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April 25, 2024

**VIA ELECTRONIC FILING**

Mr. Adam Teitzman  
Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**Re: Petition of Telrite Corporation d/b/a Life Wireless for Designation as  
an Eligible Telecommunications Carrier in the State of Florida**

Dear Mr. Teitzman:

Attached for filing please find the Petition of Telrite Corporation d/b/a Life Wireless  
for Designation as an Eligible Telecommunications Carrier in the State of Florida.

Thank you for your assistance and please contact me if you have any questions.

Sincerely yours,

A handwritten signature in blue ink that reads 'Susan J. Berlin'.

Susan J. Berlin

Attch.

cc: Ms. Leah Gsell  
Director of Compliance  
Telrite Corporation d/b/a Life Wireless

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

Telrite Corporation d/b/a Life Wireless    )  
Petition for Designation as an Eligible    )  
Telecommunications Carrier in the State    )  
of Florida                                        )

Docket No. \_\_\_\_\_

**PETITION OF TELRITE CORPORATION D/B/A LIFE WIRELESS  
FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER  
IN THE STATE OF FLORIDA**

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Petition for Designation as an Eligible )  
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FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER  
IN THE STATE OF FLORIDA**

Telrite Corporation d/b/a Life Wireless (“Telrite” 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> 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 Florida Public Service Commission (“Commission”), including section 364.10 Florida Statutes (F.S.), as recently amended by Florida Senate Bill 478, and Rule 25-4.0065 of the Florida Administrative Code, hereby requests designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Florida for the limited purpose of receiving federal universal service support to provide wireless services to low income Florida households as part of the Lifeline program. Telrite does not request ETC designation for the purpose of receiving support from any other Universal Service Fund (“USF”) programs.

As demonstrated herein, and as certified in **Exhibit A** to this Petition, Telrite meets all the statutory and regulatory requirements for designation as an ETC in the State of Florida, including the requirements for ETCs participating in the Lifeline program as outlined in the various FCC Lifeline Orders.<sup>3</sup>

<sup>1</sup> 47 U.S.C. § 214(e)(2).

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

<sup>3</sup> See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (“*2012 Lifeline Reform Order*”); *Lifeline*

Granting ETC status to Telrite will benefit the public interest by making its high quality services available to Florida's most vulnerable low income consumers. Telrite is an established provider of wireless telecommunications and has over 14 years' experience providing Lifeline service to low income consumers in other jurisdictions. Accordingly, Telrite respectfully requests that the Commission expeditiously grant this Petition.

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

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with a copy to:

Leah Gsell, Director of Compliance  
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*and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund, WC Docket Nos. 11-42, 09-197, 10-90, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, FCC 15-71 (rel. June 22, 2015) ("2015 Lifeline Reform Order"); Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund, WC Docket Nos. 11-42, 09-197, 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (rel. April 27, 2016) ("2016 Lifeline Modernization Order"); Bridging the Digital Divide for Low-Income Consumers, Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, WC Docket Nos. 17-287, 11-42, 09-197, Order on Reconsideration, Memorandum Opinion and Order, FCC 17-155 (rel. Dec. 1, 2017) ("2017 Lifeline Order").*

## I. COMPANY OVERVIEW

Telrite is a Georgia corporation with its principal offices located at 4113 Monticello Street, Covington, Georgia 30014. Documentation of Telrite's authority to transact business in Florida as a foreign corporation is included as **Exhibit B**.

Telrite has operated as a provider of communications services in Florida since 2002 and its affiliates have offered wireless service in Florida since 2004. Telrite has provided wireless service to low income subscribers in Florida under Emergency Broadband Benefit as well as the Affordable Connectivity Program and has provided wireless Lifeline service in other jurisdictions since 2010. Telrite operates as a reseller and uses the network of its underlying service provider, AT&T Mobility, to serve its subscribers. Telrite is currently designated as a wireless ETC in the following jurisdictions: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Puerto Rico, and the United States Virgin Islands.

As described herein, Telrite meets the requirements for ETC designation. Additionally, designation of Telrite as an ETC in Florida serves the public interest. Telrite therefore requests that the Commission designate it as an ETC throughout the State of Florida for the purposes of providing Lifeline service.

## II. THE COMMISSION HAS THE AUTHORITY TO DESIGNATE WIRELESS ETCs FOR THE LIFELINE PROGRAM

The Commission now has authority under state law. Newly enacted Florida law authorizes the Commission to designate wireless carriers as ETCs. On April 15, 2024, Senate Bill 478 became effective and amends Florida Statute § 364.10.<sup>4</sup> The law revises the definition of the term “eligible telecommunications carrier”<sup>5</sup> and explicitly grants the Commission authority to designate wireless ETCs:

(3)(a) The commission has the power and authority to designate an entity, upon petition and in accordance with 47 C.F.R. s. 54.201, as an eligible telecommunications carrier, provided that such entity is:

1. A telecommunications company; or
2. A commercial mobile radio service provider.

(b) This legislative authority is intended to be sufficient to enable the commission, for the limited purpose of providing Lifeline service under this section, to approve any of the types of entities specified in paragraph (a) as an eligible telecommunications carrier.<sup>6</sup>

The Commission also has the authority under federal law. Section 214(e)(2) of the Act provides state public utility commissions with the “primary responsibility” for the designation of ETCs.<sup>7</sup> Under the Act, a state public utility commission with jurisdictional authority over ETC designations may, in the case of an area served by a rural telephone company – and shall, in the case of all other areas – designate a common carrier as an ETC if the carrier satisfies the requirements of Section 214(e)(1) which states:

A common carrier designated as an eligible telecommunications carrier... shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received –

- (A) offer the services that are supported by the Federal universal service support

<sup>4</sup> Note words stricken reflect deletions and words underlined reflect additions from the former version of Fla. Stat. §364.10 by Senate Bill 478.

<sup>5</sup> Fla. Stat. § 364.10(1)(a).

<sup>6</sup> Fla. Stat. § 364.10(3).

<sup>7</sup> 47 U.S.C. § 214(e)(2). Section 214(e)(6) provides for FCC designation of ETCs, but only in the case of a common carrier “*that is not subject to the jurisdiction of a State commission...*” (emphasis added).

mechanism under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the service offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefore using media of general distribution.<sup>8</sup>

Section 214(e)(1)(A) of the Act provides that an ETC must provide services "using its own facilities or a combination of its own facilities and resale of another carrier's services."<sup>9</sup> However, pursuant to the FCC's *2012 Lifeline Reform Order*, resellers have been granted blanket forbearance from this facilities requirement in connection with limited ETC designation to participate in the Lifeline program, subject to conditions.<sup>10</sup> The FCC conditioned blanket forbearance on the reseller's compliance with certain ETC obligations, including providing 911 and E911 service regardless of activation status and minutes available, providing E911-compliant handsets, and replacing E911 non-compliant handsets at no charge to the Lifeline customer.<sup>11</sup> In addition, the reseller must adhere to an FCC-approved compliance plan that includes specific information about the measures that the reseller will take to implement the obligations established in the *2012 Lifeline Reform Order*.<sup>12</sup> Telrite operates as a wireless reseller and commits to compliance with all of the conditions for ETC designation and forbearance from the facilities requirement.

Therefore, the Commission has full authority pursuant to federal and state laws to designate Telrite as an ETC to provide service in Florida under the federal Lifeline program.

<sup>8</sup> 47 U.S.C. § 214(e)(1) (reflected in section 54.201(d) of the FCC's rules).

<sup>9</sup> 47 U.S.C. § 214(e)(1)(A).

<sup>10</sup> *2012 Lifeline Reform Order*, ¶ 368.

<sup>11</sup> *Id.* at ¶ 373.

<sup>12</sup> *Id.* at ¶ 368.

### **III. TELRITE SATISFIES THE REQUIREMENTS FOR DESIGNATION AS AN ETC UNDER 47 C.F.R. § 54.201**

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 provides that, upon request and consistent with the public interest, convenience and necessity, the Commission may designate more than one common carrier as an ETC in areas served by a rural telephone company and shall do so with respect to all other areas, provided that the requesting carrier (i) offers services that are supported by Federal universal service support mechanisms and (ii) advertises the availability of such services.<sup>13</sup> Section 214(e)(1) of the Act and Section 54.201(d) of the FCC’s rules state that applicants for ETC designation must be common carriers that offer all of the services throughout the designated service area 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. Telrite satisfies all such requirements for ETC designation.

#### **A. Telrite Will Provide Service via Resale Consistent with the FCC’s Forbearance of the Facilities Requirement**

Section 214(e)(2) of the Act requires that an ETC must provide services “using its own facilities or a combination of its own facilities and resale of another carrier’s services.”<sup>14</sup> As discussed above in Section II, although Section 214 requires ETCs to provide services using their own facilities, at least in part, the FCC has granted forbearance from enforcement of the facilities requirement to carriers seeking Lifeline-only ETC designation. In the *2012 Lifeline Reform Order*, the FCC granted forbearance from the “own-facilities” requirement contained in Section

<sup>13</sup> 47 U.S.C. §214(e)(2); *see also* 47 C.F.R. § 54.201(d)(2).

<sup>14</sup> 47 U.S.C. § 214(e)(1)(A).



214(e)(1)(A) for carriers that are, or seek to become, Lifeline-only ETCs, subject to the following conditions:<sup>15</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.

Telrite intends to provide service in Florida via resale of its underlying service provider, AT&T Mobility. In accordance with the forbearance requirements, Telrite submitted a Compliance Plan and the FCC approved it on December 26, 2012.<sup>16</sup> A copy of the FCC-Approved Compliance Plan is attached hereto as **Exhibit C**. Telrite seeks limited ETC designation to permit it to participate in the Lifeline program.

## **B. Telrite Is a Common Carrier**

The FCC consistently has held that providers of wireless services are to be treated as common carriers for regulatory purposes. In addition, Section 332(c)(1)(A) of the Act states that CMRS providers will be regulated as common carriers.<sup>17</sup> Telrite provides mobile telecommunications services and, accordingly, is a common carrier.

<sup>15</sup> See *2012 Lifeline Reform Order* at ¶¶ 368, 373, and 379.

<sup>16</sup> See *Wireline Competition Bureau Approves the Compliance Plans of Airvoice Wireless, Amerimex Communications, Blue Jay Wireless, Millennium 2000, Nexus Communications, PlatinumTel Communications, Sage Telecom, Telrite and Telscape Communications*, Public Notice, WC Docket No. 09-197, WC Docket No. 11-42, DA 12-2063 (2012).

<sup>17</sup> 47 U.S.C. § 332(c)(1)(A).

**C. Telrite Will Provide All Supported Services by Reselling the Services of Its Underlying Providers**

Through its underlying provider, Telrite is able to provide all of the supported services required by Section 54.101(a) of the FCC's rules (47 C.F.R. § 54.101(a)) as follows:

**1. Voice Telephony Service**

As set forth in 47 C.F.R. § 54.101(a)(1), eligible Voice Telephony Services must provide the following:

Voice Grade Access to the Public Switched Telephone Network. The FCC describes "voice grade access" as the ability for a user to make and receive telephone calls within a specified bandwidth.<sup>18</sup> Telrite provides voice grade access via resale of its facilities-based underlying network operator, AT&T Mobility.

Local Usage At No Additional Charge. The FCC's rules require a petitioner for ETC designation to demonstrate that its proposed local usage plan is comparable to one offered by the incumbent local exchange carrier ("ILEC") in the same designated service area. The determination of comparability requires a case-by-case review, taking into account value-added capabilities and services included within a service plan. If granted ETC designation, Telrite will provide a Lifeline service package in Florida as outlined in **Exhibit D**.

Access to Emergency Services. Telrite provides 911 and E911 access for all of its customers to the extent that the local government in its service area has implemented 911 or E911 systems. As noted, calls to 911 emergency services will always be free and will be available regardless of service activation status or availability of minutes. Telrite also complies with the FCC's regulations governing the deployment and availability of E911 compatible handsets.

<sup>18</sup> See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, First Report and Order, 12 FCC Rcd 8776, 8810-11 (1997).

Toll Limitation. In its *Lifeline Reform Order*, the FCC provided that toll limitation would no longer be deemed a supported service. Nonetheless, Telrite’s offerings do not require that its Lifeline subscribers control their domestic voice usage, as its service is offered to subscribers at no charge on a nationwide basis.

## **2. Broadband Internet Access Services**

Broadband Internet Access Service (“BIAS”) is a Lifeline supported service as of December 2, 2016. The FCC has stated that BIAS consists of the ability for a user to receive “the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial- up Internet access service.”<sup>19</sup> Telrite provides BIAS to low income consumers via resale of its underlying providers’ mobile broadband networks.

### **D. Telrite Will Advertise the Availability of Its Service and Charges in a Manner Reasonably Designed to Reach Lifeline-Eligible Consumers<sup>20</sup>**

Telrite intends to advertise its Lifeline services using media such as the Internet, social media, newspapers of general circulation, radio and television, as well as at its mobile enrollment events, as a means of reaching those consumers that are likely to qualify for Lifeline services. The Company will use these methods to advertise the availability of its services to Lifeline customers and will expand its advertising efforts as necessary to ensure that Lifeline-eligible customers are aware of the service offerings.<sup>21</sup> Telrite will ensure that all of its Lifeline advertising materials comply with Section 54.405(c) of the FCC’s rules.

<sup>19</sup> See 47 C.F.R. § 8.2(a).

<sup>20</sup> 47 C.F.R. § 54.405(b).

<sup>21</sup> See *id.*

Specifically, Telrite’s advertising materials will state, in easily understood language, that: (i) the service is a Lifeline service; (ii) Lifeline is a government assistance program; (iii) the service may not be transferred to someone else; (iv) consumers must meet certain eligibility requirements before enrolling in the Lifeline program; (v) the Lifeline program permits only one Lifeline discount per household; (vi) that documentation is necessary for enrollment; and (vii) Telrite is the provider of the services. A sample of the Company’s current Lifeline advertising is provided as **Exhibit E**. Telrite’s advertising materials will be updated, as necessary, in the event any of the requirements change.

#### **E. Telrite’s Requested Service Area**

Sections 214(e)(2) and 214(e)(5) of the Act provide that ETC designations shall be made for a “service area,” defined as a geographic area established by the Commission. The Company seeks designation to operate as an ETC throughout the State of Florida.<sup>22</sup> The public interest factors described below justify Telrite’s designation statewide, particularly because it seeks ETC designation solely to utilize USF funding to provide Lifeline service to qualified low income consumers.

#### **IV. TELRITE SATISFIES THE ADDITIONAL REQUIREMENTS FOR ETC DESIGNATION UNDER 47 C.F.R. § 54.202(a)**

The FCC imposes additional requirements on a carrier requesting ETC designation in Section 54.202 of its rules. As demonstrated below, Telrite satisfies these additional obligations.

<sup>22</sup> Consistent with FCC holdings, there is no need for a “creamskimming” analysis in connection with Telrite’s Petition because the Company is seeking ETC designation only for purposes of receiving Lifeline support. *See, e.g., Virgin Mobile USA, L.P.*, Order, 24 FCC Rcd 3381, ¶ 39 n. 101 (2009).

**A. Service Commitment throughout the Proposed Designated Service Area**

Telrite will provide service in Florida by reselling service, which it obtains from its underlying carrier, AT&T Mobility. This provider has an extensive network in Florida that is state of the art and ready to support service immediately. Thus, Telrite will be able to commence offering its Lifeline service to all locations served by AT&T Mobility very soon after receiving approval from the Commission. Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), 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 petition for designation as an ETC.

**B. Telrite Has the Ability to Remain Functional in Emergency Situations**

As noted above, Telrite currently utilizes the network of its underlying provider, AT&T Mobility, to provide Telrite's mobile services. The Company believes this network is capable of managing traffic spikes that may occur during emergency situations and can reroute traffic in the event of damaged facilities. Telrite also has reason to believe that this network operator has sufficient back-up power to ensure functionality if its external power supply is unavailable.

**C. Telrite Will Satisfy Applicable Consumer Protection and Service Quality Standards**

Section 54.202(a)(3) of the FCC's rules states that a wireless applicant's commitment to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service ("CTIA Consumer Code") will satisfy this consumer protection and service quality requirement. Telrite fully complies with applicable consumer protection requirements and commits to fully complying with the CTIA Consumer Code. Telrite complies with the CTIA Consumer Code to ensure it offers its subscribers the highest level of protection and quality service.

Telrite's pledge to provide quality service and voluntarily comply with this code evidences its commitment to satisfying all of the applicable consumer protection and service quality standards. For example, customers can call customer service by dialing 611 from their Telrite handset and no minutes will be used or decremented for the call, or they can call 1-888-543-3620 from any phone.

#### **D. Telrite Is Financially and Technically Capable**

As part of the *2012 Lifeline Reform Order*, the FCC amended its rules to require a carrier seeking designation as a Lifeline-only ETC to demonstrate that it is financially and technically capable of providing the supported Lifeline service in compliance with all of the low income program rules.<sup>23</sup> Telrite fully satisfies these criteria. The Company has provided general communications services successfully for more than two decades and has access to sufficient funds to run its business. Significantly, Telrite's business is not solely dependent on reimbursements from the federal USF as Telrite generates non-Lifeline revenues from Telrite's affiliated companies, Pure Talk Holdings, LLC and Locus Telecommunications, LLC, which do business as PureTalk and h2o® Wireless. Both of these provide service in Florida. Attached as **Exhibit F** is a current list of the Company's officers and key management, along with biographical information for each, showing that the Company's management has the expertise necessary to provide the services detailed herein.

#### **E. Telrite's Proposed Lifeline Offering**

Telrite has the ability to provide all services supported by the universal service program throughout the State of Florida. Under its ETC designation, Telrite will meet or exceed the FCC's minimum service standards, as currently established as well as any future updates. Telrite

<sup>23</sup> See *2012 Lifeline Reform Order*, ¶ 387; see also 47 C.F.R. § 202(a)(4).

proposes to initially offer the following Lifeline service package in Florida (as shown in **Exhibit D**) under its Life Wireless dba:

**Florida Plan:** Unlimited Nationwide Calling with no roaming charges and 4.5 GB of data are provided each month with unlimited texting and multimedia messaging service at **no cost** to the eligible subscriber. This plan includes a smartphone also provided at no cost to eligible subscribers. The plan also includes the following custom calling features: Caller ID, Call Waiting, Call Forwarding, 3-Way Calling; and Voicemail as well as Hotspot capability.

Life Wireless' subscribers can add to this plan any month they choose by selecting additional service, currently offered as follows: through their smart phones, from Life Wireless' Customer Service and on the [www.lifewireless.com](http://www.lifewireless.com) website. Data top ups are available in 2 GB increments at \$10.00 per 2 GB.

**F. Telrite's Processes Comply with Lifeline Verification and Enrollment Processes, and the Company Is Committed to Preventing Waste, Fraud, and Abuse of the Lifeline Program**

Section 54.410 of the FCC's rules requires ETCs to certify and verify a Lifeline customer's initial and continued eligibility. Telrite has processes in place to facilitate compliance with federal customer enrollment requirements through use of the National Verifier and the National Lifeline Accountability Database ("NLAD"), each of which is administered by Universal Service Administrative Company ("USAC"). Telrite is connected to both the National Verifier and the NLAD via application programming interfaces ("APIs"), allowing it to help applicants through the standard application form, eligibility verification, duplicate detection, identity verification and address verification, and related resolution processes included within USAC's systems and processes. Telrite thus complies with the disclosure, information collection and certification requirements set forth in Section 54.410(d) of the FCC's rules. For applicants verified as being

eligible by USAC's National Verifier and NLAD, Telrite completes enrollment by transmitting the required information into NLAD as required by Section 54.404(b)(6), by informing the customer of his or her need to use the service at least once every thirty (30) days as required by the *2012 Lifeline Reform Order*<sup>24</sup> and providing notice to subscribers after 30 days of non-usage that they must use the service within 15 days or their service will be terminated as required by Section 54.405(e)(3), and by requiring the customers to activate their Lifeline service as required by Section 54.407(c)(1) by placing a call.

Telrite has additional processes in place to guard against waste, fraud and abuse, and to ensure compliance with FCC rules designed to achieve that objective, including customer usage, cure period, and de-enrollment requirements set forth in Sections 54.407(c)(2) and 54.405(e)(3), general notice and de-enrollment requirements set forth in Section 54.405(e)(1), transmission of information to NLAD and recordkeeping requirements set forth in Sections 54.404(b)(6) and Section 54.417, annual certification and reporting requirements set forth in Sections 54.416 and 54.420, and reimbursement claims processes established by USAC consistent with Sections 54.403 and 54.407(a). Telrite also coordinates with USAC's National Verifier and NLAD systems to manage additional de-enrollments related to USAC-administered benefit transfers and annual recertification as required by Sections 54.303 and 54.405. If Telrite receives a request for de-enrollment from a subscriber, it will process the request within two business days in accordance with Section 54.405(e)(5). Consistent with Section 54.406(a), Telrite will require its enrollment representatives to register with USAC before providing information directly to the NLAD or National Verifier, and pursuant to Section 54.406(b), Telrite will not pay an enrollment representative or his or her direct supervisor based on the number of consumers who apply for or

<sup>24</sup> See *2012 Lifeline Reform Order*, ¶ 257.



are enrolled in the Lifeline program with Telrite. Finally, Telrite has long been at the forefront of developing and deploying internal controls to guard against waste, fraud and abuse. It remains committed to be a good steward of, and partner in, the Lifeline program through continued vigilance against waste, fraud and abuse.

## **V. THE PUBLIC INTEREST WILL BENEFIT FROM GRANTING ETC STATUS TO TELRITE**

The overarching purpose of the Lifeline program is to ensure that low income consumers have access to and can afford essential voice and broadband communications services. The Lifeline program began with a focus upon the availability of voice services; however, as technology has expanded and broadband has become increasingly essential to everyday living, the Lifeline program has developed as well. Today, robust levels of broadband service must be offered to eligible subscribers, as a means of effectively bridging the “Digital Divide” that separates Florida residents on the basis of income. As regulators and policymakers have recognized since the establishment of the Lifeline program, meeting an evolving set of essential communications needs is overwhelmingly in the public interest and, indeed, is critical to the long-term health and prosperity of each state and to the nation as a whole. Designation of experienced ETCs such as Telrite will directly advance the goals of the Lifeline program in Florida.

### ***Advantages of Telrite’s Lifeline Services***

Telrite’s experience and longevity as a provider of Lifeline services in many states demonstrate the Company’s commitment and ability to provide quality Lifeline services to eligible, low income consumers in compliance with program requirements. Authorizing Telrite as a Lifeline ETC in Florida will enable it to provide eligible low income consumers with access to high quality mobile voice, text and data services. This will increase those consumers’ choices in service providers and service options and make essential communications services more

affordable and accessible. Importantly, it will also lead to additional competition within the Lifeline market that should help improve the rate of program participation by eligible subscribers and spur other ETCs to improve their own Lifeline service offerings. Telrite's combined use of online and in-person, real-time distribution methods rely upon Internet-enabled compliance checks that, while meeting (and often exceeding) Lifeline program requirements, have enabled the Company to bring Lifeline service to those eligible consumers that are not easily reached by carriers relying exclusively on one distribution method or another.

Mobile services are overwhelmingly preferred by Lifeline-eligible consumers who can often afford only a single connection, may frequently change residences or places of employment, may need the ability to communicate promptly and effectively with prospective employers, and also must manage households and family responsibilities as they do so. Some of these consumers may be homeless, with their Lifeline service being the only reliable contact point they have. For all these consumers, whatever their circumstances, Lifeline services also ensure that they always have the ability to contact 911 emergency services should the need arise. "Free" minutes, texts and data are an invaluable resource for cash-strapped consumers in these circumstances.

Telrite's Lifeline service plan is an attractive option for low income consumers because the Company's plans are highly competitive. Telrite's proposed initial Florida Lifeline plan includes Unlimited Nationwide Calling with no roaming charges, unlimited texts, 4.5 GB of data, several of the most popular features and a smartphone, all free of charge with additional consumer-friendly options that enable subscribers to flexibly tailor their wireless services to their variable needs and budgets.

### ***Benefits of Competitive Choice***

The FCC recognized the interrelationship of ETC designations and competition over a decade ago, concluding that in non-rural areas, designation of multiple ETCs, following

demonstration of compliance with eligibility requirements, was so fundamentally beneficial as to warrant characterization as “consistent *per se* with the public interest.”<sup>25</sup> Similarly, the correlation between increased market choice and lowering of costs, when dealing with competitive services, has been adopted as a “given” by telecommunications industry regulators across the country. In the Lifeline context, this equation takes on new importance, because the entry of additional providers increases competitive choice for lower-income customers who often are less desirable to providers focused on upscale consumer offerings.

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

In the past, the FCC also recognized that, in contrast to the historic designation of carriers to receive high cost funds, the designation of Lifeline ETCs should not have an adverse effect upon the health of the USF. The Lifeline benefit is provided to each eligible customer that enrolls and, as a result, the USF is unaffected by whether Telrite or another ETC serves that customer. Moreover, with strict compliance to the FCC’s rules concerning prevention of waste, fraud and abuse of the USF, there is greater certainty that no customers served by Telrite or other ETCs are ineligible or are receiving duplicative benefits.

There are still many – indeed the majority of – eligible consumers not receiving Lifeline benefits. The presence of more Lifeline ETCs, with increasingly sophisticated ways to reach previously unserved eligible consumers, will help to increase the overall numbers of consumers receiving Lifeline benefits. Ensuring the availability of critical communications to Americans in desperate need is precisely why the USF was established. Any increase in funding demands upon the USF will be directly proportionate to the escalated imperative for the USF to fulfill its function.

<sup>25</sup> *Federal-State Joint Board on Universal Service Cellco Partnership d/b/a Bell Atlantic Mobile (Petition for Designation as an Eligible Telecommunications Carrier)*, Memorandum, Opinion and Order, 16 FCC RCD. 39, at para. 14 (rel. Dec. 26, 2000).

## VI. CONCLUSION

As demonstrated by the facts stated herein, and as verified in Exhibit A, Telrite meets all the statutory and regulatory requirements for designation as an ETC in the State of Florida. For the reasons outlined above, designation of Telrite as an ETC in the State of Florida fully satisfies the requirements of Section 214(e)(2) of the Act and is in the public interest.

WHEREFORE, Telrite respectfully requests that the Commission promptly designate Telrite as an ETC throughout the State of Florida solely for purposes of participating in the Lifeline program to receive federal support and reimbursement for the provision of communications services on a wireless basis to qualified low income Florida consumers.

Respectfully submitted,



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*Attorneys for Telrite Corporation d/b/a Life Wireless*

April 25, 2024

**EXHIBITS**

Exhibit A – Verification.....Page 21 of 70

Exhibit B – Authority to Transact Business.....Page 23 of 70

Exhibit C – FCC-Approved Compliance Plan.....Page 25 of 70

Exhibit D – Service Package.....Page 64 of 70

Exhibit E – Sample Advertising.....Page 66 of 70

Exhibit F – Officers and Key Management.....Page 68 of 70

**EXHIBIT A**  
**VERIFICATION**

**VERIFICATION**

STATE OF Georgia

COUNTY OF Newton

PERSONALLY came and appeared before me, the undersigned party in and for the jurisdiction aforesaid, Kelly Jesel, who, after being duly sworn by me, stated under oath as follows: that I am Chief Financial Officer of Telrite Corporation; that I have read this Petition For Designation as an Eligible Telecommunications Carrier in the State of Florida; that to the best of my knowledge, information, and belief there are good grounds to support it; and that it is not interposed for delay.

Kelly Jesel (L.S.)

SWORN TO AND SUBSCRIBED before me on this 25<sup>th</sup> day of April 2024.



Kathy Kemp  
NOTARY PUBLIC (Seal)

My commission expires: 3/18/2026

**EXHIBIT B**

**AUTHORITY TO TRANSACT BUSINESS**



# *State of Florida*

## *Department of State*

I certify from the records of this office that TELRITE CORPORATION is a Georgia corporation authorized to transact business in the State of Florida, qualified on June 24, 2002.


The document number of this corporation is F02000003218.

I further certify that said corporation has paid all fees due this office through December 31, 2024, that its most recent annual report/uniform business report was filed on January 8, 2024, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

*Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capital, this  
the Twenty-second day of April,  
2024*



  
Secretary of State

Tracking Number: 3028889093CU

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>

**EXHIBIT C**

**FCC-APPROVED COMPLIANCE PLAN**

**KELLEY DRYE & WARREN LLP**

A LIMITED LIABILITY PARTNERSHIP

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December 19, 2012

**VIA ECFS**

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

Re: Telrite Corporation Compliance Plan; WC Docket Nos. 09-197, 11-42

Dear Ms. Dortch:

On March 12, 2012, Telrite Corporation (“Telrite”) submitted its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.<sup>1</sup> On April 10, Telrite submitted a revised version with a minor revision to its Model Application/Certification Form, included as Exhibit A to its Compliance Plan. On April 27, July 2, July 27, November 28 and November 29 Telrite further revised and supplemented its Compliance Plan.

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

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

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

KELLEY DRYE & WARREN LLP

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

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

Respectfully submitted,



John J. Heitmann  
Joshua T. Guyan

*Counsel to Telrite Corporation*

cc: Kim Scardino  
Jonathan Lechter  
Divya Shenoy  
Garnet Hanly

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

In the Matter of  Telecommunications Carriers Eligible to Receive Universal Service Support  Lifeline and Link Up Reform and Modernization  Telrite Corporation	  WC Docket No. 09-197  WC Docket No. 11-42
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**TELRITE CORPORATION COMPLIANCE PLAN**

Telrite Corporation (“Telrite” or the “Company”),<sup>1</sup> through its undersigned counsel, hereby respectfully submits and requests expeditious approval of its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.<sup>2</sup>

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<sup>1</sup> The Company hereby also reports its corporate and trade names, identifiers, and its holding company, operating companies and affiliates as: Telrite Corporation (corporate name), Life Wireless (trade name) and Telrite Holdings, LLC (holding company). Telrite owns 10 percent of Life Wireless Holdings, LLC, which is 50 percent owned by Puretalk Holdings, LLC. Therefore, Puretalk Holdings, LLC is not an affiliate of Telrite, however, Telrite’s “top-up” minutes are sold under the Pure Unlimited brand.

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

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

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

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

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

## ACCESS TO 911 AND E911 SERVICES<sup>5</sup>

Pursuant to the *Lifeline Reform Order*, forbearance is conditioned upon the Company: (1) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; and (2) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.<sup>6</sup> Telrite will comply with these conditions starting on the effective date of the *Lifeline Reform Order*.

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

The Company's existing practices currently provide access to 911 and E911 services for all customers. Telrite uses AT&T as its underlying network provider/carrier. has direct contracts for wireless services from AT&T, as opposed to purchasing minutes through an intermediary. AT&T routes 911 calls from the Company's customers in the same manner as 911 calls from AT&T's own retail customers. To the extent that AT&T is certified in a given PSAP territory, this 911 capability will function the same for the Company. Telrite also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active or suspended. Finally, the Company transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

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<sup>5</sup> See Compliance Plan Public Notice at 3.

<sup>6</sup> See *Lifeline Reform Order*, ¶ 373.

**E911-Compliant Handsets.** Telrite will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. In point of fact, the Company's phones have always been and will continue to be 911 and E911-compliant. The Company uses phones from AT&T that have been through a stringent certification process with AT&T, which ensures that the handset models used meet all 911 and E911 requirements. As a result, any existing customer that qualifies for and elects Lifeline service will already have a 911/E911-compliant handset, which will be confirmed at the time of enrollment in the Lifeline program. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

### COMPLIANCE PLAN

#### **I. PROCEDURES TO ENROLL A SUBSCRIBER IN LIFELINE<sup>7</sup>**

##### **A. Policy**

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

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

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<sup>7</sup> See Compliance Plan Public Notice at 3.



## **B. Eligibility Determination**

More than 99 percent of Telrite’s customer enrollment is done in-person, as opposed to over the phone or the Internet. Event locations are scheduled using various market or industry data resources. Telrite directs a team of representatives that survey and evaluate potential event locations across its service areas. Additionally, Telrite partners with community organizations, such as civic organizations, churches and food banks to host events in the communities it serves. Representatives are only permitted to enroll Lifeline customers within the borders of the states where Telrite is designated as an ETC. Further, to ensure that Telrite can track the location of its enrollment initiatives, all representatives conducting a Telrite enrollment event are required to electronically check in with Telrite and provide their address before the representatives can submit orders and enroll customers in Telrite’s Lifeline service.

All enrollments performed in-person are completed electronically. The use of "paper forms" is prohibited, however, at all times laminated copies of the Lifeline application/certification forms are available for customers to review. Telrite's electronic process uses MiFi hotspots, laptop or net book computers, electronic signature pads and a bar code scanner to complete enrollment in real-time. The electronic order process provides Telrite the opportunity to perform several database checks in real-time during the enrollment process. Specifically, Telrite's systems validate and normalize addresses via “Melissa” data; perform an internal address duplicate check (to ensure that the prospective customer or someone at that address does not currently have Lifeline service from Telrite); perform an external duplicate check using CGM, LLC’s (“CGM’s”) intercompany duplicate database (“IDD”)<sup>8</sup>; and confirm the customer’s

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<sup>8</sup> CGM’s IDD enables participating ETCs to seed the database with subscriber lists, as well as to check the database against the subscriber lists of participating ETCs. Telrite is the largest ETC participating in this important self-regulatory initiative. Further

identity via Lexis Nexis (using the prospective customer's last name, date of birth and the last four digits of the customer's Social Security number). In addition, Telrite will check each applicant's government-issued photo identification for this purpose.

As discussed in further detail in Section I.F. below, all employees or representatives ("Company personnel") that conduct such in-person enrollments are trained regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan, including the one-per-household requirement, and told to inform potential customers of those requirements. New Company personnel undergo an initial mandatory training session where they are given training materials, a field training manual and a compliance manual, as well as shown visual examples of documents acceptable to demonstrate eligibility for the Lifeline program.

If Telrite cannot determine a prospective subscriber's eligibility for Lifeline by accessing income databases or program eligibility databases, Company personnel will review documentation establishing eligibility pursuant to the Lifeline rules.<sup>9</sup> All personnel who interact with actual or prospective customers will be trained to assist Lifeline applicants in determining whether they are eligible to participate based on the federal and state-specific income-based and/or program-based criteria. These personnel will be trained to answer questions about Lifeline eligibility, and will review required documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements using state-specific checklists.

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demonstrating Telrite's leadership and commitment to defending the Lifeline program, Telrite also has produced three PSAs designed to educate the public about the Lifeline program. By January 2013, these PSAs will have been aired over 2,700 times collectively across the following markets: Atlanta, Baltimore, Charleston (WV), Chicago, Deluth, Little Rock, Minneapolis, New Orleans, Providence and St. Louis.

<sup>9</sup> See *Lifeline Reform Order*, ¶ 100; sections 54.410(b)(1)(i)(B), 54.410(c)(1)(i)(B).

Proof of Eligibility. Company personnel will be trained on acceptable documentation required to establish income-based and program-based eligibility.<sup>10</sup> Acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice letter of participation in a qualifying state, federal or Tribal program; (3) program participation documents (*e.g.*, the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.<sup>11</sup>

Acceptable documentation of income eligibility includes the prior year's state, federal, or Tribal tax return; current income statement from an employer or paycheck stub; a Social Security statement of benefits; a Veterans Administration statement of benefits; a retirement/pension statement of benefits; an Unemployment/Workmen's Compensation statement of benefits; federal or Tribal notice letter of participation in General Assistance; or a divorce decree, child support award, or other official document containing income information for at least three months time.<sup>12</sup>

Company personnel will examine this documentation for each Lifeline applicant, and will record the type of documentation used to satisfy the income- or program-based criteria by checking the appropriate box on the application form.<sup>13</sup> In addition, Company personnel will fill in, where available, the last four digits of an account or other identifying number on the proof document, the date of the proof document and the expiration of the proof document. The

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<sup>10</sup> See *Lifeline Reform Order*, ¶ 101. See also USAC Guidance available at <http://www.usac.org/li/telecom-carriers/step06/default.aspx>.

<sup>11</sup> *Id.* and section 54.410(c)(1)(i)(B).

<sup>12</sup> See *Lifeline Reform Order*, ¶101; section 54.410.(b)(1)(i)(B).

<sup>13</sup> See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(iii), 54.410(c)(1)(iii).

Company will not retain a copy of this documentation, except where state rules require such retention.<sup>14</sup> Where the Company personnel conclude that proffered documentation is insufficient to establish such eligibility, the Company will deny the associated application and inform the applicant of the reason for such rejection. In the event that Company personnel cannot ascertain whether documentation of a specific type is sufficient to establish an applicant’s eligibility, the matter will be escalated to supervisory personnel at the Company’s corporate offices in Covington, GA. A Telrite employee will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement.

In addition, Telrite will not enroll customers at retail locations where Telrite does not have an agency agreement with the retailer. Further, Telrite will require an agent retailer to have any employees involved in the enrollment process go through the standard Telrite field representative training, same as it would for any other agent. By establishing agency relationships with all of its field representatives, including future retail outlets, Telrite meets the “deal directly” requirement adopted in the TracFone Forbearance Order.<sup>15</sup>

The Commission determined in the *Lifeline Reform Order* that ETCs may permit agents or representatives to review documentation of consumer program eligibility for Lifeline because “the Commission has consistently found that “[l]icensees and other Commission regulatees are responsible for the acts and omissions of their employees and independent contractors.”<sup>16</sup> Because Telrite is responsible for the actions of all of its employees and agents, including those enrolling customers in any Telrite owned or affiliated retail locations, and a Telrite employee

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<sup>14</sup> See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(ii), 54.410(c)(1)(ii).

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

<sup>16</sup> *Lifeline Reform Order*, ¶ 110.

will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement, the Company always “deals directly” with its customers to certify and verify the customer’s Lifeline eligibility.

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

### **C. Subscriber Certifications for Enrollment**

The Company will implement certification policies and procedures that enable consumers to demonstrate their eligibility for Lifeline assistance to Company personnel as detailed in the *Lifeline Reform Order*, together with any additional state certification requirements.<sup>18</sup> The Company shares the Commission’s concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that these procedures will prevent the Company’s customers from engaging in such abuse of the program, inadvertently or intentionally. Every applicant will be required to complete an application/certification form

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

<sup>18</sup> *Lifeline Reform Order*, ¶ 61; section 54.410(a).

containing disclosures, and collecting certain information and certifications as discussed below.<sup>19</sup> Applicants that seek to enroll based on income eligibility will be referred to a worksheet showing the Federal Poverty Guidelines by household size.<sup>20</sup>

Applicants that do not complete the form in person will be required to return the signed application/certification form to the Company by mail, facsimile, electronic mail or other electronic transmission. In addition, Company personnel will verbally explain the certifications to consumers when they are enrolling in person or over the phone.<sup>21</sup>

Disclosures. The Company's application and certification forms will include the following disclosures: (1) Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the applicant's de-enrollment from the program; and (6) Lifeline is a non-transferable benefit and the applicant may not transfer his or her benefit to any other person.<sup>22</sup>

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

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

<sup>20</sup> See Income Eligibility Worksheet, included as Exhibit B.

<sup>21</sup> See *Lifeline Reform Order*, ¶ 123.

<sup>22</sup> See *id.*, ¶ 121; section 54.410(d)(1).

enroll in the program.<sup>23</sup>

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

Information Collection. The Company will also collect the following information from the applicant in the application/certification form: (1) the applicant's full name; (2) the applicant's full residential address (P.O. Box is not sufficient<sup>25</sup>); (3) whether the applicant's residential address is permanent or temporary; (4) the applicant's billing address, if different from the applicant's residential address; (5) the applicant's date of birth; (6) the last four digits of the applicant's Social Security number (or the applicant's Tribal identification number, if the subscriber is a member of a Tribal nation and does not have a Social Security number); (7) if the applicant is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the applicant, his or her dependents, or his or her household receives benefits; and (8) if the applicant is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.<sup>26</sup>

Applicant Certification. Consistent with new rule section 54.410(d)(3), the Company will require the applicant to certify, under penalty of perjury, in writing or by electronic signature or interactive voice response recording,<sup>27</sup> the following: (1) the applicant meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the applicant will notify the

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<sup>23</sup> See section 54.405(c).

<sup>24</sup> See *Lifeline Reform Order*, ¶ 257.

<sup>25</sup> See *id.*, ¶ 87.

<sup>26</sup> See section 54.410(d)(2).

<sup>27</sup> See *Lifeline Reform Order*, ¶¶ 168-69; section 54.419.

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

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



program, including to USAC to be used in a Lifeline program database.<sup>28</sup>

#### **D. Annual Verification Procedures**

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

2012 Verification. Telrite will re-certify the eligibility of each of its existing subscribers as of June 1, 2012 on a rolling basis by the end of 2012 and report the results to USAC by January 31, 2013.<sup>31</sup> The Company will contact its subscribers via text message to their Lifeline supported telephone, or by mail, phone, email or other Internet communication. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact the Company.

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

<sup>29</sup> *See Lifeline Reform Order*, ¶ 120.

<sup>30</sup> *See id.*, ¶ 145.

<sup>31</sup> *See id.*, ¶ 130.

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

#### **E. Activation and Non-Usage**

Telrite will not consider a prepaid subscriber activated, and will not seek reimbursement for Lifeline for that subscriber, until the subscriber activates the Company's prepaid service by a method established by Telrite. For activation of a handset provided to a new customer at an event or "in the field", successful applicants are provided a functioning handset and instructed to dial 770-200-1000 to complete the activation process. Such calls are free of charge to the applicant. To activate a handset provided to a successful applicant by mail, upon receipt of the handset, the applicant must contact Telrite customer service at 888-543-3620 or 888-543-3640 to activate the service. The customer must verify their last name, date of birth and last four digits of their Social Security number. The customer must also verify that he or she ordered the Lifeline service. The phone is activated only after that verification process has been completed.

In addition, after service activation, the Company will provide a de-enrollment notice to subscribers that have not used their service for 60 days. After 60 days of non-use, Telrite will provide notice to the subscriber that failure to use the Lifeline service within a 30-day notice period will result in de-enrollment.<sup>33</sup> Subscribers can "use" the service by: (1) completing an outbound call; (2) purchasing minutes from the Company to add to the subscriber's plan; (3)

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<sup>32</sup> See *id.*, ¶ 142; section 54.54.405(e)(4).

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

answering an incoming call from a party other than the Company; or (4) responding to a direct contact from the Company and confirming that the subscriber wants to continue receiving the service.<sup>34</sup>

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

#### **F. Additional Measures to Prevent Waste, Fraud and Abuse**

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

In addition to checking the database when it becomes available, Company personnel will emphasize the “one Lifeline phone per household” restriction in their direct sales contacts with potential customers. Training materials include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction.<sup>36</sup> Telrite conducts background checks on all Company personnel interacting with existing and potential Lifeline customers and they must pass a complete onboarding process that includes a photo identification check. All such Company personnel also undergo training regarding the

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

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

<sup>36</sup> See *id.*

eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan. New Company personnel complete an initial mandatory three-hour training session conducted by corporate trainers that are employees of Telrite where they are given training materials, a field training manual and a compliance manual, as well as shown visual examples of documents acceptable to demonstrate eligibility for the Lifeline program. These training documents are regularly updated to reflect the requirements of the *Lifeline Reform Order* and this Compliance Plan, and they are provided to existing Company personnel. All Company personnel must have these manuals with them when conducting enrollment or other activities for Telrite. Further, Telrite holds weekly compliance updates and weekly refresher/continuing education conference calls and all Company personnel have access to a Telrite portal with a large resource section containing policies, tips and procedures for Lifeline enrollment.

Telrite also has Compliance and Field Operations teams that investigate possible waste, fraud and abuse by Company personnel or representatives and either resolve the issues or escalate them. Solutions can include additional training, deactivation of credentials, termination and possible legal action. To discover potential waste, fraud and abuse, the Compliance Department is responsible for tracking and monitoring data entry, orders and behavior of Company personnel engaging in Lifeline enrollments, as well as conducting data audits (tracking statistics on orders to look for irregularities), customer quality calls, secret shopping, no-notice field audits and photo audits (random audits requiring the representative to take a photo of the event set-up). Telrite's Compliance Department is itself subject to outside audits by CGM.

Finally, on or before May 4, 2012, all Telrite agents and representatives received a Training Bulletin and Fraud Policy, which Telrite also filed with the Commission, designed to

remind all Company personnel engaged in enrollment of Lifeline applicants regarding their obligations to explain the one-per-household restriction to Lifeline applicants.

Database. When the National Lifeline Accountability Database (“National Database”) becomes available, Telrite will comply with the requirements of new rule section 54.404. The Company will query the National Database to determine whether a prospective subscriber is currently receiving a Lifeline service from another ETC and whether anyone else living at the prospective subscriber’s residential address is currently receiving Lifeline service.<sup>37</sup>

One-Per-Household. Telrite will implement the requirements of the *Lifeline Reform Order* to ensure that it provides only one Lifeline benefit per household<sup>38</sup> through the use of its application and certification forms discussed above, database checks and its marketing materials discussed below. Upon receiving an application for the Company’s Lifeline service, Telrite validates and normalizes the address provided via the MELISSA database and then the name, address, date of birth and last four digits of the Social Security number are entered into Telrite’s internal duplicate database to ensure that it does not already provide Lifeline-supported service

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<sup>37</sup> See *Lifeline Reform Order*, ¶ 203. Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. See *id.*, ¶¶ 189-195; section 54.404(b)(6). Further, Company will update each subscriber’s information in the National Database within ten business days of any change, except for de-enrollment, which will be transmitted within one business day. See section 54.404(b)(8),(10).

<sup>38</sup> A “household” is any individual or group of individuals who are living together at the same address as one economic unit. A household may include related and unrelated persons. An “economic unit” consists of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. See *Lifeline Reform Order*, ¶ 74; section 54.400(h).

to that individual or another person at the same address.<sup>39</sup> If so, and the applicant lives at an address with multiple households, the Company will require the applicant to complete and submit a written USAC document containing the following: (1) an explanation of the Commission’s one-per-household rule; (2) a check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households; (3) a space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant’s household and share in the household’s expenses or benefit from the applicant’s income, pursuant to the Commission’s definition; and (4) the penalty for a consumer’s failure to make the required one-per-household certification (*i.e.*, de-enrollment).<sup>40</sup> Further, if a subscriber provides a temporary address on his or her application/certification form collected as described above, the Company will verify with the subscriber every 90 days that the subscriber continues to rely on that address.<sup>41</sup>

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

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<sup>39</sup> See *Lifeline Reform Order*, ¶ 78.

<sup>40</sup> See *id.* The USAC worksheet is available at <http://www.usac.org/li/tools/news/default.aspx#582>.

<sup>41</sup> See *Lifeline Reform Order*, ¶ 89.

Finally, Telrite will continue to participate in the In-Depth Validation process with the Commission and USAC to locate and address duplicates between ETCs in various states until the national database is in place.

Marketing Materials. Within the deadline provided in the *Lifeline Reform Order*, the Company will include the following information regarding its Lifeline service on all marketing materials describing the service: (1) it is a Lifeline service, (2) Lifeline is a government assistance program, (3) the service is non-transferable, (4) only eligible consumers may enroll in the program, (5) the program is limited to one discount per household; (6) that documentation is necessary for enrollment; and (7) Telrite's name (the ETC).<sup>42</sup> These statements will be included in all print, audio video and web materials (including social networking media) used to describe or enroll customers in the Company's Lifeline service offering, as well as the Company's application forms and certification forms.<sup>43</sup> This specifically includes the Company's website ([www.lifewireless.com](http://www.lifewireless.com)) and outdoor signage.<sup>44</sup> A sample of the Company's marketing materials is included as Exhibit C. In addition, the Company's application/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

#### **G. Company Reimbursements From the Fund**

To ensure that the Company does not seek reimbursement from the Fund without a subscriber's consent, Telrite will certify, as part of each reimbursement request, that it is in compliance with all of the Commission's Lifeline rules and, to the extent required, has obtained

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<sup>42</sup> See *Lifeline Reform Order*, ¶ 275; section 54.405(c).

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

valid certification and verification forms from each of the subscribers for whom it is seeking reimbursement.<sup>45</sup> Further, the Company will transition the submission of its FCC Forms 497 to the eighth day of each month in order to be reimbursed the same month, and inform USAC, to the extent necessary, to transition its reimbursement process to actual claims rather than projected claims over the course of more than one month.<sup>46</sup> In addition, the Company will keep accurate records as directed by USAC<sup>47</sup> and as required by new section 54.417 of the Commission's rules.

#### **H. Annual Company Certifications**

Telrite will submit an annual certification to USAC, signed by a Company officer under penalty of perjury, that the Company: (1) has policies and procedures in place to review consumers' documentation of income- and program-based eligibility and ensure that its Lifeline subscribers are eligible to receive Lifeline services;<sup>48</sup> (2) is in compliance with all federal Lifeline certification procedures;<sup>49</sup> and (3) has obtained a valid certification form for each subscriber for whom the carrier seeks Lifeline reimbursement.<sup>50</sup>

In addition, the Company will provide the results of its annual re-certifications/verifications on an annual basis to the Commission, USAC, the applicable state commission and the relevant Tribal governments (for subscribers residing on Tribal lands).<sup>51</sup>

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<sup>45</sup> See *Lifeline Reform Order*, ¶ 128; section 54.407(d).

<sup>46</sup> See *Lifeline Reform Order*, ¶¶ 302-306.

<sup>47</sup> See *id.*

<sup>48</sup> See *id.*, ¶ 126; section 54.416(a)(1).

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

<sup>50</sup> See section 54.416(a)(3).

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



Further, as discussed above, the Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.<sup>52</sup>

The Company will also annually report to the Commission, USAC, and relevant state commissions and the relevant authority in a U.S. territory or Tribal government as appropriate,<sup>53</sup> the company name, names of the company's holding company, operating companies and affiliates, and any branding (such as a "dba" or brand designation) as well as relevant universal service identifiers for each entity by Study Area Code.<sup>54</sup> The Company will report annually information regarding the terms and conditions of its Lifeline plans for voice telephony service offered specifically for low income consumers during the previous year, including the number of minutes provided and whether there are additional charges to the consumer for service, including minutes of use and/or toll calls.<sup>55</sup> Finally, the Company will annually provide detailed information regarding service outages in the previous year, the number of complaints received and certification of compliance with applicable service quality standards and consumer protection rules, as well as a certification that the Company is able to function in emergency situations.<sup>56</sup>

## **I. Cooperation with State and Federal Regulators**

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

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

<sup>53</sup> See *Lifeline Reform Order*, section 54.422(c).

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

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

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

- Make available, upon request, state-specific subscriber data, including the names and addresses of Lifeline subscribers, to USAC and to each state public utilities commission where the Company operates for the purpose of determining whether an existing Lifeline subscriber receives Lifeline service from another carrier;<sup>57</sup>
- Assist the Commission, USAC, state commissions, and other ETCs in resolving instances of duplicative enrollment by Lifeline subscribers, including by providing to USAC and/or any state commission, upon request, the necessary information to detect and resolve duplicative Lifeline claims;
- Promptly investigate any notification that it receives from the Commission, USAC, or a state commission to the effect that one of its customers already receives Lifeline services from another carrier; and
- Immediately de-enroll any subscriber whom the Company has a reasonable basis to believe<sup>58</sup> is receiving Lifeline-supported service from another ETC or is no longer eligible – whether or not such information is provided by the Commission, USAC, or a state commission.

## II. Description of Lifeline Service Offerings<sup>59</sup>

Telrite will offer its Lifeline service in the states where it is designated as an ETC<sup>60</sup> and throughout the coverage area of its underlying provider AT&T. The Company's Lifeline offering in each state where the Company has been designated as an ETC provides customers with their choice of 125 or 250 anytime prepaid minutes per month at no charge. Minutes do not expire for the 125 minute plan and unused minutes are rolled over to the next month. Unused minutes for the 250 minute plan do not roll over. Text messaging is available at the rate of:

- 125 Minute Plan: 1/3 minute (*i.e.*, 3 SMS texts per voice minute)
- 250 Minute Plan 1/3 minute (*i.e.*, 3 SMS texts per voice minute)

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

<sup>58</sup> See section 54.405(e)(1).

<sup>59</sup> See Compliance Plan Public Notice at 3.

<sup>60</sup> The Company is currently designated as an ETC in Arkansas, Illinois, Louisiana, West Virginia, Rhode Island, Puerto Rico, Missouri, Maryland, Georgia & Minnesota.

Lifeline customers can purchase additional bundles of minutes in denominations of \$10.00, \$25.00, \$4.95, \$7.95, \$12.95, \$21.49 and \$29.95.<sup>61</sup> Airtime, when used for standard cellular calls, is valued at and will be decremented at the following rates:

- 1) \$10.00 denomination - \$0.099 per minute of use;
- 2) \$25.00 denomination - \$0.0708 per minute of use;
- 3) \$4.95 denomination – 1 day Unlimited Talk and SMS;
- 4) \$7.95 denomination - 3 day Unlimited Talk and SMS;
- 5) \$12.95 denomination - 1 week Unlimited Talk and SMS;
- 6) \$21.95 denomination – 2 weeks Unlimited Talk and SMS;
- 7) \$29.95 denomination – 1 month Unlimited Talk and SMS;

Airtime “top-up” minutes are available for purchase at the Company’s retail locations, through any Money Gram location and on the Company’s website.<sup>62</sup> Additional information regarding the Company’s plans, rates and services can be found on its website: [www.lifewireless.com](http://www.lifewireless.com).

In addition to free voice services, Telrite’s Lifeline plan will include a free handset and custom calling features at no charge, including Caller ID, Call Waiting, Call Forwarding, 3-Way Calling, Voice Mail, No Roaming charges and free access to Customer Care by dialing 611 from customers’ Life Wireless handset or by dialing 1-888-543-3620 from any wireline phone. All plans include domestic long-distance at no extra per minute charge. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes.

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<sup>61</sup> The \$29.95 rate for unlimited talk and text is available only to Life Wireless customers that purchase online or by calling Telrite customer service. The retail rate available in stores is \$42.95, which is set to be reduced to a yet undetermined rate.

<sup>62</sup> Top-up minutes are provided using the PureTalk USA and Pure Unlimited brands, by Puretalk Holdings, LLC, a sister company of Telrite with common ownership, though not technically an affiliate.

### **III. Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation<sup>63</sup>**

Financial and Technical Capabilities. Revised Commission rule 54.202(a)(4), 47 C.F.R. 54.202(a)(4), requires carriers petitioning for ETC designation to demonstrate financial and technical capability to comply with the Commission's Lifeline service requirements.<sup>64</sup> The Compliance Plan Public Notice requires that carriers' compliance plan include this demonstration. Among the factors the Commission will consider are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate, whether the carrier receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding.

Telrite has been offering Lifeline service to customers since October, 2010. Telrite also offers several other telecommunication services in addition to its Lifeline service. In 2011, the wireline services offered by Telrite produced substantial net income. This revenue was generated from more than 30,000 customers of Telrite's local and long distance service, which Telrite has been providing for over 10 years. In sum, Telrite has access to sufficient funds to run its business and is not solely dependent on reimbursements from the Fund. Telrite recently entered into a consent decree with the Enforcement Bureau relating to an investigation begun in 2004.<sup>65</sup> The Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state.

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<sup>63</sup> See Compliance Plan Public Notice at 3.

<sup>64</sup> See *Lifeline Reform Order*, ¶¶ 387-388 (revising Commission rule 54.202(a)(4)).

<sup>65</sup> See Telrite Corporation, File No. EB-05-1H-2348, Order and Consent Decree, DA 12-612 (rel. Apr. 18, 2012).

Service Requirements Applicable to the Company's Support. The Compliance Plan Public Notice requires carriers to include "certifications required under newly amended section 54.202 of the Commission's rules."<sup>66</sup> Telrite certifies that it will comply with the service requirements applicable to the support the Company receives.<sup>67</sup> Telrite provides all of the telecommunications service supported by the Lifeline program and will make the services available to all qualified consumers throughout the states in which it is designated as an ETC. The Company's services include voice telephony services that provide voice grade access to the public switched network or its functional equivalent. Further, the Company's service offerings provide its customers with minutes of use for local service at no charge to the customer. The Company will offer a set number of minutes of local exchange service free of charge to its subscribers. Telrite's current Lifeline offerings include packages in Section II *supra* that can be used for local and domestic toll service.

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

Finally, Telrite will not provide toll limitation service ("TLS"), which allows low income consumers to avoid unexpected toll charges. However, since the Company is a prepaid service provider, customers cannot be disconnected for failure to pay toll charges, nor are there additional charges for exceeding their minutes. Further, the Company, like most wireless carriers, does not differentiate domestic long distance toll usage from local usage and all usage is

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<sup>66</sup> Compliance Plan Public Notice at 3.

<sup>67</sup> 47 C.F.R. § 54.202(a)(1).

paid for in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS.<sup>68</sup>

#### **IV. Conclusion**

Telrite submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Lifeline Reform Order*, the Compliance Plan Public Notice and the Lifeline rules. Accordingly, the Company respectfully requests that the Commission expeditiously approve its Compliance Plan.

Respectfully submitted,



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*Counsel to Telrite Corporation*

December 19, 2012

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<sup>68</sup> See *Lifeline Reform Order*, ¶ 230.

# **EXHIBIT A**



# Life Wireless

## Georgia Wireless Lifeline Service Application and Certification

Mail or Fax completed and signed form to

Telrite Corporation / Life Wireless

PO Box 2840 Covington, GA 30015

FAX: 1-866-770-6110 / EMAIL: [lwforms@lifewireless.com](mailto:lwforms@lifewireless.com)

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

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

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

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

- Supplemental Nutrition Assistance Program (SNAP)
- Section 8 Federal Public Housing Assistance (FPHA)
- Medicaid (not Medicare)
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Low Income Home Energy Assistance Program (LIHEAP)
- National School Lunch Program's free lunch program
- Income at or below 135% of Federal Poverty Guidelines
- Food Distribution Program on Indian Reservations (FDPIR)
- Bureau of Indian Affairs General Assistance (BIA)
- Tribally Administered TANF (TATNF)
- Head Start (meeting income qualifying standards)
- Senior Citizen Low Income Discount Offered by Local Gas or Power Company

**Tribal eligibility:**

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

**Customer Application Information:**

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

**Residential Address (P.O. Box NOT sufficient)**

Number: \_\_\_\_\_ Apt: \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Address is (choose one):  Permanent  Temporary

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

Number: \_\_\_\_\_ Apt: \_\_\_\_\_ Street \_\_\_\_\_ City \_\_\_\_\_  
 State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Multiple households sharing and address:**

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

**Activation and usage requirement disclosures:** This service is a prepaid service and you must personally activate it by calling 770-200-1000. To keep your account active, *you must use your Lifeline service at least once during any 60 day period by completing an outbound call, purchasing additional minutes from Company, answering an in-bound call from someone other than*



**Company, or by responding to a direct contact from Company confirming that you want to continue receiving Lifeline service from Company.** If your service goes unused for 60 days, you will no longer be eligible for Lifeline benefits and your service will be suspended (allowing only 911 calls and calls to the Company's customer care center) subject to a 30 day cure period during which you may use the service (as described above) or contact the Company to confirm that you want to continue receiving Lifeline service from Company.

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

**Authorizations:**

I hereby authorize the Company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program. I also authorize the Company to release any records required for the administration of the Lifeline program (e.g., name, telephone number and address), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.

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

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

**Applicant's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**For Agent Use Only (check only 1 eligibility category and only 1 box under that category; do not copy or retain documentation):**

**Documents Acceptable Proof for Income-Eligibility:**

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

**Documents Acceptable Proof for Program-Eligibility**

(choose 1 from each list A and B below)

**List A - Choose 1**

- Supplemental Nutrition Assistance Program (SNAP)
- Medicaid
- Section 8 Federal Public Housing Assistance (FPHA)
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Low Income Home Energy Assistance Program (LIHEAP)
- National School Lunch Program's free lunch program
- Food Distribution Program on Indian Reservations (FDPIR)
- Bureau of Indian Affairs General Assistance (BIA)
- Tribally Administered TANF (TATNF)
- Head Start (meeting income qualifying standards)
- Senior Citizen Low Income Discount Offered by Local Gas or Power Company

**List B - Choose 1**

- Program Participation card / document
- Prior year's statement of benefits
- Notice letter of participation
- Other official qualifying document: \_\_\_\_\_

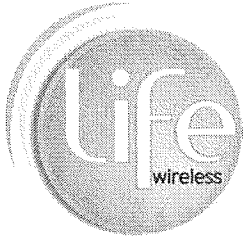
Last 4 digits of Document from List B \_\_\_\_\_

Date of Proof Document: \_\_\_\_/\_\_\_\_/\_\_\_\_

Expiration Date of Proof Document: \_\_\_\_/\_\_\_\_/\_\_\_\_

Applicant Account Number	Rep / Agent Signature

# **EXHIBIT B**



## Life Wireless Lifeline Service Application Income Eligibility Worksheet

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

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

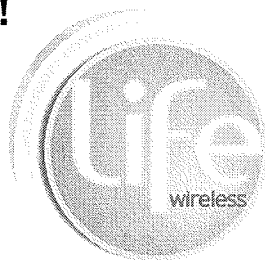
**Applicants must list the number of individuals in the applicant's household on the Lifeline application form.** Applicants seeking to qualify for Lifeline service based on their household income must present one of the following documents in order to prove eligibility:

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

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

# EXHIBIT C

**Welcome!**



Life Wireless Customer you will receive FREE Minutes each month on your anniversary date. Unused minutes will roll-over to the next month and never expire as long as your account remains active. Must make at least one call each 60 days to keep your service active.\*

**Life Wireless Features:**

- Nationwide Calling
- Text Messaging
- Caller ID
- Voicemail
- Rollover Minutes
- Affordable Recharge Plans
- Free 911 Service



Life Wireless is a Lifeline supported service, a government assistance program. Only eligible customers may enroll in the program. See if you qualify for a free phone with free monthly service! Service is limited to one discount per household, consisting of either wireline or wireless service. Forms of documentation necessary for enrollment are listed on reverse. Service is non-transferable.

**Recharge With Pure Unlimited**

If you need more than the allotted free minutes each month, Life Wireless has partnered with Pure Unlimited to offer you recharge cards in the following denominations.

3 Day Unlimited Talk & Text	1 Week Unlimited Talk & Text	2 Week Unlimited Talk & Text	1 Month Unlimited Talk & Text
<b>\$7.95</b>	<b>\$12.95</b>	<b>\$21.49</b>	<b>\$42.95</b>

**\$10 and \$25 Recharge Cards Also Available  
at 9.9¢ per minute and 5¢ per text.**

Pure Unlimited recharge cards are available in many retail establishments or online at

[www.lifewireless.com](http://www.lifewireless.com)



Receive Code: 7924

## Things to know:

- ☞ Lifeline benefits are limited to a single line of service per household. You may not receive multiple Lifeline or Link Up discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both.
- ☞ Customers must present Photo ID and Proof of Benefit to obtain service.
- ☞ **To complete the activation process you must power on your phone and place a call to 770-200-1000.**
- ☞ If you have further questions or concerns, Life Wireless Customer Service is ready to help. Agents are available 7 days a week from 8:00 am to Midnight EST at

**1-888-543-3620**

**IMPORTANT:** consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.



[www.lifewireless.com](http://www.lifewireless.com)

Telrite Corporation is an Eligible Telecommunications Carrier (ETC), doing business as Life Wireless.



\*Rollover is contingent upon the minutes program and that not all free minute plans contain rollover minutes

Forms of documentation necessary for enrollment: All subscribers will be required to demonstrate eligibility based at least on (1) Household income at or below 135% of Fed Poverty guidelines for a household of that size; OR (2) the household's participation in one of the federal assistance programs. 1 - current or prior year's statement of benefits from a qualifying state, federal or Tribal program. 2 - a notice letter of participation in a qualifying state, federal or Tribal program. 3 - program participation documents (eg: consumers SNAP card, Medicaid card, or copy thereof). 4 - other official document evidencing the consumer's participation in a qualifying state, federal or Tribal program. Income eligibility: Prior Year's state, federal or Tribal tax return, current income statement from an employer or paycheck. Social Security statement of benefits. Veterans Administration statement of benefits. Retirement/pension statement of benefits. Unemployment / Workmen's comp statement of benefits. Federal or Tribal notice letter of participation in General Assistance. Divorce decree, child support award, or other official document containing income information for at least three (3) months time. Life Wireless will NOT retain a copy of this documentation. \$42.95 Unlimited cards is good for 1 month of Unlimited Talk & Text. \$21.49 Unlimited card is good for 14 days of Unlimited Talk & Text. \$12.95 Unlimited card is good for 7 days of Unlimited Talk & Text. \$7.95 Unlimited card is good for 3 days of Unlimited Talk & Text. Upon expiration of Unlimited Card, you must add a new recharge card of any denomination to continue service. \$10 and \$25 recharge cards available at a rate of 9.9¢ per minute and 5¢ per text. Pure Unlimited recharge cards valid for Pure Unlimited or Life Wireless phones/service only. Rates and fees subject to change.

# FREE PHONE



# WITH FREE MONTHLY SERVICE!

Life Wireless is a Lifeline supported service, a government assistance program. Only eligible customers may enroll in the program. See if you qualify for a free phone with free monthly service! Service is limited to one discount per household, consisting of either wireline or wireless service. Forms of documentation necessary for enrollment are listed below. Service is non-transferable.

### Life Wireless Features:

- Nationwide Calling
- Text Messaging
- Caller ID
- Voicemail
- Rollover Minutes
- Affordable Recharge Plans



**IMPORTANT:** consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

## Need more minutes? Recharge With Pure Unlimited

As Low As **\$7.95**



1 Week Unlimited Talk & Text	2 Week Unlimited Talk & Text	1 Month Unlimited Talk & Text
<b>\$12.95</b>	<b>\$21.49</b>	<b>\$42.95</b>

\$10 and \$25 Recharge Cards Also Available!

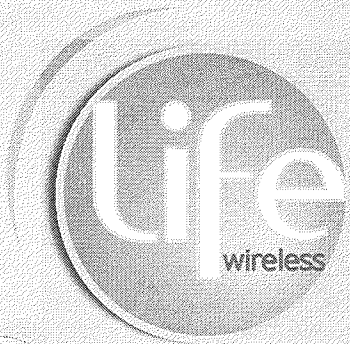
## 1-888-543-3620



Forms of documentation necessary for enrollment: All subscribers will be required to demonstrate eligibility based at least on (1) Household income at or below 135% of Fed Poverty guidelines for a household of that size; OR (2) the household's participation in one of the federal assistance programs. 1 - current or prior year's statement of benefits from a qualifying state, federal or Tribal program. 2 - a notice letter of participation in a qualifying state, federal or Tribal program. 3 - program participation documents (eg: consumers SNAP card, Medicaid card, or copy thereof). 4 - other official document evidencing the consumer's participation in a qualifying state, federal or Tribal program. Income eligibility: Prior Year's state, federal or Tribal tax return, current income statement from an employer or paycheck. Social Security statement of benefits. Veterans Administration statement of benefits. Retirement/pension statement of benefits. Unemployment / Workmen's comp statement of benefits. Federal or Tribal notice letter of participation in General Assistance. Divorce decree, child support award, or other official document containing income information for at least three (3) months time. Life Wireless will NOT retain a copy of this documentation. \$42.95 Unlimited card is good for 1 month of Unlimited Talk & Text. \$21.49 Unlimited card is good for 14 days of Unlimited Talk & Text. \$12.95 Unlimited card is good for 7 days of Unlimited Talk & Text. \$7.95 Unlimited card is good for 3 days of Unlimited Talk & Text. Upon expiration of Unlimited Card, you must add a new recharge card of any denomination to continue service. \$10 and \$25 recharge cards available at a rate of 9.9¢ per minute and 5¢ per text. Pure Unlimited recharge cards valid for Pure Unlimited or Life Wireless phones/service only. Rates and fees subject to change.

Telrite Corporation is an Eligible Telecommunications Carrier (ETC), doing business as Life Wireless.

# FREE CELL PHONE with FREE Monthly Service



**1-888-543-3620**

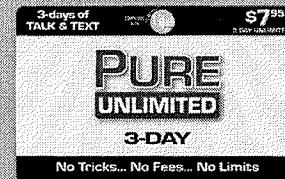
**www.LifeWireless.com**

Life Wireless is a Lifeline supported service, a government assistance program. Only eligible customers may enroll in the program. See if you qualify for a free phone with free monthly service! Service is limited to one discount per household, consisting of either wireline or wireless service. Forms of documentation necessary for enrollment are listed below. Service is non-transferable.



**IMPORTANT:** consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

**Affordable UNLIMITED Recharge Plans**



As Low As  
**\$7.95**

Telrite Corporation is an Eligible Telecommunications Carrier (ETC), doing business as Life Wireless.

Forms of documentation necessary for enrollment: All subscribers will be required to demonstrate eligibility based at least on (1) Household income at or below 135% of Fed Poverty guidelines for a household of that size; OR (2) the household's participation in one of the federal assistance programs. 1 - current or prior year's statement of benefits from a qualifying state, federal or Tribal program. 2 - a notice letter of participation in a qualifying state, federal or Tribal program. 3 - program participation documents (eg: consumers SNAP card, Medicaid card, or copy thereof). 4 - other official document evidencing the consumer's participation in a qualifying state, federal or Tribal program. Income eligibility: Prior Year's state, federal or Tribal tax return, current income statement from an employer or paycheck. Social Security statement of benefits. Veterans Administration statement of benefits. Retirement/pension statement of benefits. Unemployment / Workmen's comp statement of benefits. Federal or Tribal notice letter of participation in General Assistance. Divorce decree, child support award, or other official document containing income information for at least three (3) months time. Life Wireless will NOT retain a copy of this documentation.

**Come to the LIFE WIRELESS booth for more details!**



**EXHIBIT D**

**SERVICE PACKAGE**

### **Florida Lifeline Service Package**

Telrite proposes to offer the following Lifeline offering under its Life Wireless dba:

#### **Monthly:**

Unlimited Nationwide Calling with no roaming charges

4.5 GB of data per month

Unlimited Text Messaging

Customer calling features: Caller ID, Call Waiting, Call Forwarding, 3-Way Calling; and

Voicemail

Hotspot capability

Telrite also provides a wireless smart device to new subscribers.

This package is offered at no cost to qualifying subscribers.

Lifeline subscribers can add to this basic plan in any month they choose through their smart phones, from Life Wireless' Customer Service and on the [www.lifewireless.com](http://www.lifewireless.com) website. Data top ups are available in 2 GB increments at \$10.00 per 2 GB.

**EXHIBIT E**  
**SAMPLE ADVERTISING**

**Life Wireless**  
Sponsored · 🌐



Get **FREE** Unlimited Talk, Text & Data through the Federal Lifeline Program. LIFE WIRELESS™ is a Lifeline supported wireless service provided by TELRITE Corporation. Lifeline service is non-transferable. Only eligible consumers may enroll in the Lifeline program. The Lifeline program is limited to one discount per household.



[lifewireless.com](http://lifewireless.com)

**FREE Unlimited Talk, Text & Data**

[Learn more](#)

👍 Like    💬 Comment    ➦ Share

**EXHIBIT F**

**OFFICERS AND KEY MANAGEMENT**

## **Officers and Key Management**

All aspects of Telrite's Lifeline operations are directed by a seasoned management team, led by the following individuals:

### **R.P. McFarland, Chief Executive Officer**

Formed Stratacom Telecommunications in 2001; merged with Telrite Corporation in 2005

Served as Vice President and President of Network Operations of LecStar until 2001

Founded Intraweek Telecommunications in 1999; merged with LecStar Corporation in 2000

Served as Senior Vice President, Network Operations with ILD until 1999

Founded Interlink Communications; merged with ILD Corporation in 1997

Over 10 years with AT&T in various management positions

United States Military Veteran

### **Brian Rathman, Chief Technology Officer**

Chief Technology Officer, Telrite Corporation

Director of Operations, Telrite Corporation

Director of Network Operations, LecStar Communications

Network Engineer, LecStar Communications

Graduate of the Master's Program of the School of Electrical and Computer Engineering at the Georgia Institute of Technology (2002)

**Kelly Jesel, Chief Financial Officer**

Controller, Telrite Corporation

Accounting Assistant, ILD Corporation

Senior Accountant, Ernst and Young

Graduate of the Master of Accountancy Program at the University of Georgia (2001)

**Will Curry, Chief Strategy Officer**

President, Life Wireless Holdings

Vice President, Agent Resource Group LLC

Board Member, National Lifeline Association (2016-2019)