

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE APPLICATION OF
NEXUS COMMUNICATIONS DBA
REACHOUT WIRELESS FOR DESIGNATION
AS AN ELIGIBLE TELECOMMUNICATIONS
CARRIER IN THE STATE OF OHIO.

CASE NO. 10-432-TP-UNC

ENTRY

Entered in the Journal on May 25, 2016

I. SUMMARY

{¶ 1} For the reasons set forth below, the Commission grants the petition for relinquishment of Nexus Communications dba Reachout Wireless (Reachout Wireless) relative to its designation as a competitive eligible telecommunications carrier (CETC). Additionally, the Commission grants the request for the cancellation of Reachout Wireless' operating certificate.

II. DISCUSSION

{¶ 2} Consistent with 47 U.S.C. 214(e)(2), Reachout Wireless was designated as a CETC for the purpose of provisioning Lifeline service, pursuant to the Commission's June 22, 2011 Finding and Order. Reachout Wireless provisions its CETC Lifeline Service via resold commercial mobile radio service.

{¶ 3} On March 17, 2016, as amended on May 10, 2016, Reachout Wireless filed a petition seeking relinquishment of its designation as a CETC provider. Reachout Wireless states that it wishes to relinquish its CETC designation and cease offering Lifeline service effective June 10, 2016. As of the date of its petition, Reachout Wireless indicates that it had 22,522 Lifeline subscribers within its designated service area in the state of Ohio. The company also seeks cancellation of its Certificate of Public Convenience and Necessity No. 90-5580, which authorizes the provision of commercial mobile radio services in the state of Ohio, inasmuch as it has no non-Lifeline customers in the state of Ohio.

{¶ 4} Reachout Wireless presents a transition plan in order to assist its customers in switching to another Lifeline provider. It discontinued all advertising of its Lifeline service and ceased accepting new Lifeline customers as of February 2016. On April 29, 2016, it sent a text message to each of its existing Lifeline customers notifying them that it plans to cease offering Lifeline service effective June 10, 2016. A second text notification was sent on May 13, 2016. A third notification was sent via letter on May 20, 2016. Further, beginning on or around June 3, 2016, all outbound calls from Reachout Wireless subscribers will be first forwarded to a company representative for the purpose of notification about the June 10, 2016 termination date. Additionally, the company's website informs customers of the need to select another Lifeline provider. Existing Lifeline subscribers who do not contact the company by June 10, 2016, will lose their Lifeline service and their associated phone number.

{¶ 5} Federal law, 47 U.S.C. 214(e)(4), provides that "[a] state commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier." However, when doing so, 47 C.F.R. 54.205(b) requires that a state commission ensure that there is at least one remaining ETC serving customers in the area served by the relinquishing carrier before permitting a designated ETC to cease providing universal service in the area.

{¶ 6} Upon consideration of the petition, the Commission finds that there is at least one other ETC in all areas in which Reachout Wireless is currently designated as a CETC. Therefore, Reachout Wireless' Lifeline customers will have the ability to select another Lifeline provider. As a result, Reachout Wireless' request to exit the Lifeline service market on June 10, 2016, is approved. The company must promptly provide the Commission Staff with weekly updates as to the status of its customer migration to another Lifeline provider. Reachout Wireless should de-enroll all of its Lifeline subscribers with the federal Universal Service Administrative Company no later than June 10, 2016.

{¶ 7} Due to the fact that Reachout Wireless does not serve any non-Lifeline customers, Certificate No. 90-5580 will be cancelled as of June 10, 2016.

III. ORDER

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the petition of Reachout Wireless is approved in accordance with Paragraph (6). It is, further,

{¶ 10} ORDERED, That Reachout Wireless provide the Commission staff with weekly updates regarding customer migration. It is, further,

{¶ 11} ORDERED, That Certificate No, 90-5580 be cancelled as of June 10, 2016, in accordance with Paragraph (7). It is, further,

{¶ 12} ORDERED, That a copy of this Entry be served upon all parties of record.

Commissioners Voting: Asim Z. Haque, Chairman; Lynn Slaby; M. Beth Trombold; Thomas W. Johnson.

JSA/vrm