

**Lance J.M. Steinhart, P.C.**

Attorneys At Law  
1725 Windward Concourse  
Suite 150  
Alpharetta, Georgia 30005

Also Admitted in New York  
Email: lsteinhart@telecomcounsel.com

Telephone: (770) 232-9200  
Facsimile: (770) 232-9208

December 13, 2012

**VIA E-DOCKET**

Ms. Elizabeth A. Rolando  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, IL 62701-1827  
(217) 782-7434

Re: Q LINK WIRELESS LLC's Amended Application for Designation as an Eligible  
Telecommunications Carrier (Docket No. 12-0095)

Dear Ms. Rolando:

Attached please find Q LINK WIRELESS LLC's Amended Application for Designation as  
an Eligible Telecommunications Carrier in the State of Illinois.

**Please note that a portion of Exhibit 6 (Coverage Area) is being filed as confidential.**

Please acknowledge receipt via return e-mail. If you have any questions or if I may provide  
you with additional information, please contact me at the above address or telephone number.  
Thank you for your attention to this matter.

Respectfully submitted,

/s/

Lance J.M. Steinhart, Esq  
Lance J.M. Steinhart, P.C.  
Attorneys for Q LINK WIRELESS LLC

Attachments  
cc: Issa Asad

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

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Q LINK WIRELESS LLC	)	
	)	
Application for Designation as an Eligible	)	Docket No. 12-0095
Telecommunications Carrier in the State of Illinois	)	
_____	)	

**Q LINK WIRELESS LLC  
AMENDED APPLICATION FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF ILLINOIS**

Lance J.M. Steinhart  
Lance J.M. Steinhart, P.C.  
Attorneys at Law  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
E-Mail: [lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com)

*Attorneys for Q LINK WIRELESS LLC*

December 13, 2012

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**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

	)	
Q LINK WIRELESS LLC	)	
	)	
Application for Designation as an Eligible	)	Docket No. 12-0095
Telecommunications Carrier in the State of Illinois	)	
	)	

**Q LINK WIRELESS LLC  
AMENDED APPLICATION FOR DESIGNATION AS AN  
ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF ILLINOIS**

**I. INTRODUCTION**

Q LINK WIRELESS LLC (“Q LINK” or the “Company”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)<sup>1</sup> and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),<sup>2</sup> and the rules and regulations of the Illinois Commerce Commission (“Commission”), hereby submits this Amended Application for Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Illinois. This Amended Application replaces in its entirety the Company’s original Application submitted to the Commission on February 3, 2012. Q LINK seeks ETC designation solely to provide Lifeline service to qualifying Illinois consumers; it will not seek access to funds from the federal Universal Service Fund (“USF”) for the purpose of participating in the Link-Up program or providing service to high cost areas.<sup>3</sup> As demonstrated herein, and as certified in Exhibit 1 to this Application, Q LINK meets all the statutory and

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<sup>1</sup> 47 U.S.C. § 214(e)(2)

<sup>2</sup> 47 C.F.R. §§ 54.101-54.207.

<sup>3</sup> Given that Q LINK only seeks support from the low-income program and does not seek any high-cost support, ETC certification requirements for the high-cost program are not applicable to Q LINK.

regulatory requirements for designation as an ETC in the State of Illinois, including the new requirements outlined in the FCC's *USF/ICC Transformation Order*<sup>4</sup> and *Lifeline and Link Up Reform Order*.<sup>5</sup> Rapid grant of the Company's request, moreover, would advance the public interest because it would enable the Company to commence much-needed Lifeline services to low-income Illinois residents as soon as possible. Accordingly, the Company respectfully requests that the Commission expeditiously approve this Amended Application for ETC designation.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

Lance J.M. Steinhart  
Lance J.M. Steinhart, P.C.  
Attorneys at Law  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
Email: [lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com)

## **II. BACKGROUND**

### **A. Company Overview**

Q LINK is a Delaware Limited Liability Company.<sup>6</sup> Its principal office is located at 499 East Sheridan Street, Suite 300, Dania, Florida 33004. Q LINK is a telecommunications carrier

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<sup>4</sup> *In the Matter of Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing a Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform – Mobility Fund*, WC Docket No. 10-90, GN Docket No. 09-51, WC Docket No. 07-135, WC Docket No. 05-337, CC Docket No. 96-45, WC Docket No. 03-109, WT Docket No. 10-208, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011) (“*USF/ICC Transformation Order*”).

<sup>5</sup> *In the Matter of 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 (rel. Feb. 6, 2012) (“*Lifeline and Link Up Reform Order*”).

<sup>6</sup> Q LINK was formed in the State of Delaware on August 25, 2011. See attached Exhibit 2 for Q LINK's registration(s) with the Illinois Secretary of State.

within the meaning of Section 13-202 of the Public Utilities Act. 220 ILCS 5/1-101 et seq. authorized to provide telecommunications services in the State of Illinois. Q LINK is a provider of commercial mobile radio service (“CMRS”) throughout the United States and was approved to provide CMRS in Illinois on January 25, 2012 in Docket No. 11-0739. Q LINK provides prepaid wireless telecommunications services to consumers by using the Sprint PCS (“Sprint”) network on a wholesale basis to offer nationwide service. Q LINK is currently designated as an ETC in Colorado, Maryland, Michigan, Missouri, Nevada, Oklahoma, Texas, Wisconsin, and West Virginia and has applications for ETC designation pending with the FCC, Arkansas, Arizona, California, Georgia, Illinois, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, New Jersey, Ohio, Pennsylvania, South Carolina, and Utah; no such petitions have been denied.

Q LINK’s prepaid wireless services are affordable, easy to use, and attractive to lower-income and lower-volume consumers, providing them with access to emergency services and a reliable means of communication that can be used both at home and while traveling to remain in touch with friends and family as well as for contacting prospective employers. Q LINK will offer consumers simple and affordable prepaid calling plans, a variety of prepaid service plans, easy-to-use handsets and high-quality customer service. Given its pricing and marketing strategy and the demographics of other, similar MVNOs’ customers, Q LINK anticipates that many of its customers will be from low-income backgrounds and will not previously have enjoyed access to wireless service because of economic constraints, poor credit history, or sporadic employment. Q LINK will not conduct credit checks or require customers to enter into long-term service contracts as a prerequisite to obtaining wireless service.

By providing affordable wireless plans and quality customer service to consumers who are otherwise unable to afford them, or were previously ignored by traditional carriers, Q LINK will expand the availability of wireless services to many more consumers, which is the principal reason that Congress created the universal service program.

**B. Proposed Universal Service Offering**

Q LINK has the ability to provide all services and functionalities supported by the universal service program, as detailed in Section 54.101(a) of the FCC's Rules (47 C.F.R. § 54.101(a)) throughout Illinois. The Company will provide Lifeline services to qualifying customers requesting this service throughout Illinois pursuant to the universal service program and in accordance with 47 C.F.R. § 54.202(a)(1). Q LINK intends to be a leader in the prepaid marketplace by offering consumers exceptional value and competitive amounts of voice usage at all price points.

**Lifeline Offering.** The Company's Lifeline service offering will provide customers with the same features and functionalities enjoyed by all other Q LINK prepaid customers, with one notable exception: prepaid Lifeline services will be free of charge. As Exhibit 3 demonstrates, the Company's Lifeline service will provide customers with one of the following three (3) Lifeline Plans:

1. Plan 1: 68 Monthly Minutes. Under Plan 1, eligible customers enjoy 68 anytime minutes that rollover and free international long distance.<sup>7</sup> Text messaging is at the rate of one-third of one minute (3 texts = 1 minute).

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<sup>7</sup> If you are on Plan 1, there is no additional charge for international long distance to countries designated at [www.qlinkwireless.com](http://www.qlinkwireless.com).

2. Plan 2: 125 Monthly Minutes. Under Plan 2, eligible customers enjoy 125 anytime minutes that rollover. Text messaging is at the rate of one minute (1 text = 1 minute).
3. Plan 3: 250 Monthly Minutes. Under Plan 3, eligible customers enjoy 250 anytime minutes. Minutes do not rollover. Text messaging is at the rate of one minute (1 text = 1 minute).

Customers have the capability of purchasing additional bundles of minutes in denominations as low as \$9.99, \$19.99, \$24.99, \$34.99, \$59.99, and \$74.99.<sup>8</sup> Airtime replenishment cards will be made available at retail outlets frequented by low-income customers throughout the Company's Service Area. Customers can also add minutes by contacting Customer Service via phone or internet, or by topping up at local Q LINK kiosks. In addition to free voice services, all of Q LINK's Lifeline plans will include a free handset and the following Custom Calling features: Caller ID, Call Waiting, and Voicemail. Customers may use their minutes to place domestic long distance calls at no additional charge. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes. Calls to Q LINK customer service are also free.

Customers can change their plan on their monthly plan date, without penalty, should they determine that another plan better meets their needs or if their needs change. Q Link does not impose burdensome credit checks, long-term service contracts, or roaming charges.

Attached hereto as Exhibit 3 is a summary table of the Company's proposed Lifeline service offerings. As Exhibit 3 demonstrates, the Company's Lifeline offerings will not only allow feature-rich mobile connectivity for qualifying subscribers at no cost to the subscriber, but

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<sup>8</sup> \$9.99 = 50 minutes, \$19.99 = 100 minutes, \$24.99 = 120 minutes, \$34.99 = 200 minutes, \$59.99 = 500 minutes, and \$74.99 = 1,000 minutes.

also will bring a variety of rate plans into the reach of eligible customers that are comparable in minutes and features to those available to post-paid wireless subscribers. Q LINK's prepaid offering will be an attractive alternative for consumers who need the mobility, security, and convenience of a wireless phone, but who are concerned about usage charges or long-term contracts.

### **C. The Commission Has Jurisdiction to Designate Wireless ETCs**

Section 214(e)(2) of the Act provides state public utility commissions with the "primary responsibility" for the designation of ETCs.<sup>9</sup> Although Section 332(c)(3)(A) of the Act prohibits states from regulating the entry of or the rates charged by any provider of commercial mobile service or any private mobile service, this prohibition does not allow states to deny wireless carriers ETC status.<sup>10</sup> Therefore, the Commission has the authority to designate Q LINK as an ETC. Pursuant to this authority, the Commission has historically participated in determining whether to grant ETC status to an applying carrier, including any requesting wireless carrier.<sup>11</sup> Under the Act, a state public utility commission with jurisdictional authority over ETC designations must designate a common carrier as an ETC if the carrier satisfies the requirements of Section 214(e)(1). Q LINK recognizes that Section 214(e)(1)(A) of the Act states that ETCs shall offer services, at least in part, over their own facilities and that Section 54.201(i) of the FCC's Rules (47 C.F.R. § 54.201(i)) prohibits state commissions from designating as an ETC a

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<sup>9</sup> 47 U.S.C. § 214(e)(2).

<sup>10</sup> See *Federal-State Joint Board on Universal Service, First Report and Order*, 12 FCC Rcd 8776, 8858-59, ¶ 145 (1997) ("USF Order").

<sup>11</sup> See e.g., *TracFone Wireless, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the State of Illinois for the Limited Purpose of Offering Lifeline Service to Qualified Households*, Order, Docket No. 09-0213 (Illinois Commerce Comm'n: Sep. 10, 2009) ("TracFone ETC Order"); *Cellular Properties, Inc.; Application for Designation as an Eligible Telecommunications Carrier for Purposes of Receiving Federal Universal Service Support pursuant to Section 214(e)(2) of the Telecommunications Act of 1996*, 47 U.S.C. § 214(e)(2), Order, Docket No. 07-0154 (Illinois Commerce Comm'n: Feb. 27, 2008); *Illinois Valley Cellular RSA 2-1 Partnership et al.*, Order, Docket Nos. 04-454, 04-455, 04-456 (Illinois Commerce Comm'n: April 19, 2006).

telecommunications carrier that offers services exclusively through the resale of another carrier's services. However, as discussed in Section III.A below, the FCC granted Q LINK forbearance from the facilities-based service requirement. In its *Lifeline and Link Up Reform Order*.<sup>12</sup> Section 10(e) of the Act (47 U.S.C. § 160(e)) provides: “[a] State commission may not continue to apply or enforce any provision of this chapter that the [Federal Communications] Commission has determined to forbear from applying under subsection (a) of this section.” As such, the Commission is required by Section 10(e) to act in accordance with the FCC’s grant of forbearance to Q LINK, and therefore may not apply the facilities-based requirement to Q LINK. Therefore, the Commission has the authority under Section 214(e)(2) of the Act to grant Q LINK’s request for designation as an ETC throughout the State of Illinois.

**D. The ETC Designation Request Is Consistent with Recent Commission Precedent**

Q LINK’s request for ETC designation to participate in the Lifeline program is consistent with the Commission’s recent decision designating TracFone and Nexus as ETCs.<sup>13</sup> In its decisions, the Commission determined that TracFone’s and Nexus’ requests satisfied all of the necessary eligibility requirements and that designation of a prepaid wireless provider as an ETC “promotes the availability of universal service and is in the public interest.”<sup>14</sup> Q LINK requests that the Commission expeditiously process its ETC Application so that it can quickly commence providing qualifying low-income Illinois customers with affordable USF-supported wireless services during these challenging economic times for all state residents. Designation of Q LINK as an ETC would further competition for wireless Lifeline services and would offer eligible consumers an additional choice of providers for accessing telecommunications services,

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<sup>12</sup> See *Lifeline and Link Up Reform Order* ¶ 521.

<sup>13</sup> See *TracFone ETC Order* and *Nexus ETC Order*.

<sup>14</sup> *TracFone ETC Order* ¶ 8.

representing a significant step towards ensuring that all low-income consumers share in the many benefits associated with access to wireless services.

### **III. Q LINK SATISFIES THE REQUIREMENTS FOR DESIGNATION AS AN ETC**

Section 254(e) of the Act provides that “only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific federal universal service support.” Section 214(e)(2) of the Act authorizes state commissions, such as the Commission, to designate ETC status for federal universal service purposes and authorizes the Commission to designate wireless ETCs.<sup>15</sup> Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules provide that applicants for ETC designation must be common carriers that will offer all of the services supported by universal service, either using their own facilities or a combination of their own facilities and the resale of another carrier’s services, except where the FCC has forbore from the “own facilities” requirement. Applicants also must commit to advertise the availability and rates of such services.<sup>16</sup> As detailed below, Q LINK satisfies each of the above-listed requirements.

#### **A. Q LINK Will Provide Service Consistent with the FCC’s Grant of Forbearance from Section 214’s Facilities Requirements**

Q LINK, in its provision of wireless services, will rely on resold services which the Company will obtain from underlying wireless providers that currently operate their own networks. In its *Lifeline and Link Up Reform Order*, the FCC granted Q LINK’s request for forbearance from the facilities requirement, and stated, “the Commission will forbear from the

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<sup>15</sup> *USF Order*, at 8858-59, ¶ 145.

<sup>16</sup> *See* 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d)(2).

“own-facilities” requirement contained in section 214(e)(1)(A) for carriers that are, or seek to become, Lifeline-only ETCs, subject to the following conditions:<sup>17</sup>

(1) the carrier must comply with certain 911 requirements [(a) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; (b) 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; and (c) complying with conditions (a) and (b) starting on the effective date of this Order]; and

(2) the carrier must file, and the Bureau must approve, a compliance plan providing specific information regarding the carrier’s service offerings and outlining the measures the carrier will take to implement the obligations contained in this Order as well as further safeguards against waste, fraud and abuse the Bureau may deem necessary.”

Q LINK availed itself of the FCC’s grant of blanket forbearance. In accordance with the *Lifeline and Link Up Reform Order*, Q LINK filed its Third Amended Compliance Plan with the FCC on July 30, 2012, and the FCC released an Order approving the Company’s Compliance Plan, as amended, on August 8, 2012. A copy of Q LINK’s FCC-approved Compliance Plan is attached hereto as Exhibit 4. Q LINK commits to providing Lifeline service in Illinois in accordance with the Compliance Plan.

**B. Q LINK Is a Common Carrier**

CMRS providers like Q LINK are treated as common carriers for regulatory purposes.<sup>18</sup>

**C. Q LINK Will Provide All Required Services and Functionalities**

Q LINK offers, or will offer upon designation as an ETC in Illinois, all of the services and functionalities required by Section 54.101(a) and Section 54.202(a) of the FCC’s Rules (47

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<sup>17</sup> See *Lifeline and Link Up Reform Order* at ¶¶ 368, 373 and 379.

<sup>18</sup> *Implementation of Sections 3(n) and 332 of the Communications Act, Regulatory Treatment of Mobile Services*, GN Docket No. 93-252, Second Report and Order, 9 FCC Rcd 1411, 1425 ¶ 37, 1454-55 ¶ 102 (1994) (wireless resellers are included in the statutory “mobile services” category, and providers of cellular service are common carriers and CMRS providers); 47 U.S.C. § 332(c)(1)(A) (“mobile services” providers are common carriers); see also *PCIA Petition for Forbearance for Broadband PCS*, WT Docket No. 98-100, Memorandum Opinion and Order and Notice of Proposed Rulemaking, 13 FCC Rcd 16857, 16911 ¶ 111 (1998) (“We concluded [in the *Second Report and Order*] that CMRS also includes the following common carrier services: cellular service, ... all mobile telephone services and resellers of such services.”) (emphasis added).

C.F.R. § 54.101(a) and 47 C.F.R. § 54.202(a)) including the following:

**1. Voice Grade Access to the Public Switched Network**

Q LINK provides voice grade access to the public switched telephone network (“PSTN”) through the purchase of wholesale CMRS services from Sprint.

**2. Local Usage**

As part of the voice grade access to the PSTN, an ETC must provide minutes of use for local service at no additional charge to end users. The FCC has not specified a minimum amount of local usage that an ETC must offer.<sup>19</sup> Q LINK offers a variety of rate plans that provide its customers with minutes of use for local service at no additional charge.

**3. Access to Emergency Services**

Through the Company’s interconnection with Sprint, all customers have 911 and E911 access, and all 911 traffic is handled in accordance with 83 Illinois Administrative Code 725 and the Emergency Telephone System Act. Q LINK also complies with the FCC’s regulations governing the deployment and availability of E911 compatible handsets.

**4. Toll Limitation for Qualified Low-Income Customers**

In its *Lifeline and Link Up Reform Order*, the FCC stated that toll limitation would no longer be deemed a supported service.<sup>20</sup> “ETCs are not required to offer toll limitation service to low-income consumers if the Lifeline offering provides a set amount of minutes that do not distinguish between toll and non-toll calls.”<sup>21</sup> Nonetheless, Q LINK’s offerings inherently allow

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<sup>19</sup> See e.g., *Farmers Cellular, Inc.*, CC Docket No. 96-45, Memorandum Opinion and Order, 18 FCC Rcd 3848, 3852 ¶ 9 (2003); *Pine Belt Cellular, Inc. and Pine Belt PCS, Inc.*, CC Docket No. 96-45, Memorandum Opinion and Order, 17 FCC Rcd 9589, 9593 ¶ 10 (2002); *Western Wireless Corp., Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, CC Docket No. 96-45, Memorandum Opinion and Order, 16 FCC Rcd 48, 52 ¶ 10 (2000).

<sup>20</sup> See *Lifeline and Link Up Reform Order* at ¶ 367.

<sup>21</sup> See *id.* at ¶ 49.

Lifeline subscribers to control their usage, as its wireless service is offered on a prepaid pay-as-you-go basis. The Company's service, moreover, is not offered on a distance-sensitive basis and local and domestic long distance minutes are treated the same. Q LINK will not seek reimbursement for toll limitation service.

## **5. Other Services**

While no longer required by 47 C.F.R. § 54.101(a), Q LINK provides dual tone multi-frequency ("DTMF") signaling to expedite the transmission of call set up and call detail information throughout the network, single party service to its customers for the duration of each telephone call and not multi-party (or "party-line") services, access to operator services, the ability to make interexchange, or long distance, telephone calls, and the ability to reach directory assistance services from customers' provided wireless handsets.

### **D. Q LINK Will Advertise the Availability of Supported Services**

Q LINK will broadly advertise the availability and rates for the services described above using media of general distribution as required by Section 54.201(d)(2) of the FCC's regulations and the rules adopted by this Commission<sup>22</sup> and in accordance with the requirements set forth in the *Lifeline and Link Up Reform Order*.<sup>23</sup> The Company will advertise its services in a manner reasonably designed to reach those likely to qualify for Lifeline services, using many mediums for outreach including internet, radio, television, and newspapers. The Company will engage in advertising campaigns specifically targeted to reach those likely to qualify for Lifeline services, promoting the availability of cost-effective wireless services to this neglected consumer segment. Q LINK is willing to provide written notification of its Lifeline program to the directors of municipal, State and federal governmental agencies within its service territory whose clientele is

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<sup>22</sup> See 47 C.F.R. § 54.201; See also 83 Illinois Administrative Code Part 757.

<sup>23</sup> See *Lifeline and Link Up Reform Order* at Section VII.F.

likely to benefit from the program. In addition, Q LINK will utilize its network of retail partners to help promote the availability of its Lifeline plans, especially those retail outlets that are frequented by low-income consumers. Q LINK will provide retail vendors with signage to be displayed where Company products are sold, and with printed materials describing the Company's Lifeline program.<sup>24</sup>

Statistics suggest that there are many eligible customers who are not yet aware of the programs. According to the best data available to the Company, as of December 31, 2010, only between 20-50% of consumers eligible for Lifeline Services in the State of Illinois were being provided such services.<sup>25</sup> Q LINK believes that its advertising and outreach efforts detailed above will result in increased participation in the Lifeline program.

**E. Q LINK Requests Designation Throughout Its Service Area in Illinois**

Q LINK is not a rural telephone company as defined in Section 153(37) of the Act (47 U.S.C. § 153(37)). Accordingly, Q LINK is required to describe the geographic area(s) within which it requests designation as an ETC. Q LINK requests designation as an ETC in Sprint's coverage area in Illinois, as specified in the wire center list and coverage maps attached as Exhibit 6. Q LINK understands that its service area may overlap with rural carriers in Illinois, but maintains that the public interest factors described below justify its designation in these carriers' service areas, especially because it seeks ETC designation solely to utilize USF funding

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<sup>24</sup> See Exhibit B of attached Exhibit 4 for sample advertisements.

<sup>25</sup> See attached Exhibit 5, 2010 Lifeline Participation Rates by State, which was obtained from the Universal Service Administrative Company ("USAC"), an independent not-for-profit corporation designated as the administrator of the federal Universal Service Fund by the FCC. USAC administers Universal Service Fund (USF) programs for high cost companies serving rural areas, low-income consumers, rural health care providers, and schools and libraries. Also attached is an FCC News Release dated September 14, 2009.

to provide Lifeline service to qualified low-income consumers.<sup>26</sup> It does not seek and will not accept high cost support, nor does the Company seek to provide Link-Up service.

**F. Service Commitment Throughout the Proposed Designated Service Area**

Q LINK provides service in Illinois through a combination of its own facilities and by reselling service which it obtains from its underlying facilities-based provider. The provider's network is operational and largely built out. Thus, Q LINK will be able to commence offering its Lifeline service to all locations served by its underlying carrier very soon after receiving approval from the Commission. Q LINK commits to comply with the service requirements applicable to the support that it receives.<sup>27</sup>

**G. Five-Year Network Improvement Plan**

As set forth in the *Lifeline and Link Up Reform Order*, a common carrier seeking designation as a Lifeline-only ETC is not required to submit a five-year network improvement plan as part of its application for designation as an ETC.<sup>28</sup>

**H. Ability to Remain Functional in Emergency Situations**

In accordance with 47 CFR §54.202(a)(2), Q LINK, through its underlying carrier(s), has the ability to remain functional in emergency situations. Through its agreement with Sprint, Q LINK provides to its customers the same ability to remain functional in emergency situations as currently provided by Sprint to its own customers, including access to a reasonable amount of back-up power to ensure functionality without an external power source, the ability to reroute traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations. Furthermore, the Company is subject to its own 911 requirements in 47

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<sup>26</sup> Q LINK does not seek designation below the study area level of a rural telephone company, therefore a creamskimming analysis is unnecessary.

<sup>27</sup> See *Lifeline and Link Up Reform Order* page 208, revised § 54.202(a)(1)(i).

<sup>28</sup> See *Lifeline and Link Up Reform Order* at ¶ 386.

C.F.R. 20.18(m), and has committed to specific 911 and E911-related requirements – including with respect to E911 handsets – in its Compliance Plan.

**I. Commitment to Consumer Protection and Service Quality**

Under FCC guidelines, an ETC applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards.<sup>29</sup> The Company commits to satisfying all such applicable state and federal requirements related to consumer protection and service quality standards. Specifically, Q LINK commits to comply with the Cellular Telecommunications and Internet Association's (CTIA) Consumer Code for Wireless Service.

Q LINK will abide by rules denominated as 83 Ill. Adm. Code 736, "Service Quality and Customer Protection Applicable to Wireless Eligible Telecommunications Carriers" ("WETC Rules") to the extent that such rules are applicable to the Company as a prepaid wireless provider. Q LINK requests that certain provisions in the WETC Rules be waived or declared inapplicable to it because the Company provides prepaid wireless service and does not issue bills, or because Q LINK will not be seeking high cost support, including the following: 736.610, 736.620, 736.630, 736.640, 736.650, 736.680, 736.685, and 736.690. Q LINK will comply with 736.515 by reporting complaints received by it regarding dropped calls and signal strength. Thus, Q LINK requests that the Commission hold that the sections listed above be waived or held inapplicable to Q LINK.

**J. Local Usage Requirement**

FCC rules no longer require an applicant for ETC designation to demonstrate that it offers a local usage plan that is "comparable" to the plan offered by the ILEC in the relevant

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<sup>29</sup> See 47 C.F.R § 54.202(a)(3).

service territory.<sup>30</sup> Nevertheless, similar to ILEC Lifeline offerings, Q LINK customers will have the option to apply the Lifeline discount to the Company's retail rate plans. Not only will the Company's offering be comparable to the underlying ILEC plans, but it also will exceed them in several respects. Q LINK will offer customers a certain amount of service free of charge. In contrast to the ILEC plans, which contain relatively small local calling areas, Q LINK customers can use these free minutes to place calls statewide (and even nationwide) because Q LINK does not restrict customers' use by imposing a local calling area requirement. Q LINK will also provide Lifeline customers with E911 capabilities at no cost as well as access to voice mail, caller I.D., and call waiting features at no cost. The very nature of the wireless phone, i.e. mobility, has a tremendous benefit to many consumers, a benefit to which a monetary value cannot be easily assigned.

#### **K. Equal Access Requirement**

Pursuant to revised 47 C.F.R § 54.202, Q LINK is no longer required to acknowledge that it may be required to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area.<sup>31</sup>

#### **L. Financial and Technical Capability**

Q LINK is financially and technically capable of providing Lifeline-supported services.<sup>32</sup> Q LINK will provide service to both Lifeline and non-Lifeline customers. Q LINK intends to launch its retail and Lifeline wireless service simultaneously in Illinois. Q LINK is already designated as an ETC and beginning operations in Colorado, Maryland, Michigan, Missouri, Nevada, Oklahoma, Texas, Wisconsin, and West Virginia. Q LINK has not been subject to enforcement action or ETC

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<sup>30</sup> See *Lifeline and Link Up Reform Order* at page 208, revised 47 C.F.R. § 54.202(a).

<sup>31</sup> See *id.*

<sup>32</sup> See *Order* at ¶ 387.

revocation proceedings in any state. The Company does not, and does not intend to, offer exclusively Lifeline-supported services—and is therefore not exclusively dependent on universal service funds for its revenue. Furthermore, the senior management of Q LINK has great depth in the telecommunications industry and offers extensive telecommunications business technical and managerial expertise to the Company.<sup>33</sup> Q LINK will also rely upon the managerial and technical expertise of its underlying carrier Sprint.

**M. Q LINK Will Comply with Certification and Verification Requirements**

Section 54.410 of the FCC's Rules requires ETCs to certify and verify a Lifeline customer's initial and continued eligibility. Q LINK will certify and verify consumer eligibility in accordance with the FCC's requirements, including the new rules set forth in the *Lifeline and Link Up Reform Order*, and with applicable Commission rules.<sup>34</sup>

**N. Q LINK Will Comply With All Regulations Imposed By The Commission**

By this Application, Q LINK hereby asserts its willingness and ability to comply with all the rules and regulations that the Commission may lawfully impose upon the Company's provision of service contemplated by this Application. Q LINK is committed to comply with all of the applicable reporting requirements that will be required of the Company as a recipient of low-cost support. Q LINK remits all applicable fees, including the 911 surcharge, on behalf of its customers and commits to do so on behalf of its Lifeline customers. Upon Commission request, Q LINK is prepared to answer questions, present additional testimony, or other evidence about its services within the state. Q LINK will comply with the following conditions with respect to its ETC designation:

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<sup>33</sup> See Exhibit D of attached Exhibit 4 for key management resumes.

<sup>34</sup> See Exhibit A of the Company's Compliance Plan attached hereto as Exhibit 4 for the Company's FCC-approved Lifeline Certification Form.

1. Applicant does not have a record of providing wireless services to Illinois customers throughout the requested ETC areas for a minimum of six months prior to the submission of this wireless ETC application. Applicant was approved to provide CMRS in Illinois on January 25, 2012 in Docket No. 11-0739. Applicant's business operations plan is to launch retail and Lifeline services simultaneously. Applicant will not begin services and marketing until ETC designation has been granted.
2. To Applicant's knowledge, there is no open or pending investigation involving the Applicant's (or any affiliate of the Applicant) wireline or wireless operations in any State as of the submission date of the ETC application.
3. Applicant seeks designation as a Lifeline only ETC and acknowledges that the wireless ETC designation, if and when granted, does not authorize it to claim or collect Linkup support for wireless customers.
4. Applicant acknowledges that the wireless ETC designation, if and when granted, does not authorize the Applicant to claim or collect Lifeline support for those wireless customers that it serves (i.e., provides supported services) solely through resale of another carrier's services, unless the Applicant has obtained forbearance from the facilities requirement from the FCC prior to the submission of its ETC application.
5. Applicant has provided the following information regarding its requested ETC areas with its ETC application:
  - A. A list of exchanges in which it seeks wireless ETC designation, including but not limited to the names of the exchanges and the names of the ILECs operating in the exchanges.
  - B. A map of the requested ETC service area.
  - C. Evidence that the Applicant provides supported services to wireless customers throughout the requested ETC areas.
6. Applicant will submit, with its ETC Application, all Lifeline Enrollment Forms and Lifeline Annual Verifications Forms that it will rely upon in Illinois if and when it is designated as an eligible telecommunications carrier in Illinois and begins to offer Lifeline service in Illinois (see Exhibit A of attached Exhibit 4).
7. In addition to meeting all federal and State requirements for ETCs, Applicant must demonstrate that it has a record of and is currently in good standing with all other applicable laws, rules and regulations and that ETC designation is in the public interest. Upon such a showing, Applicant will receive an interim one-year ETC designation.
  - a. The interim one-year ETC designation may be renewed only if Applicant requests such a renewal from the Commission. If Applicant fails to timely submit such request, the ETC designation expires at the end of the interim one-year ETC period. Renewal will be granted only if Applicant demonstrates full compliance with all laws, rules and regulations, including but not limited to all federal and State requirements

for ETCs, during the preceding interim one-year ETC period or periods, and that the renewal of an interim one-year ETC designation is in the public interest.

- b. At the end of the second interim one-year ETC period, Applicant may request continuing ETC designation with no further annual review from the Commission. Continuing designation will be granted only if Applicant demonstrates full compliance with all applicable laws, rules and regulations, including but not limited to all federal and State requirements for ETCs, for the preceding interim one-year ETC periods, and that the continuing designation is in the public interest.
  - c. At any time the Commission may require Applicant to demonstrate compliance with any applicable laws, rules, regulations or conditions, including but not limited to federal and State requirements for ETCs, and may, if the applicant fails to adhere to any applicable law, rule, regulation or condition, revoke the ETC designation.
8. A request for renewal of an interim one-year ETC designation or continuing ETC designation must be submitted to the Commission 30 to 60 days prior to the expiration date of the current interim ETC period. The request must contain, at minimum, the following exhibits:
- A. Copies of all reports and exhibits filed with the Clerk of the Commission as required in Condition 16 and Condition 17 below.
9. Applicant will require every Lifeline customer to complete/sign a Lifeline Enrollment Form to certify the customer's eligibility and to provide proof of eligibility at the time of the customer's initial enrollment.

Proof of eligibility entails (i) proof of identity: evidence that the customer signing the Lifeline Enrollment Form is the person named, and does reside at the address listed, on the Lifeline Enrollment Form, and (ii) proof of program participation: evidence of the customer's participation in one of the proxy programs listed in Code Part 757.10.

Proof of identity consists of a current government issued ID with photo, name and address (e.g., driver's license, Illinois state ID, etc.), OR two pieces of current identification (one must include name and address), which may include a personal check (cancelled within 30 days), a current telephone, gas, electric or cable bill (issued within 30 days), mail with a current postmark (dated within 30 days), or a voter registration card.

Proof of program participation consists of copies of dated documents issued by qualifying government agencies, such as the Department of Human Services, that contain the customer's name, address and social security number AND that clearly establish the customer's participation in the claimed proxy program(s) at the time of initial enrollment.

*Note: a program card (such as Illinois Link Card) is not sufficient as proof of program participation **unless** the program card shows the customer's name, residence address and date of eligibility.*

Applicant will comply with the following document retention requirements:

- a. Applicant will retain all original (or scanned images of original) copies Lifeline Enrollment Forms completed/signed by every Lifeline customer at the time of initial enrollment for a minimum of three years after the customer terminates services with the Applicant.
  - b. Applicant will retain all original (or scanned images of original) copies of proof of identity (specified above) provided by every Lifeline customer at the time of initial enrollment for a minimum of three years after the customer terminates services with the Applicant.
  - c. Applicant will *not* retain all original (or scanned images of original) copies of proof of program participation (specified above) provided by every Lifeline customer at the time of initial enrollment for a minimum of three years after the customer terminates services with the Applicant. In accordance with the *Lifeline and Link Up Reform Order*, the Company will not retain copies of the documentation but rather will establish policies and procedures to review such documentation and keep accurate records detailing how the consumer demonstrated his or her eligibility.<sup>35</sup>
10. Applicant will verify every Lifeline customer’s continued eligibility for Lifeline support every twelve (12) months in accordance with Section 54.410(f) of the Act, as amended by the FCC in its *Lifeline and Link Up Reform Order*.

Applicant will not claim Lifeline support for those Lifeline customers that fail to respond to annual verification requests.

If there is no state Lifeline administrator or other state agency responsible for re-certification of subscribers’ Lifeline eligibility, Applicant will comply with the following document retention requirements:

- a. Applicant will retain all original (or scanned images of original) documentation of re-certification results from querying the appropriate eligibility or income databases confirming that every Lifeline customer continues to meet the program-based or income-based eligibility requirements for Lifeline for a minimum of three years after the customer terminates services with the Applicant; or
  - b. Applicant will retain all original (or scanned images of original) copies of Lifeline Annual Verification Forms completed/signed by every Lifeline customer at the time of annual verification of the customer’s continued eligibility for a minimum of three years after the customer terminates services with the Applicant.<sup>36</sup>
11. Applicant **must** offer to pass through Lifeline benefits through a Lifeline discount off its non-Lifeline rates for its wireless **voice** plans (i.e., the difference between the non-Lifeline rates and Lifeline rates after application of Lifeline discount must equal to the Lifeline benefits)

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<sup>35</sup> See *Lifeline and Link Up Reform Order* at ¶ 101.

<sup>36</sup> Certifications on the Applicant’s Lifeline Annual Verification Forms may be obtained through written format, an Electronic Signature, an Interactive Voice Response system, or a text message pursuant to ¶ 132 of the FCC’s *Lifeline and Link Up Reform Order*.

(Option A). A Lifeline customer must be permitted to receive the Lifeline benefits through a Lifeline discount off the non-Lifeline rates of **any** wireless voice plans offered by the Applicant. *A wireless voice plan is a wireless plan that allows the customer to make and receive voice calls, with or without the text messaging functionality.*

Applicant **may** provide a block of free minutes per month in lieu of a Lifeline discount off the non-Lifeline rates as an alternative means to pass through Lifeline benefits (Option B). In such a case, customers must be permitted to choose between Option A (i.e., receiving Lifeline benefits through a discount off the non-Lifeline rates) and Option B (i.e., receiving Lifeline benefits through a block of free minutes).

If electing to offer a block of free minutes as an optional means for customers to receive Lifeline benefits, the Applicant must, at minimum, offer a wireless voice plan containing a block of free minutes determined by the most economical wireless voice plans offered to non-Lifeline wireless customers and the carrier's claim of Lifeline support (i.e., Tier 1, Tier 1 and Tier 2, or all three Tiers). In addition, any unused free minutes in any given month will be automatically rolled over to future months.

12. Applicant will offer wireless local calling plans comparable to those of the Incumbent Local Exchange Carriers (ILECs) operating in the Applicant's ETC areas.
  - a. Applicant will file a wireless Lifeline tariff pursuant to Code Part 757.420, containing (i) a list of all individual discounts, including but not limited to low income discounts, and a description of the conditions under which each individual discount applies, (ii) a list of all non-recurring and recurring charges for wireless services offered to Lifeline customers before application of low income discounts, and (iii) a list of all non-recurring and recurring charges for wireless services offered to Lifeline customers after application of low income discounts.
  - b. All rates (non-recurring and recurring) in the wireless Lifeline tariff must be identical for non-Lifeline and Lifeline customers before application of low-income discounts.
  - c. Applicant will adhere strictly to all rates, terms and conditions of service prescribed in the wireless Lifeline tariff. Applicant will not charge its Lifeline customers any rate other than those prescribed in the wireless Lifeline tariff.
  - d. Applicant will not introduce any new wireless services for Lifeline customers unless and until it has filed a wireless Lifeline tariff with the Commission that includes the new services. A new wireless service is defined as any wireless service (or calling plan) that deviates in any way (e.g., in rates or/and structure) from those specified in the current wireless Lifeline tariff on file with the Commission. Applicant must notify Staff of any planned introduction of new wireless services to Lifeline customers and demonstrate to Staff that the new services are comparable to those of the ILECs operating in the applicant's wireless ETC areas 30 days prior to the introduction of the new wireless services.

13. Applicant must provide all Lifeline customers and prospective Lifeline customers with detailed descriptions of all available wireless voice plans (“Service Descriptions”), separate from its wireless Lifeline tariff. The Service Descriptions must meet the following criteria:
  - a. The Service Descriptions must be provided in a separate document or on pages separate from the Applicant’s Lifeline Enrollment Form and Lifeline Annual Verification Form. It must be presented in an easy-to-read format and it must not take a customer more than a few minutes to understand all plan options.
  - b. The Service Descriptions must explicitly state all rates (recurring and non-recurring) before application of Lifeline discount for each of its wireless voice plans.
  - c. The Service Descriptions must explicitly state the amounts (\$) of Lifeline discounts.
  - d. If the Applicant offers a block of free minutes in lieu of Lifeline discount off non-Lifeline rates, the Service Descriptions must comply with the following:
    - i. The Service Descriptions must clearly state that the block of free minutes is fully funded under the government-sponsored Lifeline program. It must also explicitly state the amounts (\$) of Lifeline benefits that are implicitly reflected in the block of free minutes.
    - ii. The Service Descriptions must clearly state that customers must **pay** for the use of additional minutes beyond the block of free minutes. And it must present all plan options available to customers when and if the customers desire to purchase additional minutes.
14. Applicant must ensure that the Lifeline Enrollment (and Annual Verification) Form is used solely for a customer to certify his eligibility at the time of initial enrollment (or verify his continued eligibility at the time of annual verification).

In addition, it must be clearly stated on both the Lifeline Enrollment and Annual Verification Forms that the Lifeline program is a government-funded program, under which qualified customers may purchase phone services from the Applicant at subsidized rates.

In no circumstances will the Applicant advertise services on the Lifeline Enrollment or Lifeline Annual Verification Forms.

15. Applicant will submit, within 30 days of the end of each calendar quarter, to the Director of the Telecommunications Division the following items:
  - A. Copies of all completed/signed Lifeline Enrollment Forms submitted during the quarter by each Lifeline customer at the time of initial enrollment.
  - B. Copies of all dated official documentation provided during the quarter by each Lifeline customer at the time of initial enrollment as proof of identity and program participation consistent with the requirements specified in Code Part 757.10 and Condition 9.

- C. If there is no state Lifeline administrator or other state agency responsible for re-certification of subscribers' Lifeline eligibility, copies of all completed/signed Lifeline Annual Verification Forms submitted during the quarter by each Lifeline customer at the time of annual verification of the customer's continued eligibility;<sup>37</sup> or
  - D. If a state or federal eligibility database is available, copies of all dated documentation of re-certification results queried during the quarter as proof of continued eligibility consistent with the requirements specified in Condition 10.
  - E. A summary of the Applicant's annual verifications conducted during the quarter in accordance with Condition 10, including the following:
    - a. The number of customers that were due for annual verification during the quarter (i.e., the number of Lifeline customers that have been enrolled in the Applicant's Lifeline program for 12 months or a multiple of 12 months).
    - b. The number of customers that responded to the annual verification.
      - i. The number of customers that provided all the required documentations for proof of continued eligibility as specified in Condition 10.
      - ii. The number of customers that responded but failed to provide all the required documentations for proof of continued eligibility as specified in Condition 10.
    - c. The number of customers that failed to respond to the annual verification request.
16. Applicant will submit, to the Director of Telecommunications Division and the Clerk of the Commission, by August 1 of each year a report summarizing the results of the Applicant's annual verification conducted in the most recent 12-month period ending July 31 in the format specified in Condition 15.E.
17. Applicant will provide quarterly reports, separately for wireline and wireless operations, pursuant to Exhibit A of Code Part 757 to the Commission, the Staff Liaison, and the Universal Telephone Assistance Corporation ("UTAC"). Additionally, Applicant will submit, in its ETC designation docket, quarterly reports to the Clerk of the Commission within 30 days of the end of each calendar quarter consisting of the following items:
- A. A Churn Rate Report as detailed in Appendix A.
  - B. A Minutes of Use ("MOU") Report as detailed in Appendix B.

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<sup>37</sup> Certifications on the Applicant's Lifeline Annual Verification Forms may be obtained through written format, an Electronic Signature, an Interactive Voice Response system, or a text message pursuant to ¶ 132 of the FCC's *Lifeline and Link Up Reform Order*.

- C. A Subscribership Report as detailed in Appendix C.
  - D. Service Descriptions as specified in Condition 13.
  - E. A Low Income Support Receipt Report. The Report must list the total amount of support, Projection Override *plus* true-ups, in each category (Lifeline, Toll Limitation, etc.) for each month of the quarter. It must also list the amounts of Projection Override and true-ups, respectively, for each month. *For example, if the Projection Override for March 2011 is \$15,000 and the subsequent true-ups for March 2011 is \$5,000, the USF support amount received for March 2011 should be \$20,000 (= \$15,000 Projection Override + \$5,000 true-ups).*
  - F. Documentation demonstrating that low-income support received during the quarter was passed through to Lifeline customers. Such documentation includes, but not limited to, detailed descriptions of wireless voice plans offered to non-Lifeline customers, including (i) a list of all individual discounts offered to non-Lifeline customers and a description of the conditions under which each discount applies, (ii) a list of all non-recurring and recurring charges for wireless services offered to non-Lifeline customers before application of discounts, and (iii) a list of all non-recurring and recurring charges for wireless services offered to non-Lifeline customers after application of discounts.
  - G. Copies of all FCC Form 497 filings submitted to the Universal Service Administration Corporation (“USAC”) during the quarter.
  - H. A summary of all wireless Lifeline tariff changes filed with the Commission during the quarter, including a description of each change and citations to any revised tariff pages.
  - I. Copies of all Lifeline Enrollment Forms that Applicant distributed to potential Lifeline customers during the quarter. Note: these should be blank forms.
  - J. Copies of all Lifeline Annual Verification Forms that Applicant distributed to Lifeline customers during the quarter. Note: these should be blank forms
  - K. Copies of all Lifeline publicity and advertising materials distributed during the quarter.
  - L. Copies of all written notifications provided to directors of municipal, State, and federal government agencies within the applicant’s service territory.
18. Applicant will implement a non-usage policy whereby it will identify Lifeline customers that have not used its Lifeline service for 60 days, and cease to claim Lifeline support for such customers if they do not use their service within a 30-day grace period following the initial 60-day non-usage period. Specifically,

- a. If no usage appears on a Lifeline customer's account during any continuous 60-day period, Applicant will promptly notify the customer that the customer is no longer eligible for the Company's Lifeline services subject to a 30-day grace period.
  - b. If the customer's account does not show any customer-specific activity during the 30-day grace period (such as making or receiving a voice call, sending a text message, or adding money to the account), the Company will deactivate Lifeline services (i.e., ceasing to claim Lifeline support) for that customer. *Note: Customer-specific activity does not include receiving calls or text messages from the Company or its designated agents.*
  - c. The Company will not seek to recover a Lifeline subsidy for the minutes provided to the customer during the 30-day grace period, or thereafter, unless the customer reinitiates service.
  - d. The Company will not report that customer on its FCC Form 497 for the 30-day grace period, or thereafter, unless the customer reinitiates service.
19. Applicant will offer, at minimum, 30 minutes of wireless customer service calls per Lifeline customer, per month, at no charge. After 30 minutes, regular per minute charges will apply. Notice will be given to Lifeline customers via a free text message when they have used 80% of the minutes provided by their customer service allowance.
  20. Applicant will remit, or ensure the remission of, wireless 911 surcharges for all Lifeline and non-Lifeline wireless customers pursuant to the Wireless Emergency Telephone Safety Act and/or Prepaid Wireless 9-1-1 Surcharge Act. Applicant will retain record of all wireless 9-1-1 surcharges remitted for its wireless (Lifeline and non-Lifeline) customers. Applicant will demonstrate, upon request, that wireless 9-1-1 surcharges have been remitted for each and every of its wireless Lifeline and non-Lifeline customers.
  21. Applicant acknowledges that it is not eligible to and may not seek Illinois supplemental low-income assistance under Subpart C (Universal Telephone Service Assistance Program or UTASP) of Code Part 757 for any wireless customers.
  22. Applicant acknowledges that it may not seek waiver for any sections of Code Part 736 listed in Part 736.115(b) on the ground that the Applicant offers prepaid wireless services, i.e.,
 

Section 736.505(a):	Operator Answer Time;
Section 736.505(b):	Business and Repair Answer Time;
Section 736.515:	Dropped Calls and Signal Strength;
Section 736.520:	Service Outages;
Section 736.525:	Installation Requests – Failure to Provide Service;
Section 736.530:	Trouble Reports.

#### **IV. DESIGNATION OF Q LINK AS AN ETC WOULD PROMOTE THE PUBLIC INTEREST**

One of the principal goals of the Act, as amended by the Telecommunications Act of 1996, is “to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies” to all citizens, regardless of geographic location or income.<sup>38</sup> There is no question that designation of Q LINK as an ETC in Illinois will further the public interest by providing Illinois consumers, especially low-income consumers, with lower prices and higher quality services. Many low-income customers in Illinois have yet to reap the full benefits of the intensely competitive wireless market. Whether because of financial constraints, poor credit history or intermittent employment, these consumers often lack the countless choices available to most consumers.

The instant request for ETC designation must be examined in light of the Act’s goal of providing low-income consumers with access to telecommunications services. The primary purpose of universal service is to ensure that consumers—particularly low-income consumers—receive affordable and comparable telecommunications services. Given this context, designating Q LINK as an ETC would significantly benefit low-income consumers eligible for Lifeline services in the State of Illinois—the intended beneficiaries of universal service.

The public interest benefits of the Company’s wireless service include larger local calling areas (as compared to traditional wireline carriers), the convenience and security afforded by mobile telephone service, the opportunity for customers to control cost by receiving a preset amount of monthly airtime at no charge, the ability to purchase additional usage at flexible and affordable amounts in the event that included usage has been exhausted, 911 service and, where available, E911 service in accordance with current FCC requirements. The Company’s Lifeline

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<sup>38</sup> *Telecommunications Act of 1996*, Pub. L. No. 104-104, 110 Stat. 56.

customers will receive the same high-quality wireless services and exceptional customer service provided to all Company customers. Q LINK's Lifeline rate plans will not only allow feature-rich mobile connectivity for qualifying subscribers at no cost to the subscriber, but also will bring a variety of rate plans into the reach of Lifeline customers that are comparable in minutes and features to those available to post-paid wireless subscribers – but at low Lifeline rates and without the burden of credit checks or contracts.

Q LINK's Lifeline program will provide low-income Illinois residents with the convenience and security offered by wireless services—even if their financial position deteriorates. According to the U.S. Department of Labor Bureau, Illinois' unemployment rate was 8.8% as of October 2012. The economic circumstances indicate that low-income individuals, now more than ever, can greatly benefit from the advantages offered by the Company's Lifeline service, thus allowing those adversely impacted by the failing economy or job loss to have access to a free wireless service to assist in emergency situations, facilitate job search efforts, and to maintain contact with family members.

It is also a commonly accepted fact that in today's market all consumers, including qualified Lifeline customers, view the portability and convenience of wireless service not as a luxury, but as a necessity. Mobile service allows children to reach their parents, wherever they may be, allows a person seeking employment the ability to be contacted by potential employers, and provides end users with the ability to contact emergency service providers, regardless of location. Providing Q LINK with the authority necessary to offer discounted Lifeline services to those most in danger of losing wireless service altogether undoubtedly promotes the public interest.

Moreover, grant of Q LINK's Application will serve the public interest in increasing the number of ETCs in Illinois. By granting ETC status to Q LINK, the Commission will enable the Company to increase the number of Illinois residents receiving Lifeline support, thereby increasing the amount of USF money flowing into Illinois. In sum, ETC designation in the State of Illinois would enable Q LINK to provide all of the public benefits cited by the FCC in its analysis in the *Virgin Mobile Order*. Namely, Q LINK would provide "increased consumer choice, high-quality service offerings, and mobility,"<sup>39</sup> as well as the safety and security of effective 911 and E911 services.<sup>40</sup>

#### **A. The Benefits of Competitive Choice**

The benefits to consumers of being able to choose from among a variety of telecommunications service providers have been acknowledged by the FCC for more than three decades.<sup>41</sup> Designation of Q LINK as an ETC will promote competition and innovation, as ETCs compete for a finite number of Lifeline-eligible customers, and will spur other carriers to target low-income consumers with service offerings tailored to their needs and to improve their existing networks to remain competitive, resulting in improved services to consumers. Increasing the competitive marketplace of providers has the potential to effectively increase the penetration rate and reduce the number of individuals not connected to the PSTN. Designation of Q LINK as an ETC will help assure that quality services are available at "just, reasonable, and affordable rates" as envisioned in the Act.<sup>42</sup>

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<sup>39</sup> See *Virgin Mobile Order*, 24 FCC Rcd at 3395 ¶ 38.

<sup>40</sup> See *Id.* at 3391 ¶ 23.

<sup>41</sup> See, e.g., *Specialized Common Carrier Services*, 29 FCC Rcd 870 (1971).

<sup>42</sup> See 47 U.S.C. § 254(b)(1).

## **B. Impact on the Universal Service Fund**

With Lifeline, ETCs only receive support for customers they obtain. The amount of support available to an eligible subscriber is exactly the same whether the support is given through a company such as Q LINK or the Incumbent LEC operating in the same service area. Q LINK will only increase the amount of USF Lifeline funding in situations where it obtains Lifeline customers not enrolled in another ETC's Lifeline program. By implementing the safeguards set forth in the *Lifeline and Link Up Reform Order*, Q LINK will minimize the likelihood that its customers are not eligible or are receiving duplicative support either individually or within their household. Significantly, the Company's designation as an ETC will not increase the number of persons eligible for Lifeline support. Q LINK's ability to increase the Lifeline participation rate of qualified low-income individuals will further the goal of Congress to provide all individuals with affordable access to telecommunications service, and thus any incremental increases in Lifeline expenditures are far outweighed by the significant public interest benefits of expanding the availability of affordable wireless services to low-income consumers.

## **V. ANTI-DRUG ABUSE CERTIFICATION**

Q LINK certifies that no party to this Application is subject to denial of federal benefits, including FCC benefits, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**VI. CONCLUSION**

Based on the foregoing, designation of Q LINK as an ETC in the State of Illinois accords with the requirements of Section 214(e)(2) of the Act and is in the public interest.

WHEREFORE, Q LINK respectfully requests that the Commission promptly designate Q LINK as an ETC in the State of Illinois solely for purposes of participating in the Lifeline program.

Respectfully submitted,

/s/ Lance Steinhart  
Lance J.M. Steinhart  
Lance J.M. Steinhart, P.C.  
Attorneys at Law  
1725 Windward Concourse, Suite 150  
Alpharetta, Georgia 30005  
(770) 232-9200 (Phone)  
(770) 232-9208 (Fax)  
E-Mail: [lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com)

*Attorneys for Q LINK WIRELESS LLC*

December 13, 2012

**EXHIBIT 1**

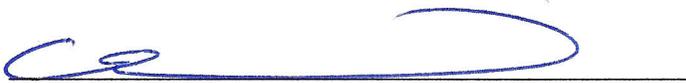
**Certification of Issa Asad, CEO of Q LINK WIRELESS LLC**

State of Florida )  
 )  
County of Broward )

### Certification

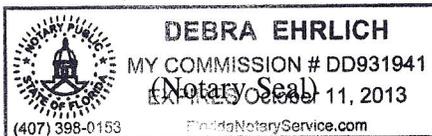
Personally appeared before the undersigned, an officer duly authorized to administer oaths, I, Issa Asad, first being duly sworn, depose and state that I am the CEO of Q LINK WIRELESS LLC, Applicant in this Application, and have read the same and knows the contents thereof, and confirm that the statements made herein are true and correct to the best of and within my personal knowledge.

Dated: 12/13/12



Issa Asad  
CEO  
Q LINK WIRELESS LLC

Subscribed and sworn to before me this 13 day of December 2012.

  
(Signature of person authorized to administer oath)

My Commission Expires: October 11, 2013

**EXHIBIT 2**

**Secretary of State Registration**



## OFFICE OF THE SECRETARY OF STATE

---

JESSE WHITE • Secretary of State

NOVEMBER 08, 2011

0372276-7

INCorp SERVICES INC  
250 CHATHAM RD #110  
SPRINGFIELD, IL 62704-0000

RE Q LINK WIRELESS LLC

DEAR SIR OR MADAM:

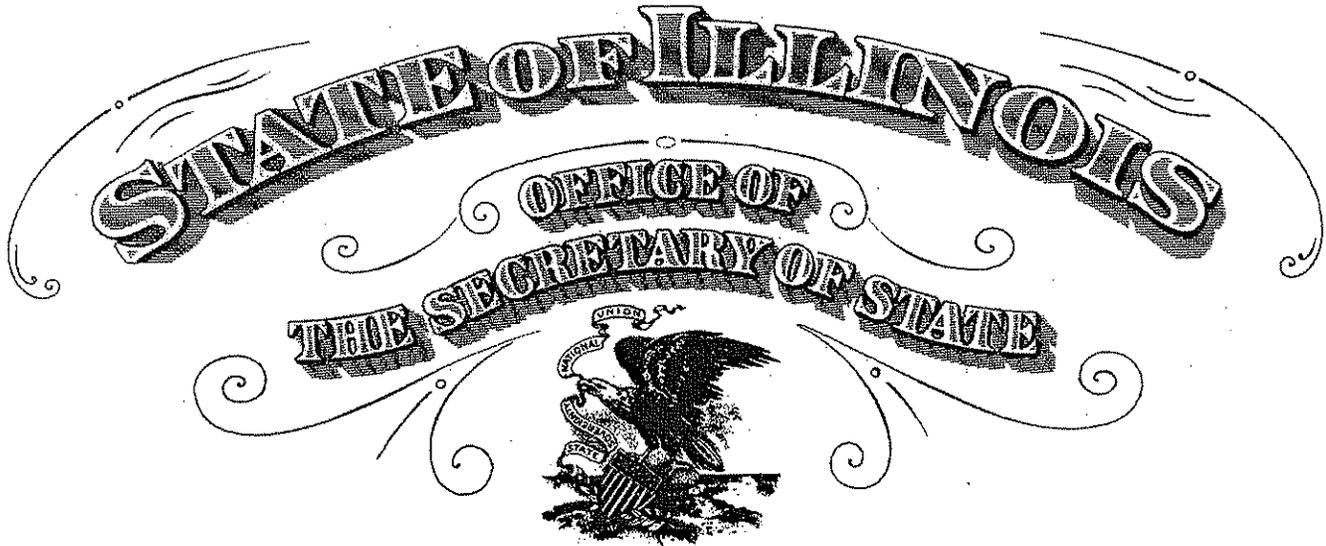
IT HAS BEEN OUR PLEASURE TO APPROVE YOUR REQUEST TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS. ENCLOSED PLEASE FIND THE APPROVED APPLICATION FOR ADMISSION.

PLEASE NOTE! THE LIMITED LIABILITY COMPANY MUST FILE AN ANNUAL REPORT PRIOR TO THE FIRST DAY OF THIS MONTH OF QUALIFICATION NEXT YEAR. FAILURE TO TIMELY FILE WILL RESULT IN A \$300 PENALTY AND/OR REVOCATION. A PRE-PRINTED ANNUAL REPORT WILL BE MAILED TO THE REGISTERED AGENT AT THE ADDRESS ON OUR RECORDS APPROXIMATELY 45 DAYS BEFORE THE DUE DATE.

MANY OF OUR SERVICES ARE AVAILABLE AT OUR CONTINUOUSLY UPDATED WEBSITE. VISIT [WWW.CYBERDRIVEILLINOIS.COM](http://WWW.CYBERDRIVEILLINOIS.COM) TO VIEW THE STATUS OF THIS COMPANY, PURCHASE A CERTIFICATE OF GOOD STANDING, OR EVEN FILE THE ANNUAL REPORT REFERRED TO IN THE EARLIER PARAGRAPH.

SINCERELY YOURS,

JESSE WHITE  
SECRETARY OF STATE  
DEPARTMENT OF BUSINESS SERVICES  
LIMITED LIABILITY DIVISION  
(217) 524-8008



**To all to whom these Presents Shall Come, Greeting:**

*I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that I am the keeper of the records of the Department of Business Services. I certify that*

Q LINK WIRELESS LLC, A DELAWARE LIMITED LIABILITY COMPANY HAVING OBTAINED ADMISSION TO TRANSACT BUSINESS IN ILLINOIS ON NOVEMBER 08, 2011, APPEARS TO HAVE COMPLIED WITH ALL PROVISIONS OF THE LIMITED LIABILITY COMPANY ACT OF THIS STATE, AND AS OF THIS DATE IS IN GOOD STANDING AS A FOREIGN LIMITED LIABILITY COMPANY ADMITTED TO TRANSACT BUSINESS IN THE STATE OF ILLINOIS.



**In Testimony Whereof,** I hereto set  
*my hand and cause to be affixed the Great Seal of  
the State of Illinois, this 9TH  
day of NOVEMBER A.D. 2011*

*Jesse White*

Form **LLC-45.5**  
June 2010Illinois Limited Liability Company Act  
**Application for Admission to  
Transact Business**

FILE #:

This space for use by Secretary of State.

Secretary of State  
Department of Business Services  
Limited Liability Division  
501 S. Second St., Rm. 351  
Springfield, IL 62756  
217-524-8008  
www.cyberdriveillinois.com**SUBMIT IN DUPLICATE**

Type or Print Clearly.

This space for use by Secretary of State.

Filing Fee: \$500

Penalty: \$

Approved:

**FILED****NOV 08 2011****JESSE WHITE  
SECRETARY OF STATE**

1. Limited Liability Company Name: Q LINK WIRELESS LLC
2. Assumed Name: \_\_\_\_\_  
(This item is only applicable if the company name in item 1 is not available for use in Illinois, in which case form LLC 1.20 must be completed and submitted with this application.)
3. Jurisdiction of Organization: Delaware
4. Date of Organization: 08/25/2011
5. Period of Duration: Perpetual  
(Enter Perpetual unless there is a Date of Dissolution provided in the agreement, in which case enter that date.)
6. Address of the Office required to be maintained in the jurisdiction of its organization or, if not required, of the Principal Place of Business: (P.O. Box alone or c/o is unacceptable.)
- |              |                                   |              |
|--------------|-----------------------------------|--------------|
| <u>499</u>   | <u>Sheridan Street, Suite 300</u> |              |
| Number       | Street                            | Suite #      |
| <u>Dania</u> | <u>FL</u>                         | <u>33004</u> |
| City,State   |                                   | ZIP Code     |
7. Registered Agent: Incorp Services, Inc.
- |  |                              |             |
|--|------------------------------|-------------|
|  | <u>Incorp Services, Inc.</u> |             |
|  | First Name                   | Middle Name |
|  |                              | Last Name   |
- Registered Office: 250 Chatham Rd 110
- |  |                    |                   |              |
|--|--------------------|-------------------|--------------|
| (P.O. Box alone or c/o is unacceptable.) | <u>250</u>         | <u>Chatham Rd</u> | <u>110</u>   |
|  | Number             | Street            | Suite #      |
|  | <u>Springfield</u> | <u>Illinois</u>   | <u>62704</u> |
|  | City               |                   | Zip Code     |
8. If applicable, Date on which Company first conducted business in Illinois: \_\_\_\_\_

(continued on back)

**LLC-45.5**

9. Purpose(s) for which the Company is Organized and Proposes to Conduct Business in Illinois: \_\_\_\_\_  
To provide telecommunication services.

10. The Limited Liability Company: (check one)

a.  is managed by the **manager(s)** (List names and addresses.)

b.  has management vested in the **members(s)** (List names and addresses.)

Quadrant Holdings Group LLC, 499 Sheridan Street, Ste 300, Dania, FL 33004

11. The Illinois Secretary of State is hereby appointed the agent of the Limited Liability Company for service of process under circumstances set forth in subsection (b) of Section 1-50 of the Illinois Limited Liability Company Act.

12. **This application is accompanied by a Certificate of Good Standing or Existence, duly authenticated within the last 60 days, by the officer of the state or county wherein the LLC is formed.**

13. The undersigned affirms, under penalties of perjury, having authority to sign hereto, that this application for admission to transact business is to the best of my knowledge and belief, true, correct and complete.

Dated: 10/24/11  
Month, Day, Year

X   
Signature

Issa Asad, Managing Member  
Name and Title (type or print)

Quadrant Holdings LLC, Member  
If applicant is signing for a Company or other Entity, state Name of Company and indicate whether it is a member or manager of the LLC.

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "Q LINK WIRELESS LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTIETH DAY OF OCTOBER, A.D. 2011.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

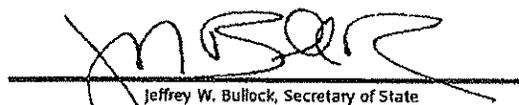
AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "Q LINK WIRELESS LLC" WAS FORMED ON THE TWENTY-FIFTH DAY OF AUGUST, A.D. 2011.

5029810 8300

111120491

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 9105373

DATE: 10-20-11

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "Q LINK WIRELESS LLC", FILED IN THIS OFFICE ON THE TWENTY-FIFTH DAY OF AUGUST, A.D. 2011, AT 3:25 O'CLOCK P.M.



5029810 8100

111120497

You may verify this certificate online  
at [corp.delaware.gov/authvar.shtml](http://corp.delaware.gov/authvar.shtml)

A handwritten signature in black ink, appearing to read "JBULLOCK", is written over a horizontal line.

Jeffrey W. Bullock, Secretary of State

AUTHENTICATION: 9105379

DATE: 10-20-11

CERTIFICATE OF FORMATION  
OF  
Q LINK WIRELESS LLC

**FIRST:** The name of the limited liability company is Q LINK WIRELESS LLC.

**SECOND:** The address of its registered office in the State of Delaware is Suite 808, 1220 N. Market Street in the City of Wilmington, County of New Castle, 19801. The name of its Registered Agent at such address is American Incorporators Ltd.

**THIRD:** The purpose of the limited liability company shall be to engage in any lawful act or activity for which a limited liability company may be formed under the Limited Liability Company law of the State of Delaware.

**FOURTH:** The limited liability company shall have perpetual existence.

**FIFTH:** Management of the limited liability company is vested in the member(s) in accordance with their ownership interests, unless this is varied by the operating agreement. A limited liability company member may not assign, either wholly or partially, the right to participate in management without the written consent of all limited liability company member(s).

**SIXTH:** The name and mailing address of the person forming this limited liability company at the instruction of its member(s) is as follows:

Kerry Jester  
Suite 808, 1220 N. Market Street  
Wilmington, DE 19801

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation of Q LINK WIRELESS LLC on this twenty-fifth day of August, 2011.

  
Kerry Jester  
Organizer

## EXHIBIT 3

### Proposed Lifeline Offering

#### **Plan 1: 68 Monthly Minutes Plan\***

68 anytime minutes per month

(texts are one-third of one minute, i.e. 3 texts = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

\*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 68 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance
- Free International Long Distance to countries designated at [www.qlinkwireless.com](http://www.qlinkwireless.com) (listed below)

#### **Plan 2: 125 Monthly Minutes Plan\***

125 anytime minutes per month

(texts are one minute, i.e. 1 text = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

\*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 125 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance

#### **Plan 3: 250 Monthly Minutes Plan\***

250 anytime minutes per month

(texts are one minute, i.e. 1 text = 1 minute)

Net cost to Lifeline customer: **\$0 (free)**

\*This package includes:

- Free handset
- Free calls to Customer Service
- Free calls to 911 emergency services
- Free Voicemail, Caller-ID, and Call Waiting
- 250 anytime minutes (unused minutes rollover)
- Free Domestic Long Distance

## International Long Distance

### **Free International Calling Destinations on the 68 Monthly Minutes Plan**

(Certain special or off-network locations may be excluded from the Free International Long Distance. Calls to cellular phones are not included unless the word "Cellular" is specifically listed next to the country name. Numbers in parentheses () indicate the Country Code.)

Albania-Tirana (355)	France (33)	Mexico (52)
Andorra (376)	French Antilles (594)	Monaco (377)
Argentina (54)	French Guiana-Cellular (594)	Netherlands (31)
Australia (61)	French Guiana (594)	New Zealand (64)
Austria (43)	Georgia (995)	Norway (47)
Bahamas-Cellular (1)	Germany (49)	Panama (507)
Bahamas (1)	Gibraltar (350)	Paraguay (595)
Bangladesh-Cellular (880)	Greece (30)	Peru (51)
Bangladesh-Chittagong (880)	Guadeloupe (590)	Poland (48)
Bangladesh-Dhaka (880)	Guatemala-Telgua (502)	Portugal (351)
Bangladesh-Sylhet (880)	Hong Kong-Cellular (852)	Romania (40)
Belgium (32)	Hong Kong (852)	Russia-Cellular (7)
Bermuda-Cellular (1)	Hungary (36)	Russia (7)
Bermuda (1)	Iceland (354)	San Marino-Cellular (378)
Bolivia-La Paz (591)	India-Cellular (91)	San Marino (378)
Bolivia-Santa Cruz (591)	India (91)	Saudi Arabia-Riyadh (966)
Brazil (55)	Indonesia-Cellular (62)	Singapore-Cellular (65)
Brunei-Cellular (673)	Indonesia-Jakarta (62)	Singapore (65)
Brunei (673)	Indonesia-Surabaya (62)	Slovakia (421)
Bulgaria (359)	Iraq-Baghdad (964)	Slovenia (386)
Canada-Cellular (1)	Ireland (353)	South Korea-Cellular (82)
Canada (1)	Israel (972)	South Korea (82)
Chile (56)	Italy (39)	Spain (34)
China-Cellular (86)	Japan (81)	Sweden (46)
China (86)	Jordan (962)	Switzerland (41)
Columbia-Cellular (57)	Kazakhstan (7)	Taiwan-Cellular (886)
Columbia (57)	Kenya-Nairobi (254)	Taiwan (866)
Costa Rica (506)	Lithuania (370)	Thailand (66)
Croatia (585)	Luxembourg-Cellular (352)	Turkey (90)
Cyprus-Cellular (357)	Luxembourg (352)	United Kingdom (44)
Cyprus (357)	Macao-Cellular (853)	Uzbekistan (7)
Czech Republic (420)	Macao (853)	Venezuela (58)
Denmark (45)	Malaysia-Cellular (60)	Vietnam-Ho Chi Minh City (84)
Dominican Republic (1)	Malaysia (60)	Zambia (260)
Estonia (372)	Malta (356)	
Finland (358)		

**EXHIBIT 4**

**FCC-Approved Compliance Plan**

**FCC Compliance Plan Approval Attached**

**Link to Approved Compliance Plan:**

<http://apps.fcc.gov/ecfs/document/view?id=7021995283>



# PUBLIC NOTICE

Federal Communications Commission  
445 12<sup>th</sup> St., S.W.  
Washington, D.C. 20554

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

DA 12-1286

Release Date: August 8, 2012

## WIRESLINE COMPETITION BUREAU APPROVES THE COMPLIANCE PLANS OF BIRCH COMMUNICATIONS, BOOMERANG WIRELESS, IM TELECOM, Q LINK WIRELESS AND TAG MOBILE

### WC Docket Nos. 09-197 and 11-42

The Wireline Competition Bureau (Bureau) approves the compliance plans of five carriers: Birch Communications, Inc. (Birch); Boomerang Wireless, LLC (Boomerang); IM Telecom, LLC (IM); Q Link Wireless, LLC (Q Link); and TAG Mobile, LLC (TAG). 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.<sup>1</sup>

The Act provides that in order to be designated as an eligible telecommunications carrier 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 . . . .”<sup>2</sup> The Commission recently 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.<sup>3</sup> 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.<sup>4</sup> In the *Lifeline Reform Order*, the Commission found that a grant of blanket forbearance of the facilities requirement, subject to certain public safety and compliance obligations, is appropriate for carriers

<sup>1</sup> 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 at 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.

<sup>2</sup> 47 U.S.C. § 214(e)(1)(A).

<sup>3</sup> See *Connect America Fund*, WC Docket No. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 17692-93, paras. 77-78, 80 (2011); *pets. for review pending sub nom. In re: FCC 11-161*, No. 11-9900 (10th Cir. filed Dec. 8, 2011); *Connect America Fund*, WC Docket No. 10-90 *et al.*, Order on Reconsideration, 26 FCC Rcd 17633, 17634-35, para. 4 (2011) (*USF/ICC Transformation Order on Reconsideration*).

<sup>4</sup> See *Lifeline Reform Order*, 27 FCC Rcd 6812, at para. 366, App. A; *USF/ICC Transformation Order on Reconsideration* at para. 4. 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 section 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.

seeking to provide Lifeline-only service.<sup>5</sup> 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 (E911) 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*.<sup>6</sup>

The Bureau has reviewed the five plans listed in the Appendix for compliance with the conditions of the *Lifeline Reform Order*, and now approves those five compliance plans.<sup>7</sup>

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 12<sup>th</sup> 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 12<sup>th</sup> Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone: (202) 488-5300, fax: (202) 448-5563, or via email [www.bcpiweb.com](http://www.bcpiweb.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](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-7400 or TTY (202) 418-0484.

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

- FCC -

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

<sup>6</sup> See *id.* at paras. 373 and 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).

<sup>7</sup> 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 6679-80, 6818-19 at paras. 50 and 387.

**APPENDIX**

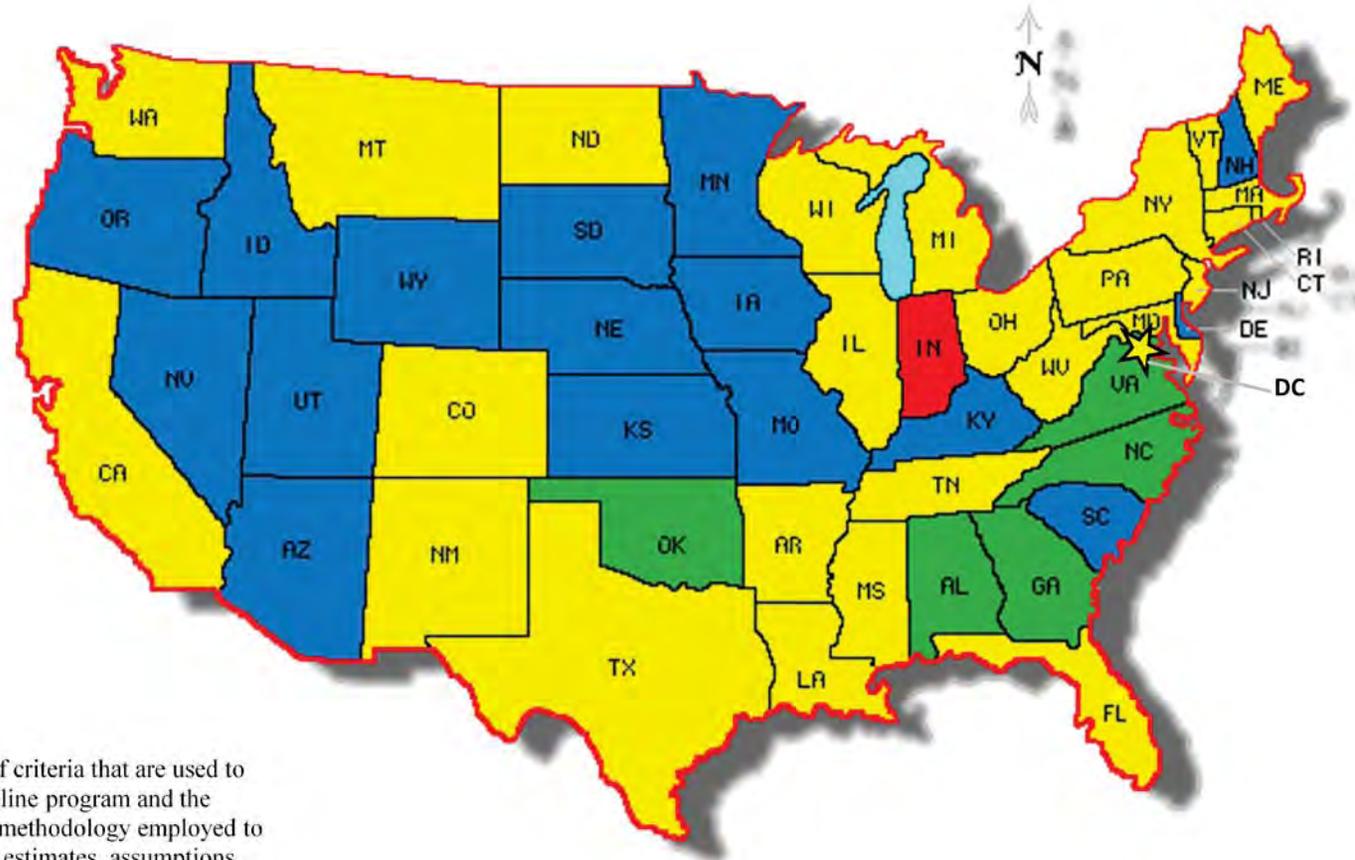
<b>Petitioner</b>	<b>Compliance Plans As Captioned by Petitioner</b>	<b>Date of Filing</b>	<b>Docket Numbers</b>
Birch Communications, Inc.	Further Amended Compliance Plan of Birch Communications, Inc.	July 2, 2012	09-197; 11-42
Boomerang Wireless, LLC	Boomerang Wireless, LLC Revised Compliance Plan	July 26, 2012	09-197; 11-42
IM Telecom, LLC	IM Telecom, LLC d/b/a Infiniti Mobile Compliance Plan	July 5, 2012	09-197; 11-42
Q Link Wireless, LLC	Q Link Wireless, LLC's Third Amended Compliance Plan	July 30, 2012	09-197; 11-42
TAG Mobile, LLC	TAG Mobile, LLC Compliance Plan	July 26, 2012	09-197; 11-42

**EXHIBIT 5**

**2010 Lifeline Participation Rates by State**

## 2010 Lifeline Participation Rates by State

- - Below 10%
- - 10% - 20%
- - 20% - 50%
- - Above 50%



### Notes:

Due to the intricacy and range of criteria that are used to determine eligibility for the Lifeline program and the limitations of the data used, the methodology employed to create this map involves several estimates, assumptions, simplifications, and omissions. Therefore, the rates generated on this map should be treated as estimates only.

**EXHIBIT 6**

**Coverage Area**





















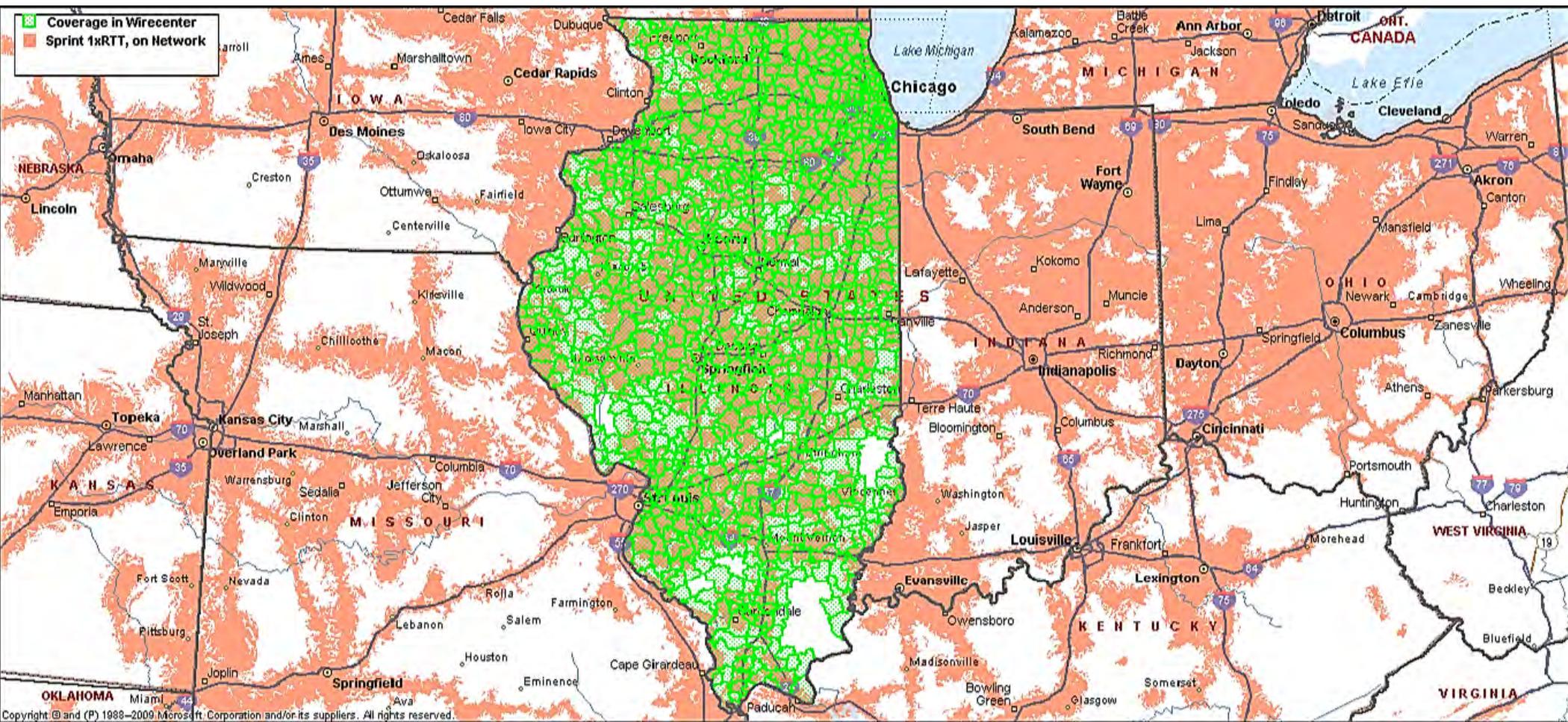


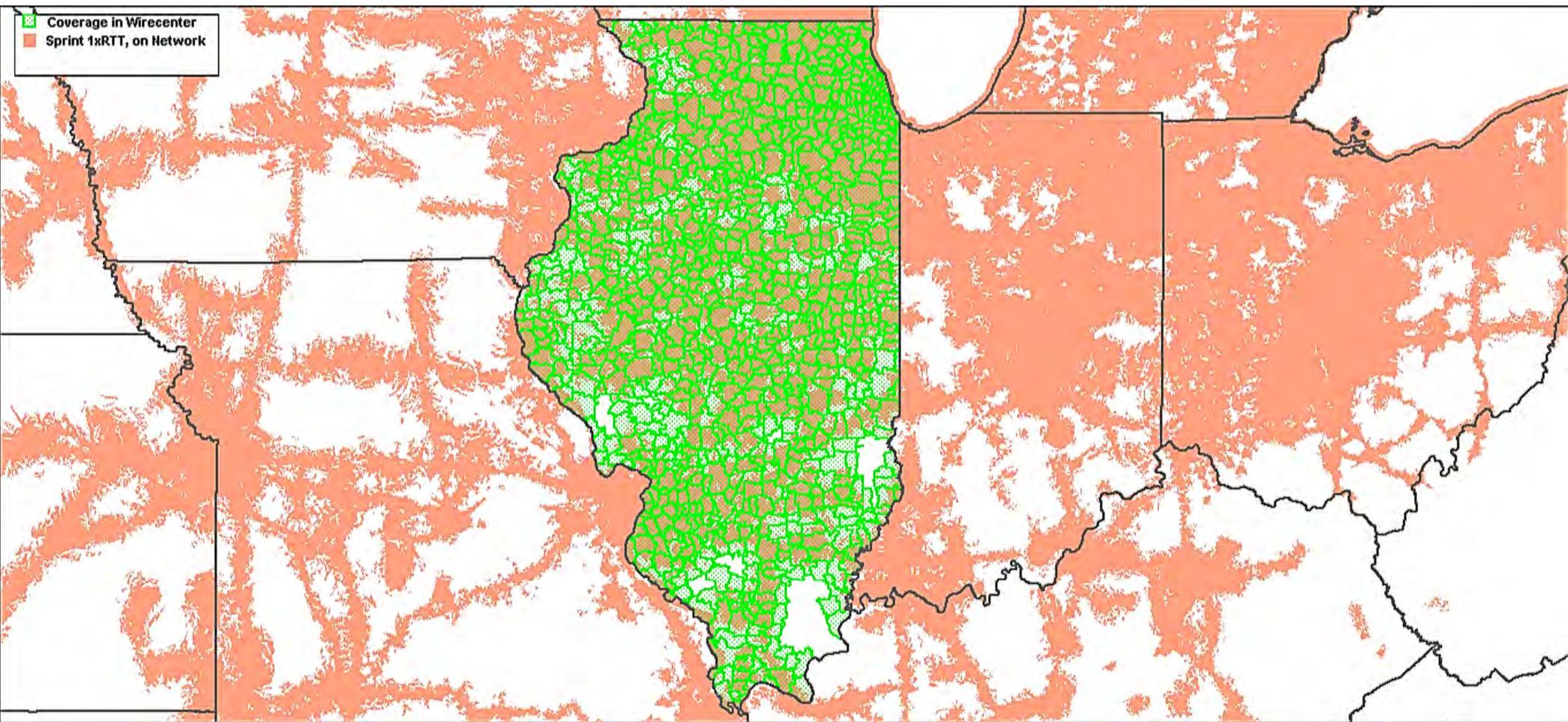












 No Coverage In Wirecenter  
 Coverage in Wirecenter  
 Sprint 1xRTT, on Network

