

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE PETITION OF
TOTAL CALL MOBILE, LLC FOR
APPROVAL TO RELINQUISH ITS
ELIGIBLE TELECOMMUNICATIONS
CARRIER DESIGNATION.

CASE NO. 16-2293-TP-UNC

ENTRY

Entered in the Journal on January 18, 2017

I. SUMMARY

{¶ 1} The Commission approves the petition of Total Call Mobile, LLC requesting relinquishment of its designation as a competitive eligible telecommunications carrier.

II. DISCUSSION

{¶ 2} Consistent with 47 U.S.C. 214(e)(2), Total Call Mobile, LLC (TCM) was designated as a competitive eligible telecommunications carrier (CETC), pursuant to the Commission's May 15, 2013 Finding and Order in Case No. 12-1883-TP-UNC, for the limited purpose of offering resold prepaid wireless Lifeline service to qualifying Ohio consumers throughout the service area set forth in the application.

{¶ 3} On December 2, 2016, as amended on January 5, 2017, TCM filed a petition seeking relinquishment of its CETC designation. Specifically, TCM states that it seeks to relinquish its CETC designation and cease offering Lifeline service in the state Ohio effective January 31, 2017, due to changes in the wireless industry and proposed modifications to the Lifeline program, as well as in light of the recent consent decree approved by the Federal Communications Commission (FCC), *In re Total Call Mobile, Inc.*, File No. EB-IHD-14-00017650, Order (December 22, 2016). While the consent decree requires TCM to ease Lifeline operations by December 31, 2016, TCM represents that it can continue to serve remaining customers through January 31, 2017, in order to provide for an orderly shutdown of its operations.

{¶ 4} TCM notes that it is not currently enrolling any new Lifeline subscribers and has not enrolled any new customers in Ohio since April 28, 2016. Additionally, on

or about that same date, Total Call ceased advertising and marketing to new customers in Ohio.

{¶ 5} According to TCM, it has not sought reimbursement for the Lifeline discount since May 2016. Similarly, it will not seek to receive reimbursement for the Lifeline discount upon relinquishment.

{¶ 6} TCM asserts that the request should be granted because it complies with federal law [i.e., 47 U.S.C. 214(e)(4) and 47 C.F.R. 54.205]. Specifically, TCM states that in each of the approximately 30 wire centers in which it provides Lifeline service, the applicable incumbent local exchange carrier (ILEC) is designated as an eligible telecommunications carrier (ETC). Additionally, TCM submits that there are at least 11 other wireless CETCs that provide service in at least part of its designated service area.

{¶ 7} TCM represents that on or about November 29, 2016, 1,687 of its Lifeline subscribers were transferred to Boomerang Wireless dba enTouch Wireless (Boomerang) pursuant to a customer transfer agreement filed with the FCC. TCM notified the Commission of the transfer agreement pursuant to a letter dated October 13, 2016, in Case No. 15-1065-TP-UNC. Pursuant to this agreement, customers would continue to be served by the same nationwide wireless network provided by Sprint. Further, the transferred subscribers were able to retain their handsets as they are compatible with Boomerang's network. Additionally, the subscribers were able to retain the same phone number. Further, all of the transferred subscribers received an upgrade in service, including an additional 500 voice units, 100 texts, and 10 mb of data. All subscribers that were compatible with Boomerang's network were transferred.

{¶ 8} Following the customer transfer to Boomerang, TCM continued to have 170 wireless Lifeline customers in the state of Ohio who were not compatible with Boomerang's network.

{¶ 9} On November 29, 2016, TCM sent a text message to its Lifeline subscribers that had still not transferred their Lifeline service. Lifeline subscribers were informed that TCM planned to relinquish its ETC designation on December 31, 2016, and that Lifeline service could be obtained from another Lifeline provider in TCM's service area. The notice also provided the names of three well-established wireless Lifeline service providers and toll-free number that the customer could call to reach TCM's customer service representatives for assistance.

{¶ 10} On January 4, 2017, TCM sent a second text message to its wireless Lifeline subscribers. The notice informed subscribers that they must now make arrangements with another carrier to avoid loss of service on January 31, 2017, and provided a toll-free number that the customer could call to reach TCM's customer service representatives for assistance. The notice also, directed subscribers to a full list of alternative providers in their area.

{¶ 11} Upon Commission approval of the application, TCM will also provide a written notification letter by U.S. mail to the remaining Lifeline subscribers who have not transferred service notifying them of the January 31, 2017, service termination date and informing each subscriber of how to obtain Lifeline benefits from an ILEC ETC or other CETC in its service area.

{¶ 12} Upon the Commission-approved relinquishment date, TCM will promptly de-enroll any remaining subscribers in the National Lifeline Accountability Database and release the phone numbers of those remaining customers.

{¶ 13} 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.

{¶ 14} Upon consideration of the petition, the Commission finds that TCM's Lifeline customers will have an adequate number of other Lifeline providers to choose from within their service territory. Therefore, consistent with federal law, 47 U.S.C. 214(e)(4) and 47 C.F.R. 54.205, TCM's request to exit the Lifeline service market on January 31, 2017, is approved. The company must promptly provide their Lifeline customers with the final written notification discussed in its petition in order to inform these customers of the need to transfer to another Lifeline service provider. TCM should file verification of the customer notification.

III. ORDER

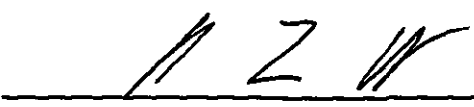
{¶ 15} It is, therefore,

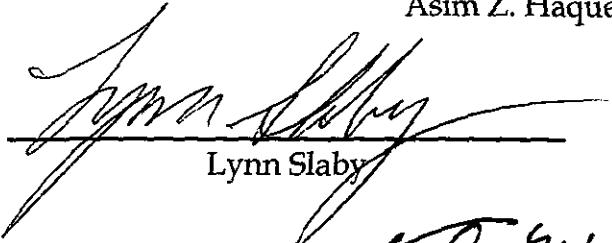
{¶ 16} ORDERED, That the petition for relinquishment be granted in accordance with paragraph (12). It is, further,

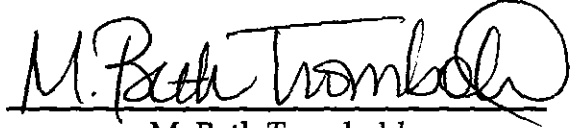
{¶ 17} ORDERED, That TCM file verification of the customer notification referenced in paragraph (14). It is, further,

{¶ 18} ORDERED, That a copy of this Entry be served upon all parties and interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO


Asim Z. Haque, Chairman


Lynn Slaby

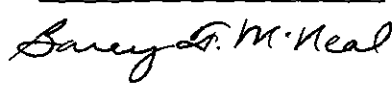

M. Beth Trombold


Thomas W. Johnson

JSA/dah

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JAN 18 2017


Barcy F. McNeal

Barcy F. McNeal
Secretary