollover minutes with this plan as minutes are unlimited. This plan will only be available to Tribal residents.

Tribal Resident Lifeline 1000 Plan. Each month the customer will receive 1,000 anytime voice minutes or 1,000 text messages for \$1.00 per month plus fees and taxes. Text messaging will be assessed at a rate of 1 minute per text message for sending and 1 minute per text message for receiving text messages. There are no rollover minutes with this plan. Unused minutes will expire each month on the service expiration date. This plan will only be available to Tribal residents.

Additionally, customers can select either a free wireless handset or purchase an upgraded phone, such as a smartphone. For those customers choosing to upgrade to a smartphone, data can be added to any phone plan starting at \$1.25 per megabyte – a price that can be reduced on a “per megabyte” basis when the customer purchases multiple megabytes of data. The Company will also allow low-income customers to add affordable data usage to their free voice/text minutes thereby supporting greater smartphone utilization, consistent with the Commission’s goal of promoting broadband access to all Americans. Additional information regarding the Company’s plans, rates and services can be found on its website www.bluejaywireless.com.

⁶¹ Lifeline customers can add \$5.00 per month to get 500 total anytime minutes or \$20.00 per month to get 1,000 total anytime minutes plus 1,000 texts.

Although Blue Jay is not yet providing service to either Lifeline or non-Lifeline customers, Blue Jay plans to begin providing prepaid wireless service to non-Lifeline customers within 45 days. Blue Jay has access to an extensive network of potential customers through partnerships with its Drivers Insurance Group, LLC affiliate, which will provide storefront locations for the sale of Blue Jay Lifeline and non-Lifeline wireless service. Blue Jay has also established relationships with BeQuick, CGM, LLC and other vendors that will be necessary to enroll Lifeline customers and process applications and reimbursements. However, once its compliance plan is approved, Blue Jay will likely need at least 60 days to further train its employees, put up branding and signage in its storefronts, and implement its various systems before it will be able to begin processing Lifeline applications and enrolling customers for service.

At the same time, Blue Jay must receive ETC designations from various state public utility commissions or the FCC, and in many states such as Texas, Blue Jay cannot file its ETC applications until its Compliance Plan is approved. Therefore, Blue Jay expects that it will be several months after its Compliance Plan is approved before it can begin providing Lifeline service.

III. Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation⁶²

Financial and Technical Capabilities. Revised Commission rule 54.202(a)(4), 47 C.F.R. 54.202(a)(4), requires carriers petitioning for ETC designation to demonstrate financial and technical capability to comply with the Commission's Lifeline service requirements.⁶³ The Compliance Plan Public Notice requires that carriers' compliance plan include this

⁶² See Compliance Plan Public Notice at 3.

⁶³ See *Lifeline Reform Order*, ¶¶ 387-388 (revising Commission rule 54.202(a)(4)).

demonstration. Among the factors the Commission will consider are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate, whether the carrier receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding in any state.

Through its affiliates, Blue Jay has provided marketing services including to low-income customers since 2004. One of the Company's affiliates, Splash Media, LP, is among the largest providers of full-service social media marketing services in the world. Another affiliate, Link Distributors, LLC, is a leading distributor of wireless handsets and Lifeline enrollment for ETCs. Both businesses have substantial revenues with a long-term profitability, are in good standing with all of their vendors and have been providing customers with services for a combined nine years. As a core part of its marketing strategy, Blue Jay will be actively marketing to non-Lifeline customers targeting the prepaid, credit challenged and underbanked sector, and, consequently, will not be relying exclusively on Lifeline reimbursement for the Company's operating revenues. Blue Jay plans to begin providing non-Lifeline service within 45 days. Blue Jay also has access to other financial resources including substantial cash reserves from its owners. The Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state.

Service Requirements Applicable to Company's Support. The Compliance Plan Public Notice requires carriers to include "certifications required under newly amended section 54.202 of the Commission's rules."⁶⁴ The Company certifies that it will comply with the service

⁶⁴ Compliance Plan Public Notice at 3.

requirements applicable to the support the Company receives.⁶⁵ The Company will provide all of the telecommunications service supported by the Lifeline program and will make the services available to all qualified consumers throughout the states in which it is designated as an ETC. The Company's services will include voice telephony services that provide voice grade access to the public switched network or its functional equivalent. Further, the Company's service offerings will provide its customers with a set number of minutes of use for local service at no charge to the customer. The Company's proposed Lifeline offerings include packages in Section II *supra* that can be used for local and domestic toll service.

The Company also will provide access to emergency services provided by local government or public safety officials, including 911 and E911 where available and will comply with any Commission requirements regarding E911-compatible handsets. As discussed above, the Company will comply with the Commission's forbearance grant conditions relating to the provision of 911 and E911 services and handsets.

Finally, the Company will not provide toll limitation service ("TLS"). Blue Jay, like most wireless carriers, does not differentiate domestic long distance toll usage from local usage and all usage is paid for in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS.⁶⁶

IV. Conclusion

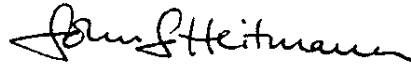
Blue Jay submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Lifeline Reform Order*, the Compliance Plan Public Notice and the Lifeline rules.

⁶⁵ 47 C.F.R. § 54.202(a)(1).

⁶⁶ See *Lifeline Reform Order*, ¶ 230.

Accordingly, the Company respectfully requests that the Commission expeditiously approve its Compliance Plan.

Respectfully submitted,



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(202) 342-8544

Counsel to Blue Jay Wireless, LLC

December 19, 2012

EXHIBIT A



Blue Jay Wireless, LLC
[State] Wireless Lifeline Service Application and Certification (Tribal)

Mail or fax form completed and signed form to:
5010 Addison Circle Addison, TX 75001
Fax XXX-XXX-XXXX / Customer Service: X-XXX-XXX-XXXX

A complete and signed Lifeline Service Application and Certification ("Certification") is required to enroll you in Blue Jay Wireless, LLC's ("the Company's") Lifeline service program in your state. This Certification is only for the purpose of verifying your eligibility for Lifeline service and will not be used for any other purpose. Service requests will not be processed until this Form has been received and verified by Company.

One Lifeline service per household disclosures: Lifeline is a government assistance program and willfully making false statements to obtain a Lifeline benefit can result in fines, imprisonment, de-enrollment or being barred from the program. Lifeline benefits are limited to a single line of service per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both and you cannot receive Lifeline benefits from multiple providers. Note that not all Lifeline services are currently marketed under the name Lifeline. Lifeline is a non-transferable benefit and you may not transfer your benefit to any other person, including another eligible low-income consumer. Violation of the one-per-household limitation constitutes a violation of the Federal Communications Commission's rules and will result in your de-enrollment from the program, and potentially prosecution by the United States Government.

I hereby certify that I have read and understood the disclosures listed above and that, to the best of my knowledge, my household is not already receiving a Lifeline service benefit.

Customer eligibility certification: I hereby certify that I participate in at least one of the following programs (check one):

- Supplemental Nutrition Assistance Program (SNAP)
- Section 8 Federal Public Housing Assistance (FPHA)
- Medicaid (not Medicare)
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Low Income Home Energy Assistance Program (LIHEAP)
- National School Lunch Program's free lunch program
- Food Distribution Program on Indian Reservations (FDPIR)
- Bureau of Indian Affairs General Assistance (BIA)
- Tribally Administered TANF (TATNF)
- Head Start (meeting income qualifying standards) (Tribal)

OR, I hereby certify that I qualify for Lifeline pursuant to income eligibility:

- Income at or below 135% of Federal Poverty Guidelines

Tribal eligibility:

- I hereby certify that I reside on Federally-recognized Tribal lands.

Customer Application Information:

First Name: _____ Middle Name: _____ Last Name: _____
 Date of Birth: Month: ___ Day: ___ Year: _____ Last Four Digits of Social Security Number (or Tribal ID Number): _____
 If Qualifying for Lifeline by Income, number of Individuals in Household: _____
 Home Telephone Number (if available): _____

Residential Address (P.O. Box NOT sufficient)

Number: _____ Apt: _____ Street _____ City _____

State: _____ Zip Code: _____

Address is (choose one): Permanent Temporary

Billing Address (if different from Residential Address) (P.O. Box IS sufficient)

Number: _____ Apt: _____ Street _____ City _____

State: _____ Zip Code: _____

Multiple households sharing and address:

- I hereby certify that I reside at an address occupied by multiple households, including adults who do not contribute income to my household and/or share in my household's expenses, and I will complete a separate additional form.

Activation and usage requirement disclosures: This service is a prepaid service and you must personally activate it by calling [IVR call-in number]. To keep your account active, you must use your Lifeline service at least once during any 60 day period by completing an outbound call, purchasing additional minutes from Company, answering an in-bound call from someone other than Company, or by responding to a direct contact from Company confirming that you want to continue receiving Lifeline service from Company. If your service goes unused for 60 days, you will no longer be eligible for Lifeline benefits and your service will be suspended (allowing only 611 and 911 calls and calls to the Company's customer care center) subject to a 30 day cure period during which you may use the service (as described above) or contact the Company to confirm that you want to continue receiving Lifeline service from Company.

I hereby certify that I have read and understood the disclosures listed above regarding activation and usage requirements.

Authorizations:

I hereby authorize the Company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program. I also authorize the Company to release any records required for the administration of the Lifeline program (name, telephone number, address, date of birth, last 4 digits of SSN or Tribal ID, amount of support being sought, means of qualification for support, and dates of service initiation and termination), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.

Additional certifications: I hereby certify, under penalty of perjury, that (check each box):

- I meet the income-based or program-based eligibility criteria for receiving Lifeline service and have provided documentation of eligibility if required
- I will notify the Company within 30 days if for any reason I no longer satisfy the criteria for receiving Lifeline including, as relevant, if I no longer meet the income-based or program-based eligibility criteria, I begin receiving more than one Lifeline benefit, or another member of my household is receiving a Lifeline benefit. I understand that I may be subject to penalties if I fail to follow this requirement
- I am not listed as a dependent on another person's tax return (unless over the age of 60)
- The address listed below is my primary residence, not a second home or business
- If I move to a new address, I will provide that new address to the Company within 30 days
- If I provided a temporary residential address to the Company, I will verify my temporary residential address every 90 days
- I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law
- I acknowledge that I may be required to re-certify my continued eligibility for Lifeline at any time, and my failure to re-certify as to my continued eligibility within 30 days will result in de-enrollment and the termination of my Lifeline benefits
- The information contained in this certification form is true and correct to the best of my knowledge

Applicant's Signature: _____ **Date:** _____

For Agent Use Only (check the appropriate boxes for the proof of eligibility viewed and provide information requested; do not copy or retain documentation):					
<p>Documents Acceptable Proof for Income-Eligibility (check 1):</p> <ul style="list-style-type: none"> <input type="checkbox"/> The prior year's state, federal, or Tribal tax return, <input type="checkbox"/> Current income statement from an employer or paycheck stub, <input type="checkbox"/> A Social Security statement of benefits, <input type="checkbox"/> A Veterans Administration statement of benefits, <input type="checkbox"/> A retirement/pension statement of benefits, <input type="checkbox"/> An Unemployment/Workmen's Compensation statement of benefits, <input type="checkbox"/> Federal or Tribal notice letter of participation in General Assistance, or <input type="checkbox"/> A divorce decree, child support award, or other official document containing income information for at least three months time. 	<p>List B - Choose 1:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Program participation card/document <input type="checkbox"/> Prior year's statement of benefits <input type="checkbox"/> Notice letter of participation <input type="checkbox"/> Other official document evidencing participation _____ <p>Last 4 digits of Document from List B _____</p> <p>Date of Proof Document: ____/____/____</p> <p>Expiration Date of Proof Document: ____/____/____</p>				
Documents Acceptable Proof for Program-Eligibility (choose 1 from each list A and B below):					
<p>List A - Choose 1</p> <ul style="list-style-type: none"> <input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP) <input type="checkbox"/> Medicaid <input type="checkbox"/> Section 8 Federal Public Housing Assistance (FPHA) <input type="checkbox"/> Supplemental Security Income (SSI) <input type="checkbox"/> Temporary Assistance for Needy Families (TANF) <input type="checkbox"/> Low Income Home Energy Assistance Program (LIHEAP) <input type="checkbox"/> National School Lunch Program's free lunch program <input type="checkbox"/> Food Distribution Program on Indian Reservations (FDPIR) <input type="checkbox"/> Bureau of Indian Affairs General Assistance (BIA) <input type="checkbox"/> Tribally Administered TANF (TATNF) <input type="checkbox"/> Head Start (meeting income qualifying standards) 	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Applicant Account Number</th> <th style="width: 50%;">Rep/Agent Signature</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> </tr> </tbody> </table>	Applicant Account Number	Rep/Agent Signature		
Applicant Account Number	Rep/Agent Signature				



Blue Jay Wireless, LLC
[State] Wireless Lifeline Service Application and Certification

Mail or fax form completed and signed form to:
5010 Addison Circle Addison, TX 75001
Fax XXX-XXX-XXXX / Customer Service: X-XXX-XXX-XXXX

A complete and signed Lifeline Service Application and Certification ("Certification") is required to enroll you in Blue Jay Wireless, LLC's ("the Company's") Lifeline service program in your state. This Certification is only for the purpose of verifying your eligibility for Lifeline service and will not be used for any other purpose. Service requests will not be processed until this Form has been received and verified by Company.

One Lifeline service per household disclosures: Lifeline is a government assistance program and willfully making false statements to obtain a Lifeline benefit can result in fines, imprisonment, de-enrollment or being barred from the program. Lifeline benefits are limited to a single line of service per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both and you cannot receive Lifeline benefits from multiple providers. Note that not all Lifeline services are currently marketed under the name Lifeline. Lifeline is a non-transferable benefit and you may not transfer your benefit to any other person, including another eligible low-income consumer. Violation of the one-per-household limitation constitutes a violation of the Federal Communications Commission's rules and will result in your de-enrollment from the program, and potentially prosecution by the United States Government.

I hereby certify that I have read and understood the disclosures listed above and that, to the best of my knowledge, my household is not already receiving a Lifeline service benefit.

Customer eligibility certification: I hereby certify that I participate in at least one of the following programs (check one):

- Supplemental Nutrition Assistance Program (SNAP)
- Section 8 Federal Public Housing Assistance (FPHA)
- Medicaid (not Medicare)
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Low Income Home Energy Assistance Program (LIHEAP)
- National School Lunch Program's free lunch program

OR, I hereby certify that I qualify for Lifeline pursuant to income eligibility:

- Income at or below 135% of Federal Poverty Guidelines

Customer Application Information:

First Name: _____ Middle Name: _____ Last Name: _____

Date of Birth: Month: ___ Day: ___ Year: _____ Last Four Digits of Social Security Number: _____

If Qualifying for Lifeline by Income, number of Individuals in Household: _____

Home Telephone Number (if available): _____

Residential Address (P.O. Box NOT sufficient)

Number: _____ Apt: _____ Street _____ City _____

State: _____ Zip Code: _____

Address is (choose one): Permanent Temporary

Billing Address (if different from Residential Address) (P.O. Box IS sufficient)

Number: _____ Apt: _____ Street _____ City _____

State: _____ Zip Code: _____

Multiple households sharing and address:

- I hereby certify that I reside at an address occupied by multiple households, including adults who do not contribute income to my household and/or share in my household's expenses, and I will complete a separate additional form.

Activation and usage requirement disclosures: This service is a prepaid service and you must personally activate it by calling [IVR call-in number]. To keep your account active, you must use your Lifeline service at least once during any 60 day period by completing an outbound call, purchasing additional minutes from Company, answering an in-bound call from someone other than Company, or by responding to a direct contact from Company confirming that you want to continue receiving Lifeline service from Company. If your service goes unused for 60 days, you will no longer be eligible for Lifeline benefits and your service will be

suspended (allowing only 611 and 911 calls and calls to the Company's customer care center) subject to a 30 day cure period during which you may use the service (as described above) or contact the Company to confirm that you want to continue receiving Lifeline service from Company.

I hereby certify that I have read and understood the disclosures listed above regarding activation and usage requirements.

Authorizations:

I hereby authorize the Company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program. I also authorize the Company to release any records required for the administration of the Lifeline program (name, telephone number, address, date of birth, last 4 digits of SSN, amount of support being sought, means of qualification for support, and dates of service initiation and termination), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.

Additional certifications: I hereby certify, under penalty of perjury, that (check each box):

- I meet the income-based or program-based eligibility criteria for receiving Lifeline service and have provided documentation of eligibility if required
- I will notify the Company within 30 days if for any reason I no longer satisfy the criteria for receiving Lifeline including, as relevant, if I no longer meet the income-based or program-based eligibility criteria, I begin receiving more than one Lifeline benefit, or another member of my household is receiving a Lifeline benefit. I understand that I may be subject to penalties if I fail to follow this requirement
- I am not listed as a dependent on another person's tax return (unless over the age of 60)
- The address listed below is my primary residence, not a second home or business
- If I move to a new address, I will provide that new address to the Company within 30 days
- If I provided a temporary residential address to the Company, I will verify my temporary residential address every 90 days
- I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law
- I acknowledge that I may be required to re-certify my continued eligibility for Lifeline at any time, and my failure to re-certify as to my continued eligibility within 30 days will result in de-enrollment and the termination of my Lifeline benefits
- The information contained in this certification form is true and correct to the best of my knowledge

Applicant's Signature: _____ **Date:** _____

For Agent Use Only (check the appropriate boxes for the proof of eligibility viewed and provide information requested; do not copy or retain documentation):

Documents Acceptable Proof for Income-Eligibility (check 1):

- The prior year's state or federal tax return,
- Current income statement from an employer or paycheck stub,
- A Social Security statement of benefits,
- A Veterans Administration statement of benefits,
- A retirement/pension statement of benefits,
- An Unemployment/Workmen's Compensation statement of benefits,
- Federal notice letter of participation in General Assistance, or
- A divorce decree, child support award, or other official document containing income information for at least three months time.

Documents Acceptable Proof for Program-Eligibility (choose 1 from each list A and B below):

List A - Choose 1

- Supplemental Nutrition Assistance Program (SNAP)
- Medicaid
- Section 8 Federal Public Housing Assistance (FPHA)
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Low Income Home Energy Assistance Program (LIHEAP)
- National School Lunch Program's free lunch program

List B - Choose 1:

- Program participation card/document
- Prior year's statement of benefits
- Notice letter of participation
- Other official document evidencing participation _____

Last 4 digits of Document from List B _____

Date of Proof Document: ____/____/____

Expiration Date of Proof Document: ____/____/____

Applicant Account Number	Rep/Agent Signature

EXHIBIT B



Blue Jay Wireless, LLC Lifeline Service Application Income Eligibility Worksheet

Individuals in all states are able to enroll in the Lifeline program by demonstrating that their household's annual income is at or below 135% of the Federal Poverty Guidelines. This table should be used to determine whether a Lifeline applicant is eligible for Lifeline service based on the number of individuals in the applicant's household and the applicant's household annual income:

HOUSEHOLD SIZE	INCOME LEVEL
1	\$15,080
2	\$20,426
3	\$25,772
4	\$31,118
5	\$36,464
6	\$41,810
7	\$47,156
8	\$52,502
For each additional person	Add \$5,346

Applicants must list the number of individuals in the applicant's household on the Lifeline application form. Applicants seeking to qualify for Lifeline service based on their household income must present one of the following documents in order to prove eligibility:

- the prior year's state, federal, or Tribal tax return
- current income statement from an employer or paycheck stub
- a Social Security statement of benefits
- a Veterans Administration statement of benefits
- a retirement/pension statement of benefits
- an Unemployment/Workmen's Compensation statement of benefits
- Federal or Tribal notice letter of participation in General Assistance
- a divorce decree, child support award, or other official document containing income information for at least three months time

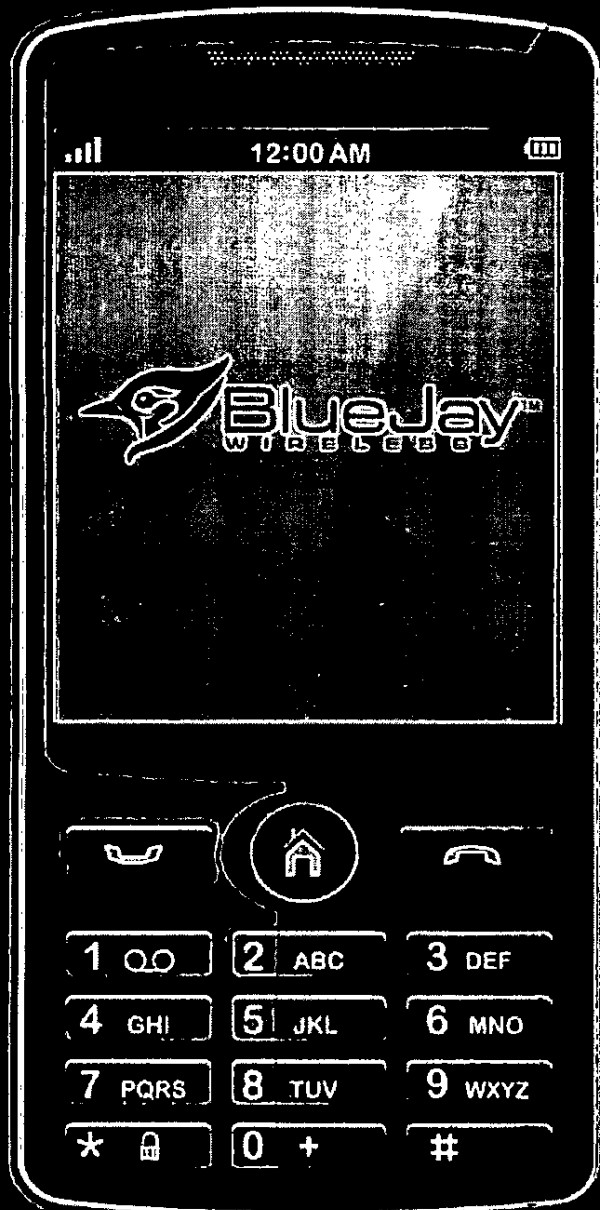
This is a Lifeline service provided by Blue Jay Wireless, LLC. Lifeline is a government assistance program. Only one Lifeline service is available per household. Households are not permitted to receive multiple Lifeline benefits whether they are from one or multiple companies, wireless or wireline. Proof of eligibility is required for enrollment and only eligible customers may enroll in Lifeline service. Consumers who willingly make false statements to obtain the benefit can be punished by fine or imprisonment or can be barred from the program. Lifeline is a non-transferable benefit. Lifeline customers may not transfer their benefits to any other person.

EXHIBIT C

250 FREE

Minutes Every Month!

500 & 1000 Minute Plans Also Available



**Must
qualify to
be eligible.**

- This is a Lifeline service provided by Blue Jay Wireless, LLC, which is an eligible telecommunications carrier.
- Lifeline is a government assistance program.
- Service is non-transferable.
- Only one Lifeline discount may be received per household.
- Only eligible consumers may enroll in the program.
- Consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.
- Customers must present proper documentation confirming eligibility for the Lifeline program through participation in Federal Public Housing Assistance, Food Stamps, Low-Income Home Energy Assistance Program (LIHEAP), Income below 135% of the Federal Poverty Guidelines, Medicaid, National School Lunch's Free Lunch Program, Supplemental Security Income (SSI), Temporary Assistance to Needy Families (TANF). Additional Program Based Eligibility criteria varies by state. Proof of eligibility includes an eligible program card or statement of benefits.

www.BlueJayWireless.com



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 12-2063

Release Date: December 26, 2012

WIRELINE COMPETITION BUREAU APPROVES THE COMPLIANCE PLANS OF AIRVOICE WIRELESS, AMERIMEX COMMUNICATIONS, BLUE JAY WIRELESS, MILLENNIUM 2000, NEXUS COMMUNICATIONS, PLATINUMTEL COMMUNICATIONS, SAGE TELECOM, TELRITE AND TELScape COMMUNICATIONS

WC Docket Nos. 09-197 and 11-42

The Wireline Competition Bureau (Bureau) approves the compliance plans of nine carriers: AirVoice Wireless, LLC (AirVoice); AmeriMex Communications Corp. (AmeriMex); Blue Jay Wireless, LLC (Blue Jay); Millennium 2000, Inc. (Millennium 2000); Nexus Communications, Inc. (Nexus); PlatinumTel Communications, LLC (PlatinumTel); Sage Telecom, Inc. (Sage); Telrite Corporation (Telrite); and Telscape Communications, Inc. d/b/a Telscape Wireless (Telscape). The compliance plans were filed pursuant to the *Lifeline Reform Order* as a condition of obtaining forbearance from the facilities requirement of the Communications Act of 1934, as amended (the Act), for the provision of Lifeline service.¹

The Act provides that in order to be designated as an eligible telecommunications carrier (ETC) for the purpose of universal service support, a carrier must “offer the services that are supported by Federal universal service support mechanisms . . . either using its own facilities or a combination of its own facilities and resale of another carrier’s services”² The Commission amended its rules to define voice telephony as the supported service and removed directory assistance and operator services, among other things, from the list of supported services.³ As a result of these amendments, many Lifeline-only ETCs that previously met the facilities requirement by providing operator services, directory assistance or other previously supported services no longer meet the facilities requirement of the Act.⁴ In the *Lifeline Reform Order*, the Commission found that a grant of blanket forbearance of the facilities requirement,

¹ See *Lifeline and Link Up Reform and Modernization et al*, WC Docket No.11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656, 6816-17, paras. 379-380 (2012) (*Lifeline Reform Order*). A list of the compliance plans approved through this Public Notice can be found in the Appendix to this Public Notice.

² 47 U.S.C. § 214(e)(1)(A).

³ See *Lifeline Reform Order*, 27 FCC Rcd at 6678, para. 47; see also 47 C.F.R. § 54.101(a).

⁴ See *Lifeline Reform Order*, 27 FCC Rcd at 6812, para. 366, App. A; *Connect America Fund et al*, WC Docket 10-90, Order on Reconsideration, 26 FCC Rcd 17633, 17634-35, para. 4 (2011) (*USF/ICC Transformation Order on Reconsideration*). Some ETCs have included language in their compliance plans indicating that they have facilities or plan to acquire facilities in the future. See, e.g., Blanket Forbearance Compliance Plan, WC Docket Nos. 09-197 and 11-42, Q Link Wireless, LLC’s Third Amended Compliance Plan at 4 n. 2 (filed July 30, 2012). To the extent ETCs seek to avail themselves of the conditional forbearance relief established in the *Lifeline Reform Order*, we presume they lack facilities to provide the supported service under sections 54.101 and 54.401 of the Commission’s rules. See 47 C.F.R. §§ 54.101 and 54.401. Such ETCs must comply with the compliance plan approved herein in each state or territory where they are designated as an ETC, regardless of their claim of facilities for other purposes, such as eligibility for state universal service funding.

subject to certain public safety and compliance obligations, is appropriate for carriers seeking to provide Lifeline-only service.⁵ Therefore, in the *Lifeline Reform Order*, the Commission conditionally granted forbearance from the Act's facilities requirement to all telecommunications carriers seeking Lifeline-only ETC designation, subject to the following conditions: (1) compliance with certain 911 and enhanced 911 public safety requirements; and (2) Bureau approval of a compliance plan providing specific information regarding the carrier and its service offerings and outlining the measures the carrier will take to implement the obligations contained in the *Order*.⁶

The Bureau has reviewed the nine plans listed in the Appendix for compliance with the conditions of the *Lifeline Reform Order* and now approves those nine compliance plans.⁷

Filings, including the Compliance Plans identified in the Appendix, and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 448-5563, or via email www.bcpweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-7400 or TTY (202) 418-0484.

For further information, please contact Michelle Schaefer, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484.

- FCC -

⁵ See *Lifeline Reform Order*, 27 FCC Rcd at 6813-6817, paras. 368-381.

⁶ See *id.*, 27 FCC Rcd at 6814, 6819, paras. 373, 389. Subsequently, the Bureau provided guidance for carriers submitting compliance plans pursuant to the *Lifeline Reform Order*. *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197 and 11-42, Public Notice, 27 FCC Rcd 2186 (Wireline Comp. Bur. 2012).

⁷ The Commission has not acted on any pending ETC petitions filed by these carriers, and this Public Notice only approves the compliance plans of the carriers listed above. While these compliance plans contain information on each carrier's Lifeline offering, we leave it to the designating authority to determine whether or not the carrier's Lifeline offerings are sufficient to serve consumers. See *Lifeline Reform Order*, 27 FCC Rcd at 6679-80, 6818-19, paras. 50, 387.

APPENDIX

Petitioner	Compliance Plans As Captioned by Petitioner	Date of Filing	Docket Numbers
AirVoice Wireless, LLC	AirVoice Wireless, LLC's Amended Compliance Plan	December 7, 2012	09-197; 11-42
AmeriMex Communications Corp.	AmeriMex Communications Corp. Revised Compliance Plan	December 6, 2012	09-197; 11-42
Blue Jay Wireless, LLC	Blue Jay Wireless, LLC Compliance Plan	November 30, 2012	09-197; 11-42
Millennium 2000 Inc.	Amended Compliance Plan of Millennium 2000 Inc.	December 18, 2012	09-197; 11-42
Nexus Communications, Inc.	Third Amended Compliance Plan of Nexus Communications, Inc.	December 4, 2012	09-197; 11-42
PlatinumTel Communications, LLC	PlatinumTel Communications LLC's Revised Compliance Plan	December 19, 2012	09-197; 11-42
Sage Telecom, Inc.	Revised Compliance Plan of Sage Telecom, Inc.	December 19, 2012	09-197; 11-42
Telrite Corporation	Telrite Corporation Compliance Plan	November 29, 2012	09-197; 11-42
Telscape Communications Inc. d/b/a Telscape Wireless	Revised Compliance Plan of Telscape Communications, Inc.	December 19, 2012	09-197; 11-42



PUBLIC NOTICE

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Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
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Released: January 2, 2013

ERRATUM

**WIRELINE COMPETITION BUREAU APPROVES THE COMPLIANCE PLANS OF
AIRVOICE WIRELESS, AMERIMEX COMMUNICATIONS, BLUE JAY WIRELESS,
MILLENNIUM 2000, NEXUS COMMUNICATIONS, PLATINUMTEL COMMUNICATIONS,
SAGE TELECOM, TELRITE AND TELScape COMMUNICATIONS**

WC Docket Nos. 09-197 and 11-42

On December 26, 2012, the Wireline Competition Bureau released a *Public Notice*, DA 12-2063, in the above-captioned proceedings. This Erratum amends the Appendix of the *Public Notice* by correcting the filing dates listed for petitioners Blue Jay Wireless, LLC and Telrite Corporation to read as December 19, 2012 and filing date for petitioner Nexus Communications Inc. to read as December 6, 2012.

- FCC -

Exhibit D

Sample Advertisement

Help Us Help Others Help You



Apply for a free phone today!

What do I do to apply?

Visit www.bluejaywireless.com!

Simply click on the “find a rep near you” button, enter your zip code and click search!

How do I qualify?

Be enrolled in one of many qualifying programs!

Whether it’s Medicaid, SNAP, or something else, you will need to provide your proof of eligibility when you apply. Check out bluejaywireless.com/our-plans for a full list of qualifying programs.

What do I receive?

If you qualify you'll receive a free phone plus

500 MB of Data, 250 anytime minutes & unlimited texts every month!

Visit bluejaywireless.com/our-plans for a full list of the plans and top-ups we offer.

This is a Lifeline service provided by Blue Jay Wireless, LLC, which is an eligible telecommunications carrier. (1) Lifeline is a government assistance program. (2) Service is non-transferable. (3) Only one Lifeline discount (wireless or wireline) may be received per household. (4) Only eligible consumers may enroll in the program. (5) Consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program. (6) Customers must present proper documentation confirming eligibility for the Lifeline program through participation in Medicaid, Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI), Federal Public Housing Assistance, Veterans and Survivors Pension Benefit, Bureau of Indian Affairs general assistance, Tribally administered Temporary Assistance for Needy Families (Tribal TANF), Head Start (only those households meeting its income qualifying standard), or the Food Distribution Program on Indian Reservations, or by demonstrating income at or below 135% of the Federal Poverty Guidelines. Proof of eligibility includes an eligible program card or statement of benefits.



Exhibit E

Key Personnel Resumes

DAVID A. WAREIKIS

Public Redacted Version

4240 International Parkway, Suite 140
Carrollton, TX 75007
(972) 788-8861 (office)
david@bluejaywireless.com

SUMMARY Mr. Wareikis has over 15 years of experience building, running and advising telecom companies and is an advocate for low-income consumer wireless and broadband needs. David began his career with Banc of America Securities, media and telecom investment banking group. Over the years, David has developed a strong expertise in helping low-income consumers get connected through the USAC Lifeline program. Mr. Wareikis is founder and CEO of Blue Jay Wireless and has served as adviser to such prominent companies as Belo Corp., Cablevision, Charter Communications, Comcast, Conterra Ultra Broadband, Rainbow Media Group, Radio One and Time Warner Entertainment, among others. Mr. Wareikis is a member of the Board of Directors at The Samaritan Inn, a non-profit organization based in McKinney, Texas which is the largest homeless shelter program in Collin County. Mr. Wareikis earned a Bachelor of Arts in Economics degree from the University of Pennsylvania.

EXPERIENCE BLUE JAY WIRELESS, LLC Carrollton, TX
04/12 - current *Founder, Chief Executive Officer and President*

- Blue Jay Wireless offers subsidized wireless service for over 150,000 low-income subscribers nationally through the Lifeline low-income assistance program.

EXPERIENCE ASSIST WIRELESS, LLC Fort Worth, TX
10/10 - 04/12 *Co-Founder, Chief Financial Officer and Consultant*

- Implemented numerous improvements in company software, billing, and order entry systems including facilitating inventory tracking functionality.
- Managed daily budgeting for company and performed financial forecasts.
- Facilitated provisioning with carriers and activation of over 100,000 lines on Sprint and Verizon networks.
- Assisted in the preparation, review and negotiation of agreements with key vendors.
- Directed numerous enhancements and customization of BeQuick Software systems.
- Assisted in the development, training and mentoring of the company's Chief Operating Officer, Cost Accountant and other staff and employees.
- Drafted executive summary memorandums and management presentations.

EXPERIENCE TIMELESS CAPITAL, LLC Dallas, TX
05/08 - 09/10 *Managing Director and Consultant*

- Served as senior advisor to telecommunications companies including wireline telecommunications businesses serving the Lifeline industry.
- Performed C-level financial and operational support for telecommunications business.
- Analyzed potential telecommunications acquisition opportunities.

BLUFFVIEW SECURITIES, LP & BLUFFVIEW CAPITAL, LP Dallas, TX
03/08 - 01/10 *Managing Director, Corporate and Investment Banking, Media and Telecommunications*
01/05 - 02/08 *Vice President, Corporate and Investment Banking, Media and Telecommunications*
07/03 - 12/04 *Senior Associate, Corporate and Investment Banking, Media and Telecommunications*

- Originated and executed several private debt and equity capital raises and mergers and acquisition transactions in the telecommunications industry.
- Created customized client and investor management database for firm.
- Worked closely with a wide variety of investor groups including private equity funds, hedge funds, family offices and various high net worth and accredited investors.

DAVID A. WAREIKIS

4240 International Parkway, Suite 140
Carrollton, TX 75007
(972) 788-8861 (office)
david@bluejaywireless.com

BARRIER ADVISORS, INC

Dallas, TX

02/03 - 06/03 *Consultant, Restructuring and C-Level Operational Advisory Group*

- Performed analysis for key stakeholders to evaluate and implement options for troubled, distressed and under-performing companies.
- Analyzed liquidity and financing performance relative to 13-week cash flow forecasts.
- Evaluated the feasibility of distressed company business plans and prepared operating recommendations.

BANC OF AMERICA SECURITIES LLC

Dallas, TX & New York City, NY

07/01 - 09/02 *Associate, Corporate and Investment Banking, Media and Telecommunications*

- Developed and maintained advanced financial models for pro forma analysis; merger consequences analysis; LBO analysis; accretion/dilution analysis; and comparable company, precedent transaction and valuation analysis.
- Prepared offering memorandums, organizational meeting and due diligence materials, roadshow and sales force presentations, and internal committee approval memos.
- Served as lead associate on execution of several media and telecommunications book managed capital markets transactions.
- Completed a six-month rotation through New York City office.
- Participated in a four-week training program in New York City.

07/98 - 06/01 *Analyst, Corporate and Investment Banking, Media and Telecommunications*

- Supported deal team origination and execution of capital markets and M&A transactions.
 - Drafted offering memorandums, internal committee approval memos, due diligence materials, client overviews and descriptive memoranda.
 - Conducted extensive research covering media and telecommunications industry trends.
 - Developed and maintained comparable company and precedent transaction models.
 - Performed extensive financial modeling and capital structure analysis.
 - Participated in a six-week training program.
-

EDUCATION UNIVERSITY OF PENNSYLVANIA

Philadelphia, PA

Bachelor of Arts in Economics, 05/98
Crew Team, Heavyweight Rowing

OTHER

Member of **Lifeline Connects Coalition** created to improve policy for low-income consumers needs to connect to friends, family and employers

Attributes Ten years of executive financial leadership, healthcare transaction advisory, and public accounting experience
Created finance, accounting and human resources departments, developing processes and specific business solutions
Strong cognitive reasoning, analytical and research abilities; passionate about developing and implementing ideas

Work

Experience

Chief Financial Officer, Blue Jay Wireless LLC 2014 – present, Carrollton, TX

- Grew company from 30 to 400 employees in less than 12 months
- Hired as VP of Finance; promoted to VP of Finance and Accounting within four months; promoted to interim CFO within seven months; promoted to CFO within ten months
- Developed initiatives reducing expenses (both SG&A and COS) by over 25% with no loss in productivity
- Created and implemented strategy to convert from cash-basis to US GAAP accrual basis within first four weeks
- Hired and managed financial department of 15 employees, including creating an HR department, bringing payroll in-house, and creating inventory management process
- Increased monthly revenue from approximately \$1.5 million to nearly \$3.0 million

Manager, Financial Due Diligence – Healthcare advisory practice, KPMG LLP 2006 – 2014, Dallas, TX

- Consistently rated at highest level among peers, only awarded to top 10-20% of class
- Recognized by all supervising directors and partners as significantly above average for project delivery, communication and management skills including client relationship building
- Active in firm “extracurriculars” including serving on national rotation to assist in development of audit training materials, and core recruiting teams for Texas A&M
- **Advisory practice, 2010 – 2014**
 - Concentration on healthcare financial due diligence (FDD), including developing valuation models, pro forma cash flow estimates and integration efforts
 - Focus on both small transactions and multi-billion dollar transactions, including:
 - Strategic investors: Tenet Healthcare Corporation; LHP Hospital Group, Inc.; Baylor Health Care System; LifePoint Hospitals; ProPT.
 - Private equity investors: Apax Partners LLP; Great Point Partners LLP; Riverside Company; Irving Place Capital; Freeman Spogli and Co.; Diamond Castle; Bain and Company; HIG Capital
 - Responsible for performing detailed financial and accounting analysis of potential private equity and strategic investments, including hospitals, hospices, home health, dental, workers compensation, physical therapy, medical eCommerce, teleradiology, and call center management
 - Served as lead integrator between the US healthcare FDD and our team in India, acting as a liaison for employees on rotation to the United States
 - Operated as project manager for multiple projects, ranging from private equity “phase one” to strategic full diligence
- **Audit practice, 2006 – 2010**
 - Clients included: Samsung Telecommunications America, A. H. Belo, AMX, Airborn and Fujitsu Transaction Solutions, Nortel, EDS, Securus, Voyager Expanded Learning and PFS Web
 - Developed unique studies of technical audit areas including revenue recognition, intercompany transactions and software development recognition
 - Selected for rotation in Montvale, NJ “think tank” to train current and future employees

Education

Texas A&M University – Masters of Science in Finance, 4.0 GPA; Bachelors of Business Administration in Accounting, 4.0 GPA. Graduated first in graduating class of 4,220. Summa cum laude and business honors. Designed and founded a fully credentialed class for freshmen.

GMAT: 760 overall, 6.0 AWA (99th percentile)

Other

Activities

March of Dimes, *Walk for Babies Volunteer & Member of KPMG Dallas Steering Committee*
Knights of Columbus, *Chapter 799 1st degree member*
AICPA, *Member*
TSCPA, *Member*

Angela Husney

❖ PROFILE

Results-oriented Operations expert with over 20 years of call center, contact center management and extensive quality / project management experience in a position which directly supports a company's strategic initiatives while providing career growth. Dedicated and self-motivated with the ability to effectively manage vendors, employees and projects.

❖ STRENGTHS

- Perform research, analysis, design and implementation of business systems to meet current and future user requirements.
- Detailed experience in setting up functional business groups including billing integrity, asset management and financial reporting.
- Extensive experience in process definition, process mapping and business requirements development.
- Execution of standard control plans and process ownership to preserve process integrity.
- Manage vendor relationships from initial contract review through implementation and on-going compliance monitoring.
- Employee development and front line coaching with a focus on results.

❖ COMPUTER SKILLS

- Microsoft Office
 - Word
 - Excel
 - PowerPoint
 - Visio
 - Outlook
- Internet Applications
- Experience with multiple proprietary billing systems

❖ HIGHLIGHTS OF ACCOMPLISHMENTS

- Established multiple strong call center operations from initial staffing, process design, system implementation, training, motivation and continual evaluation and improvement at both strategic and tactical levels.
- Successful integration of BeQuick billing platform with major wireless providers including T-Mobile and Sprint.
- Envisioning future business risks, identifying areas of improvement, formulating business solutions, and developing processes that forge high efficiency and service excellence while establishing a management philosophy that promotes involvement and participation of all organizational levels.
- In-depth exposure to high-tech business strategies, product support and customer service solutions; recognized as a Product Champion, Process Advocate and Change Agent.
- Driving force in the success of multiple startup CLECs.
- Owner/Operator of a UPS Store franchise for 5 years.
- Project Management Certification.

❖ PROFESSIONAL EXPERIENCE

Blue Jay Wireless 2013 to Present
A leading prepaid wireless company based in Dallas Texas.

Vice President of Operations

- Maximize functionality of the OSS system.
- Manage 3rd party vendor BeQuick Software.
- Manage all aspects of billing, order management, customer relationship management, and call center automation.
- Maximize growth and profitability while leading and managing all company operations functions.
- Implementation of short- and long-term programs and processes to optimize work flow.
- Collaborate with other company departments and segments of management to establish and execute responsibilities.

PROFESSIONAL EXPERIENCE (con't)

BeQuick Software, Inc

2006 to 2013

Software company providing hosted BSS/OSS platform

Project Manager

- System analysis, deployment and training of BeQuick Software and Fusion OSS system
- Facilitate & document business process review sessions with internal and external clients
- Perform process/requirements gap analysis against critical requirements
- Lead functional design teams & user acceptance testing
- Complete application configuration / customization
- Facilitate user feedback / UAT sessions
- Managed implementation of Sprint and T-Mobile integrations
- Integration with multiple third party vendors to include payment gateways, print vendors and carriers

Liberty Bell Telecommunications, LLC

2003 to 2006

Startup competitive local phone company (CLEC) providing service in the Colorado Market

Director of Operations

- Grew revenue from \$0 to \$4.3 million per year within 3 years
- Initial development of operational structure, staffing and management including sales, IT, customer care, provisioning, billing and maintenance/repair departments
- Strategic development of billing system including implementation and migration of billing system which increased revenue and cost savings
- Managed initial implementation and on-going relationships of various vendors including billing, printing, multiple service providers, banking institutions, accounting and IT

Arrival Communications

2000 to 2002

*Facility based competitive local phone company (CLEC) providing service in the state of California
Denver office closed 2002.*

Director of Order Management

- Developed and implemented order management system for DSL and other telecom products.
- Created Tier 1 and Tier 2 DSL support teams. Developed organizational structure and training documentation and courses.
- Developed support mechanisms for various products including ISP (DNS, Website, dial-up) and Telecom (voice and data).

Qwest Communications, Inc

1998 to 2000

A provider of telecommunications products and services nationwide.

Manager of Provisioning, Consumer Markets

MCI Telecommunications, Inc

1994 to 1998

Nationwide provider of voice and data services.

Multi-location Manager

Continental Airlines

1986 to 1994

Airline Company

Flight Attendant

References available upon request

Lauren Moxley

E-mail: lmoxley@bluejaywireless.com

Phone: (202) 319-0954

SUMMARY:

Lauren has an extensive background and understanding of FCC compliance rules, regulations and new policy reforms stemming from over four years of telecommunications experience. Prior to joining Blue Jay Wireless, Lauren worked for a nonprofit organization where she drafted and reviewed Lifeline policy recommendations before moving onto the Universal Service Administrative Company (USAC) where she worked directly with Lifeline providers to uphold compliance requirements. Lauren has utilized her unique perspective gained from her varying roles relating to Lifeline to successfully oversee the compliance department at Blue Jay and ensure that Blue Jay's internal operations meet and often exceed Lifeline program state and federal requirements.

EXPERIENCE:

Blue Jay Wireless, LLC, Dallas, Texas

Vice President, Regulatory and Public Relations (September 2014-Present)

- Provide compliance oversight, including oversight of internal auditing team
- Create and amend internal policies and procedures to ensure strict compliance with state and federal rules
- Liaise between Blue Jay Wireless and the Federal Communications Commission (FCC), Universal Service Administrative Company (USAC), the Lifeline Reform 2.0 Coalition, and other interested parties
- Provide direction to internal staff regarding state and federal Lifeline rules and requirements
- Oversee initial and annual certifications to ensure compliance standards are met
- Oversee compliance onboarding of all Regional Sales Managers
- Create and review compliance training materials and Lifeline-related forms and documents
- Review all Lifeline marketing materials to ensure state and federal requirements are met

Regulatory and Public Relations Manager (May 2014-September 2014)

- Provided Lifeline regulatory and compliance oversight
 - Included conducting a "mock" audit of Blue Jay's internal policies and procedures to identify opportunities to enhance compliance and regulatory transparency
- Liaised between Blue Jay Wireless and the Federal Communications Commission (FCC), Universal Service Administrative Company (USAC), the Lifeline Reform 2.0 Coalition, and other interested parties to strengthen regulatory compliance and provision Lifeline program growth and reform support
- Provided program expertise to staff regarding federal and state program rules
- Ensured enrollment and de-enrollment procedures are in compliance with the National Lifeline Accountability Database (NLAD) standards, as established by the Commission and USAC
- Created and reviewed internal policy and procedures documents
- Monitored Lifeline-related federal and state activity as it applies to Blue Jay operations

Universal Service Administrative Company, Washington D.C.

Program Manager, Lifeline (April 2013-May 2014)

- Liaised between USAC and over 2,000 telecommunications companies and consulting firms for conducting and completing annual recertification requirements and reporting, as required by the FCC
 - Required meeting strict deadlines, conducting training to enhance federal requirement awareness and accuracy, receiving, reviewing, analyzing and reporting on 100 percent of data submitted by telecommunications carriers
- Lead the 2013 and 2014 Recertification Election Process where approximately 150 carriers, representing nearly 400,000 subscribers, had elected USAC to conduct the annual recertification on their behalf
- Supported the Internal Audit Team by providing management responses to audit findings and overseeing the collection of recoveries
 - In 2013, this included 25 audits totaling over \$1.6 million in Lifeline program support.

- Collaborated with USAC's internal IT team to design, generate and test reports and internal/external online systems used by over 2,000 telephone companies, 17 million Lifeline program subscribers, and other stakeholders
- Conducted outreach to maintain program integrity and awareness: created web materials, drafted news items and program notices, and conducted webinar presentations and conference calls with telecommunications providers

Assistant Program Manager, Lifeline (September 2011-April 2013)

- Generated quarterly and annual reports for the Federal Communication Commissions
- Created and maintained website content for the Lifeline department at lifelinesupport.org/li/
- Responded to Lifeline Program inquiries and complaints from consumers, telecommunication carriers, and various state agencies
- Reviewed 100 percent of all incoming carrier's state and federal designation orders and requests for federal Lifeline program support
- Created outreach materials for consumers and telecommunication carriers

One Economy Corporation, Washington D.C. (January 2011 – August 2011)

- Monitored and commented on FCC hearings and notices as well as pertinent policy initiatives and legislation
- Conducted research on diverse areas such as federal telecommunications legislation, education, and state housing policies
- Assisted the Vice President of Policy and Strategy in drafting policy recommendations

EDUCATION:

University of California, Los Angeles, CA

B.A. Political Science (Cum Laude), International Relations concentration

PROFESSIONAL SKILLS:

Proficient in Excel, Word, PowerPoint, SharePoint, Access, Outlook, Quickbooks, Datadesk

Danielle Perry
dperry@bluejaywireless.com

Qualifications

Skilled at developing productive relationships, discovering clients' needs, implementing effective solutions, and working with cross-functional teams to ensure all clients are served appropriately.

Proven ability to lead teams and manage projects to achieve targeted goals by demonstrating creative problem solving skills and applying a hands-on approach.

Experienced in creating and implementing processes and procedures that result in increased corporate revenue as well as extremely satisfied customers.

I am a motivated leader with a work ethic second to none, who excels in challenging environments.

Professional Experience

10/14 – Present Blue Jay Wireless, LLC. – A socially conscious technology distributor

Chief Information Officer

- Manage and implement technology road map
- Creation of new systems and processes to allow additional growth opportunities
- Enhancement of current systems to make certain the full potential is achieved
- Ensure most current technologies are being leveraged for success

Vice President of Operations

- Manage Carrier and BSS/OSS relationships
- Provide management support for two off shore call centers
- Create processes and procedures to improve internal operational efficiencies
- Collaborate with department leaders to proactively identify and solve challenges

02/10 – 4/14 BeQuick Software, Inc. – Software company providing hosted BSS/OSS

Manager of Communication and Compliance

- Monitor Federal and State regulations and manage the change process to ensure software compliance.
- Build relationships with partner vendors to increase revenue and provide integration options to clients.

- Manage communication and lead a team of technical writers who document the Company's systems, processes and procedures.
- Provide project management for new vendor integration and all compliance projects.

08/2006 – 02/2010 Zadak, Inc. – Privately held cemetery management

Business Manager

- Created processes to meet state compliance regulations.
- Ensured records were accurate to pass state inspections.
- Developed partner relationships to increase revenues.
- Contributed to an effort that resulted in breaking all time revenue records.

10/1997 – 10/2005 Xspedius Communications – Competitive Local Exchange Provider

Director of Agent and Carrier Support

- Responsible for leading teams that provided service implementation as well as post installation customer support for Agent and Carrier customers.
- Designed and managed the launch of an online ordering system for Agents.
- Managed contracts and tariffs to ensure compliance with all terms.
- Served as a top-level escalation point for customer issues.
-

Branch Sales Manager

- Improved revenue growth and customer retention in one of the company's largest markets.
- Provided hands on leadership that created an environment of success.
- Consistently met new monthly billed revenue goals.
- Responsible for ensuring special pricing would result in a profit to the company.

Regional Field Support Director

- Managed the customer implementation process as well as the post installation experience for enterprise level customers.
- Responsible for managing a department budget.
- Recruited, hired and trained all team members.
- Built lasting relationships with large end customers resulting in increased monthly revenue for the company.

Regional CMS Manager

- Created and implemented processes and procedures, such as first bill reviews and quarterly account reviews.
- Developed a training program for Customer Management Specialists.

- Developed relationships both with internal departments as well as outside vendors that resulted in my success of escalating customer issues.

Customer Management Specialist

- Selected for a new key position in the company designed to ensure customer satisfaction.
- Managed customer churn rate to consistently exceed the company goal.
- Identified and assisted with correcting a major flaw with a new billing platform that was preventing a large percentage of customers from being billed.

Exhibit F

Financial Statements

(CONTENTS CONFIDENTIAL PURSUANT TO WAC 480-07-160)

Public redacted version per WAC 480-07-160

Public redacted version per WAC 480-07-160

Exhibit G

Exchange list

Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List

INCUMBENT LOCAL EXCHANGE CARRIER	EXCHANGE
ASOTIN TELEPHONE CO.	ASOTIN
CENTURYTEL OF COWICHE, INC. DBA CENTURYLINK	COWICHE
	RIMROCK
	TIETON
CENTURYTEL OF WASHINGTON, INC. DBA CENTURYLINK	ALMIRA
	AMES LAKE
	ASHFORD
	CARNATION
	CHENEY
	CHEWELAH
	CONNELL
	COULEE CITY
	CRESTON
	CURTIS
	DAVENPORT
	EDWALL-TYLER
	ELMA
	EUREKA
	FALL CITY
	FORKS
	GIG HARBOR
	HARRINGTON
	HUMPTULIPS
	KETTLE FALLS
	KINGSTON
	LAKE QUINAULT
	LIND
	LONG BEACH
	MATHEWS CORNER
	MCCLEARY
	MEDICAL LAKE
	MONTESANO
	MORTON
	NESPELEM
	NORTH BEND
	OCOSTA
	ODESSA
	ORTING
	OTHELLO

**Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List**

	PACIFIC BEACH
	PACKWOOD
	PE ELL
	PUGET ISLAND
	RANDLE
	REARDAN
	RITZVILLE-BENGE
	SAN JUAN
	SNOQUALMIE PASS
	SOUTH BEND
	SOUTH PRAIRIE
	SPANGLE
	SPRAGUE
	STARBUCK
	TWISP
	VADER
	VASHON
	WASHTUCNA
	WILBUR
	WILSON CREEK
	YACOLT
ELLENSBURG TELEPHONE CO.	
	ELLENSBURG
	LAUDERDALE
	SELAH
	THORP
	VANTAGE
FRONTIER COMMUNICATIONS NORTHWEST, INC. - ID	
	GARRISON
FRONTIER COMMUNICATIONS NORTHWEST INC. - WA	
	ACME-DEMING-WHATCOMCTY
	ALGER
	ANACORTES
	ARLINGTON
	BENTON CITY
	BIG LAKE
	BLAINE
	BOTHELL
	BREWSTER
	BRIDGEPORT
	BURLINGTON
	CAMAS-WASHOUGAL
	CASHMERE

Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List

	CHELAN
	CONCRETE
	CONWAY
	COUPEVILLE
	CURLEW
	CUSTER
	DEMING
	EDISON
	ENTIAT
	EVERETT
	EVERSON
	FAIRFIELD
	FARMINGTON
	FERNDALE
	GARFIELD
	GEORGE
	GRANITE FALLS
	GRAYLAND
	GRAYS HARBOR COUNTY
	HALLS LAKE
	KENNEWICK
	KIRKLAND
	LA CONNER
	LATAH
	LAUREL
	LEAVENWORTH
	LOOMIS
	LYMAN-HAMILTON
	LYNDEN
	MANSFIELD
	MAPLE FALLS
	MARBLEMOUNT
	MARYSVILLE
	MOLSON
	MONROE
	MT VERNON
	NACHES
	NEWPORT
	NILE
	OAK HARBOR
	OAKESDALE
	PALOUSE
	PULLMAN

**Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List**

	QUINCY
	REPUBLIC
	RICHLAND
	RICHMOND BEACH
	ROCKFORD
	ROSALIA
	SILVER LAKE
	SKYKOMISH
	SNOHOMISH
	SOAP LAKE
	STANWOOD
	STEVENS PASS
	SULTAN
	SUMAS
	TEKOA
	TONASKET
	WATERVILLE
	WENATCHEE
	WESTPORT
	WOODLAND
HAT ISLAND TELEPHONE CO.	
	HAT ISLAND
HOOD CANAL TELEPHONE CO.	
	UNION
INLAND TELEPHONE CO.	
	ROSLYN
KALAMA TELEPHONE COMPANY	
	KALAMA
LEWIS RIVER TELEPHONE COMPANY, INC.	
	LA CENTER
MCDANIEL TELEPHONE CO.	
	MOSSYROCK
	SALKUM
MASHELL TELECOM, INC.	
	EATONVILLE
QWEST CORPORATION	
	ABERDEEN- HOQUIAM
	AUBURN
	BAINBRIDGE ISLAND
	BATTLE GROUND
	BELFAIR
	BELLEVUE
	BELLINGHAM

Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List

	BLACK DIAMOND
	BREMERTON
	BUCKLEY
	CASTLE ROCK
	CENTRALIA
	CHEHALIS
	CLARKSTON
	CLE ELUM
	COLFAX
	COLVILLE
	COPALIS
	COULEE DAM
	CRYSTAL MOUNT
	DAYTON
	DEER PARK
	DES MOINES
	ELK
	ENUMCLAW
	EPHRATA
	GRAHAM
	HOODSPORT
	ISSAQUAH
	KENT
	LIBERTY LAKE
	LONGVIEW- KELSKO
	LOON LAKE
	MAPLE VALLEY
	MOSES LAKE
	NEWMAN LAKE
	NORTHPORT
	OLYMPIA
	OMAK
	OROVILLE
	OTHELLO
	PASCO
	PATEROS
	POMEROY
	PORT ANGELES
	PORT LUDLOW
	PORT ORCHARD
	PORT ROBERTS
	PORT TOWNSEND
	PUYALLUP

**Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List**

	RENTON
	RIDGEFIELD
	ROCHESTER
	ROY
	SEATTLE
	SHELTON
	SILVERDALE
	SPOKANE
	SPRINGDALE
	SUMNER
	TACOMA
	TACOMA WAVERLY
	TOUCHET
	VANCOUVER
	WAITSBURG
	WALLAWALLA
	WARDEN
	WINLOCK
	YAKIMA
ST JOHN TELEPHONE CO.	
	ST JOHN
TENINO TELEPHONE CO.	
	BUCODA
	TENINO
TOLEDO TELEPHONE CO., INC.	
	TOLEDO
UNITED TELEPHONE-NORTHWEST-WA DBA CENTURYLINK-WA	
	CHIMACUM- CENTER
	COLUMBIA
	DALLESPORT
	GLENWOOD
	GOLDENDALE
	GRANDVIEW
	GRANGER
	HARRAH
	KLICKITAT
	LYLE
	MABTON-BICKLETON
	MATTAWA
	PATERSON
	POULSBO
	PROSSER
	ROOSEVELT

Blue Jay Wireless, LLC
Proposed Washington Service Area
Exchange List

	STEVENSON
	SUNNYSIDE
	TOPPENISH-ZILLAH
	TROUT LAKE
	WAPATO
	WHITE SALMON
	WHITE SWAN
	WHITSTRAN
	WILLARD
WHIDBEY TELEPHONE CO.	
	SOUTH WHIDBEY
YCOM NETWORKS, INC.	
	YELM
	RAINIER