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January 28, 2014

Via Federal Express

Ms. Barcy McNeal, Secretary of the Commission
Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street
Columbus, Ohio 43215-3793

Re: Case No. 13-1527-TP-UNC
Tempo Telecom, LLC Application for Designation as a Low-Income Competitive
Eligible Telecommunications Carrier

Dear Ms. McNeal:

Tempo Telecom, LLC ("Tempo"), by its attorneys, hereby respectfully submits an original and four (4) copies of a supplement to its Application for Designation as a Low-Income Competitive Eligible Telecommunications Carrier ("Supplement"). As the information contained in **Exhibit 2** to this Supplement is **CONFIDENTIAL** information, also enclosed is a Motion for Protective Order and Memorandum in Support. Three (3) copies of the **CONFIDENTIAL** information are enclosed separately, under seal.

Please date stamp the extra copy of this Supplement and return it in the enclosed, postage-paid envelope. Please contact me if you have any questions about this submission.

Sincerely,



Angela F. Collins
Counsel for Tempo Telecom, LLC

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Before the
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of)
)
TEMPO TELECOM, LLC)
)
Application for Designation as a Low-Income)
Competitive Eligible Telecommunications Carrier)
_____)

Case No. 13-1527-TP-UNC

TEMPO TELECOM, LLC SUPPLEMENT TO APPLICATION

Tempo Telecom, LLC ("Tempo") hereby respectfully submits the following supplement ("Supplement") to its Application filed in the above-referenced docket on June 27, 2013. This Supplement addresses questions and requests for additional information posed by staff of the Public Utilities Commission of Ohio ("Commission"). Tempo hereby supplements its Application to include the following:

1. For wireless Lifeline service, Tempo will calculate the monthly 9-1-1 surcharge payable to the State of Ohio for its Lifeline customers based on the Ohio Lifeline line count that was active during the month at issue. Tempo will determine whether a Lifeline customer was "active" based on the definition of "usage" in the rules and regulations of the Federal Communications Commission ("FCC"). Tempo's non-Lifeline wireless service is prepaid, and Tempo will bill the monthly 9-1-1 surcharge payable to the State of Ohio at the time the customer is billed for its monthly service. 9-1-1 fees from both Lifeline and non-Lifeline customers will be remitted to the State of Ohio as part of Tempo's regular monthly tax compliance.

2. Tempo will base its telecommunications relay service ("TRS") reporting on the number of Lifeline lines considered active as of December 31 of the prior year. Tempo will determine whether a Lifeline customer was "active" based on the definition of "usage" in the

FCC's rules. For non-Lifeline customers, Tempo will base its TRS reporting on the number of lines in service as of December 31 of the prior year.

3. Attached as **Exhibit 1** to this Supplement is a map of the digital service network service area of Sprint PCS that Tempo intends to utilize to provide its Lifeline service.

4. At this time, Tempo does not intend to contract for resale services from any carriers other than Sprint PCS to provide its Lifeline services in Ohio.

5. Tempo will market its Lifeline services under the name "Tempo Telecom" or "Tempo." Non-Lifeline wireless services also will be marketed under the "Tempo Telecom" or "Tempo" names. Tempo will keep its books and records for its Lifeline customers separate and apart from its non-Lifeline customers. Tempo's books and records for its Lifeline customers will be kept in a manner consistent with generally accepted business practices and to facilitate the reports Tempo will be required to file with the Universal Service Administrative Company ("USAC"), the FCC, and the State of Ohio as applicable.

6. Since the filing of its initial application on June 27, 2013, Tempo has updated its Lifeline service plans to include data in the list of services for which the customer can choose to use its available minutes. As stated in the initial Application, the customer can choose from a 250 minute plan (no rollover) or a 150 minute plan (with rollover to the next month). Under either plan, the customer can use its available minutes for voice, text (with 3 texts counting as 1 minute of use), or data (with 1MB counting as 2 minutes of use). In addition, Tempo has updated its additional minute plans since the filing of its initial application on June 27, 2013. Customers may choose from the following options when selecting additional minutes of use.

Additional minutes

Minutes	Price
60	\$5.95
100	\$9.95
200	\$14.95

The additional minutes of use can be used for voice, text, or data in the same way the initial monthly allotment of minutes can be used as explained above. As stated in the initial Application, the additional minutes of use expire 30 days from the date of purchase.

7. A Tempo wireless Lifeline customer will be provided with a certain number of nationwide minutes each month depending on the Lifeline plan selected by the Lifeline customer. The Lifeline customer can use the available minutes for voice, text, or data as it chooses. Tempo will not track voice minutes differently than text or data minutes.

8. Tempo Lifeline customers cannot currently call other Tempo wireless customers “in-network” without using airtime minutes. Tempo is currently evaluating the ability to implement such “Tempo-to-Tempo” calling.

9. Once a customer indicates it would like to purchase Lifeline service from Tempo, Tempo will take the necessary steps to determine the customer’s eligibility for Lifeline and ensure all necessary verifications have been received. Once all necessary checks have been made, the customer will receive a wireless handset. The customer must then personally activate the handset after receipt. Different timelines apply depending on how the customer interfaces with Tempo.

a. For example, if the customer appears in person at a third-party dealer

location with its documentation in-hand, the customer's eligibility information and enrollment forms will be initially reviewed by the on-site sales agent, and then transmitted to Tempo headquarters for review by a Tempo employee. The documentation review takes approximately 8 business hours from the time the Tempo employee receives the necessary documentation. If the Tempo employee determines the customer is eligible for Lifeline and has made all necessary verifications and certifications, the customer will be approved for Lifeline service. Tempo will then ship the handset to the customer at the address provided on the enrollment form. In most cases, the customer will receive the handset within 3 business days after Tempo determines the customer is eligible for Lifeline service and has completed all necessary requirements. The customer will be required to activate the handset once it is received. Lifeline service will not be available to the customer until such activation occurs. Tempo will not request reimbursement from USAC for that customer until the customer personally activates the handset.

b. In some instances, a Tempo employee (as opposed to a sales agent employed by the third-party dealer) may be on-site at a third-party dealer location for a special event or other promotion. In that case, and to the extent possible, the Tempo employee may be able to perform the eligibility and verification/certification check on-site. If the Tempo employee is able to conduct the required check on-site and confirm all other requirements have been met, the handset may be distributed to the customer at that time. In this situation, Tempo will not apply for reimbursement from USAC until Tempo conducts additional levels of review to confirm the customer's eligibility. Tempo also will require the customer to take affirmative steps to "personally activate" the service, and will not consider the consumer to be enrolled in the Lifeline program and Tempo will not request Lifeline reimbursement until the subscriber personally activates its service. In the future, there may be instances in which a third-party

dealer can distribute a handset to a customer on-site without a Tempo employee being present at the third-party dealer location. If this were to occur, a Tempo employee would still be responsible for reviewing the eligibility and verification information for the customer, and no handset would be distributed until a Tempo employee affirmatively verified the customer's eligibility and certifications. At this time, however, Tempo does not contemplate any situations in which a third-party dealer would distribute the handset without a Tempo employee on-site.

c. If a potential customer seeks to sign-up for Tempo Lifeline service over the phone, the customer service representative will ask the customer to complete the enrollment form and provide eligibility documentation. The enrollment form could be completed by hand (and sent to Tempo), by third party verification (TPV), or by electronic signature. The customer would also be required to provide its eligibility documentation to Tempo either by mail, fax, or email. Once Tempo receives the eligibility documentation and completed enrollment form, it will confirm the customer's eligibility and verifications/certifications. The documentation review takes approximately 8 business hours from the time Tempo receives the necessary documentation. If Tempo determines the customer is eligible for Lifeline and has made all necessary verifications and certifications, the customer will be approved for Lifeline service. Tempo will then ship the handset to the customer at the address provided on the enrollment form. In most cases, the customer will receive the handset within 3 business days after Tempo determines the customer is eligible for Lifeline service and has completed all necessary requirements. The customer will be required to activate the handset once it is received. Lifeline service will not be available to the customer until such activation occurs. Tempo will not request reimbursement from USAC for that customer until the customer personally activates the handset.

10. Tempo has no outstanding complaints or investigations at any state commission,

USAC, or the FCC.

11. Tempo was formed in December 2012, and started offering Lifeline wireless in Kansas, Wisconsin, and South Carolina in September 2013. Through the acquisition of another carrier's business, Tempo expanded its wireless operations to service approximately 5,000 wireless lines throughout the United States in late September 2013.

12. Please see **Exhibit 2** for a copy of Tempo's current financial statements. Tempo's financial statements are being submitted pursuant to a Motion for Protective Order as they are not publicly available. Tempo's financial statements reflect that Tempo has sufficient operating capital and available funds to support its operations, including the provision of prepaid wireless Lifeline services.

13. The handsets Lifeline customers receive as part of their Lifeline service are refurbished. Lifeline customers will receive a handset for free as part of the Lifeline service, but will have the ability to upgrade to a different handset for a fee.

14. Lifeline customers will receive a text message warning that their available minutes are nearly depleted. Once the available airtime has been depleted, the customer will be able to finish its current call, but the next call attempted will be transferred to Tempo customer service for assistance. Tempo plans to implement additional balance expiration warnings in the upcoming months. All information regarding remaining minutes (that can be used for voice, text, or data) is given in the form of available minutes. Customers will have the ability to monitor their minute usage and minute balance from their handset, online, or through customer service. Calls to customer service may be made by dialing "611" from their handset or customers may use the toll-free customer service number from any phone. Customers may also use "611" to make airtime balance inquiries, in addition to using Tempo's website

(www.mytempo.com) and the toll-free customer service number from any phone. Lifeline customers will not be charged airtime for “611” calls.

15. Tempo’s Terms and Conditions for Lifeline service have been updated based on discussions with Commission staff. These Terms and Conditions are available at: <http://www.mytempo.com/footer/Lifeline-Terms-and-Conditions.aspx>. Lifeline customers will be provided with a copy of the Terms and Conditions after completion of enrollment, usually by being provided with a link to the Terms and Conditions available on the website.

a. Under Tempo’s Lifeline Terms and Conditions, a Service Day is equal to one full day (24 hours) of wireless service.

b. Tempo is revising its Lifeline Terms and Conditions to state that reactivation fees will not apply to Ohio Lifeline customers.

c. Tempo’s Lifeline Terms and Conditions include a \$5,000 liquidated damages amount. Tempo intends the liquidated damages fee to act as a deterrent to customers misusing their Lifeline service or transferring their Lifeline service (or handsets) to others, and to generally deter Lifeline fraud. This provision is intended to assist in ensuring there is no waste, fraud, or abuse in Tempo’s provision of Lifeline service.

16. A Certificate of Good Standing from the Ohio Secretary of State is attached as **Exhibit 3**.

17. Tempo does not plan on de-enrolling anyone from the Lifeline program for normal use. International texting is blocked. Tempo is trying to protect itself from the customer who may try and “root” the Lifeline handset to use for fraudulent international long distance purposes.

WHEREFORE, this Supplement and the accompanying Exhibits, as well as the original Application and its accompanying Exhibits, demonstrate that Tempo satisfies all of the conditions of eligibility necessary for designation as an ETC in Ohio. Accordingly, Tempo respectfully requests that the Commission promptly grant this Application and designate Tempo Telecom, LLC as a wireless ETC in the state of Ohio.

Respectfully submitted,

TEMPO TELECOM, LLC

A handwritten signature in cursive script, appearing to read "Angela B. Collins", is written over a horizontal line.

Angela B. Collins
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866-814-6582 (facsimile)
acollins@cahill.com

Its Attorneys

Dated: January 28, 2014

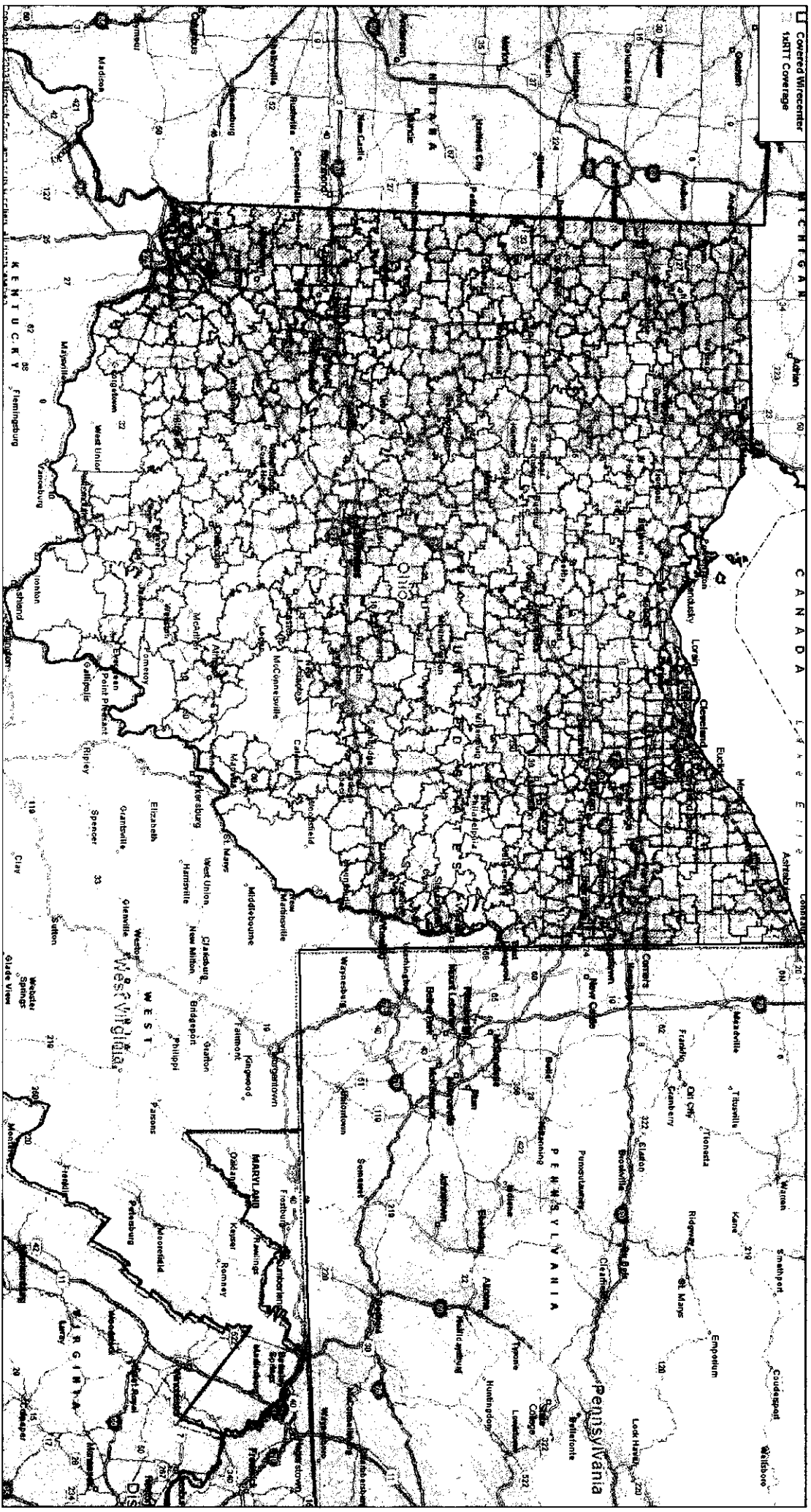
List of Exhibits

- Exhibit 1** Map of the digital service network service area
- Exhibit 2** Tempo Financial Statements – **CONFIDENTIAL****
- Exhibit 3** Certificate of Good Standing

** Submitted separately, under seal, pursuant to a Motion for Protective Order

Exhibit 1

Map of the digital service network service area



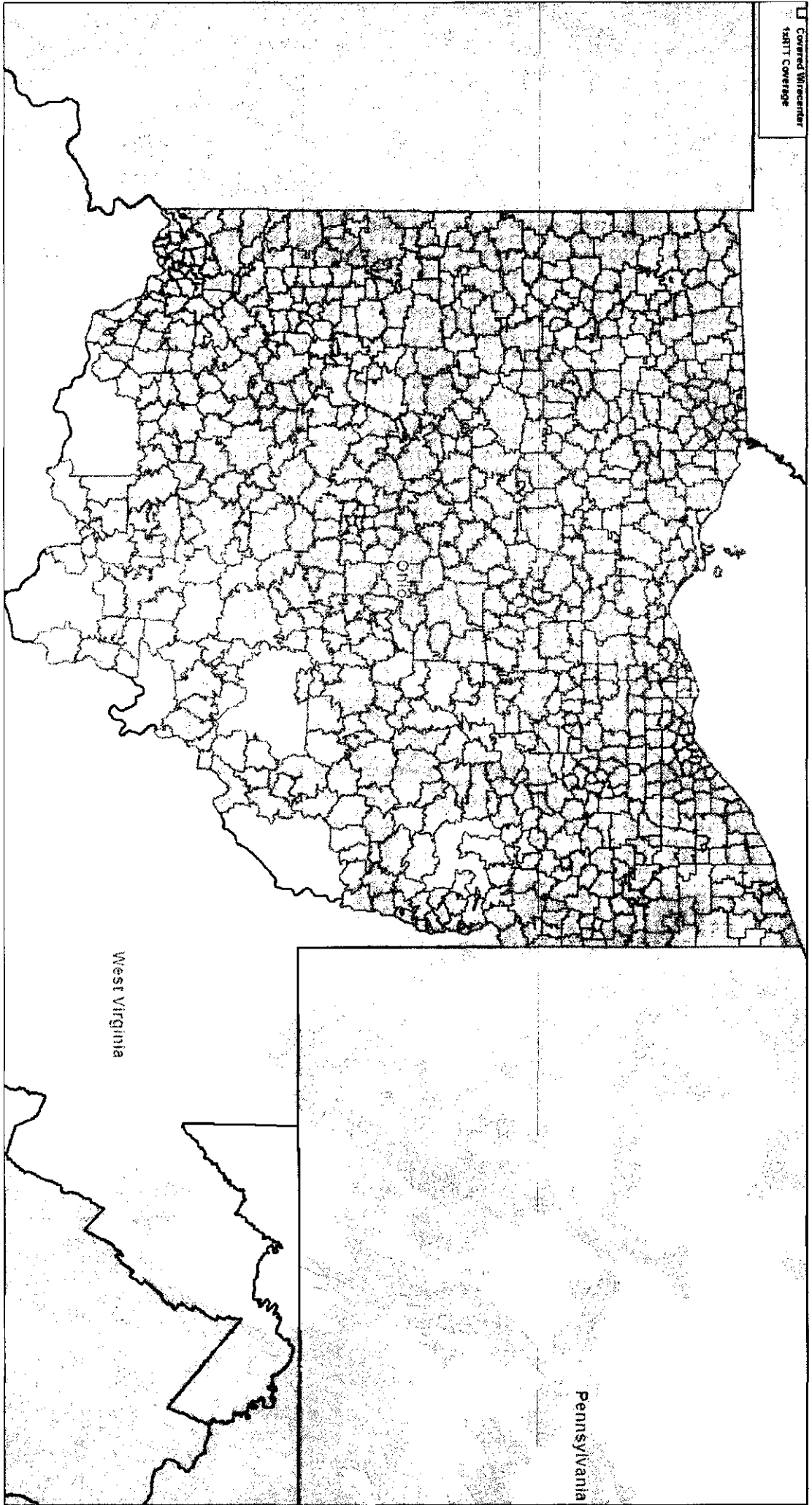


Exhibit 2

Tempo Financial Statements – **CONFIDENTIAL****

** Submitted separately, under seal, pursuant to a Motion for Protective Order

Exhibit 3

Certificate of Good Standing

UNITED STATES OF AMERICA
STATE OF OHIO
OFFICE OF THE SECRETARY OF STATE

I, Jon Husted, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign business entities; that said records show TEMPO TELECOM, LLC, a Georgia For Profit Limited Liability Company, Registration Number 2160444, filed on December 20, 2012, is currently in FULL FORCE AND EFFECT upon the records of this office.



Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 26th day of September, A.D. 2013.

A handwritten signature in cursive script that reads "Jon Husted".

Ohio Secretary of State

Validation Number: 201326901580