Patrick W. Turner
General Attorney–South Carolina
Legal Department

AT&T South Carolina
1600 Williams Street
Suite 5200
Columbia, SC 29201

T: 803.401-2900
F: 803.254.1731
pt1285@att.com
www.att.com

May 28, 2015

The Honorable Jocelyn Boyd
Chief Clerk of the Commission
Public Service Commission of South Carolina
Post Office Drawer 11649
Columbia, South Carolina 29211

Re: Application of Cricket Communications, LLC d/b/a Cricket Wireless (f/k/a Hargray Wireless, LLC) for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. 214 (e) (2)
Docket No. 2003-227-C

Dear Ms. Boyd:

Enclosed for filing in the above-referenced matter is Cricket Communications, LLC's Petition to Relinquish its Lifeline-Only ETC Designation.

By copy of this letter, I am serving all parties of record with a copy of this pleading as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/nml
Enclosure

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

Application of Cricket Communications, LLC d/b/a Cricket Wireless(f/k/a Hargray Wireless, LLC) for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. 214 (e) (2)	)	DOCKET NO. 2003-227-C
In re: Application of Cricket Communications, LLC for Designation as an Eligible Telecommunications Carrier	)	DOCKET NO. 2010-21-C

PETITION TO RELINQUISH LIFELINE-ONLY ETC DESIGNATION

Cricket[1] respectfully petitions the Commission for relinquishment of its designation as a Lifeline-only Eligible Telecommunications Carrier ("ETC").[2] The federal Telecommunications Act of 1996 provides that the Commission "shall permit [Cricket] to relinquish its [ETC] designation . . . in any area served by more than one [ETC]."[3] Each area in which Cricket seeks to relinquish its Lifeline-only ETC designation is served by an incumbent local exchange provider ("ILEC") that is designated as an ETC, and many of those areas are also served by at least one other service provider that is designated as an ETC. To the best of Cricket's knowledge, existing facilities of remaining ETCs are sufficient to ensure that all customers served by Cricket will continue to be served upon the relinquishment of its ETC designation.

---

[1] Cricket Communications, LLC. On March 4, 2015, the Commission approved the conversion of Cricket Communications, Inc. to Cricket Communications, LLC. *See* Order No. 2015-174 in Docket No. 2010-21-C.

[2] The Commission previously granted relinquishment of Cricket's designation as an ETC authorized to receive high-cost support from the federal Universal Service Fund for use in Beaufort, Hampton, and Jasper Counties. *See* Order No. 2014-434 in Docket No. 2003-227-C (June 10, 2014). In this Petition, Cricket seeks relinquishment of its designation as an ETC for Lifeline-only purposes in Beaufort, Berkley, Charleston, Colleton, Dorchester, Hampton, Jasper, Lancaster, and York counties.

[3] 47 U.S.C. §214(e)(4)(emphasis added). *See also* 47 C.F.R. § 54.205.

Additionally, New Cricket[4] (an affiliate of Cricket) will continue providing prepaid wireless service in these areas after Cricket's designation is relinquished. Cricket, therefore, respectfully requests that the Commission issue an order as soon as possible granting relinquishment of Cricket's Lifeline-only ETC designation effective July 31, 2015.

In support of this Petition, Cricket respectfully avers:

1. Cricket is licensed by the Federal Communications Commission ("FCC") to provide commercial mobile radio service ("CMRS") in South Carolina.

2. In 2007, the Commission entered an Order designating Hargray Wireless, LLC ("Hargray") as an ETC authorized to receive support from the federal Universal Service Fund for use within Hargray's licensed service area in South Carolina, which includes some or all of Beaufort, Hampton, and Jasper counties as specified in the Order and its Exhibits.[5]

3. In 2008, the Commission was notified of the merger of Hargray into Cricket and that the "support funds available to Hargray . . . as a result of its designation as an [ETC] will continue to be utilized by [Cricket] for the authorized purposes after the merger."[6]

4. In 2010, the Commission designated Cricket as an ETC authorized to receive support from the federal Universal Service Fund for Lifeline-only purposes in Berkley, Charleston, Colleton, Dorchester, Lancaster, and York counties.[7]

---

[4] Cricket Wireless, LLC.

[5] *See* Order Designating Hargray Wireless, LLC as an Eligible Telecommunications Carrier, *In Re: Application of Hargray Wireless, LLC for Designation as an Eligible Telecommunications Carrier under 47 U.S.C. 214(e)(2)*, Order No. 2007-804 in Docket No. 2003-227-C (November 14, 2007).

[6] *See* October 31, 2008 Letter filed in Docket No. 2003-227-C.

[7] *See* Order Granting ETC Status for Lifeline and Linkup Support from the Federal Universal Service Fund, *In re: Application of Cricket Communications, Incorporated for Designation as an Eligible Telecommunications Carrier*, Order No. 2010-475 in Docket No. 2010-21-C (July 28, 2010).

5. In 2014, the Commission granted relinquishment of Cricket's designation as an ETC authorized to receive high-cost support from the federal Universal Service Fund for use in Beaufort, Hampton, and Jasper Counties.[8] This Order "expressly acknowledges that Cricket is not, at this time, relinquishing its designation as an ETC authorized to receive support from the federal Universal Service Fund for Lifeline-only purposes . . . ."[9]

6. Cricket, therefore, currently is an ETC authorized to receive support from the federal Universal Service Fund for Lifeline-only purposes in Beaufort, Berkley, Charleston, Colleton, Dorchester, Hampton, Jasper, Lancaster, and York counties.

7. Exhibit A to this Petition identifies: the wire centers impacted by the relinquishment of Cricket's Lifeline-only ETC designation; and the ILECs designated as ETCs that serve those wire centers.

8. Exhibit B to this Petition identifies other (non-ILEC) ETCs that provide service in at least part of Cricket's designated Lifeline-only ETC service area.

9. In pertinent part, the federal Telecommunications Act of 1996 provides that:

> A State commission . . . ***shall permit an [ETC] to relinquish its designation*** as such a carrier ***in any area served by more than one [ETC].*** An [ETC] that seeks to relinquish its [ETC] designation for an area served by more than one [ETC] shall give advance notice to the State commission . . . of such relinquishment. Prior to permitting a telecommunications carrier designated as an [ETC] to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission . . . shall require the remaining [ETCs] to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining [ETC].[10]

---

8 *See* Order No. 2014-434 in Docket No. 2003-227-C (June 10, 2014).

9 *Id.* at 5.

10 47 U.S.C. §214(e)(4)(emphasis added).

10. The relevant FCC rule essentially reiterates the same requirements and states, in pertinent part, that a "state commission shall permit" an ETC to "relinquish its designation as such a carrier in any area served by more than one [ETC]."[11] The FCC rule further provides that the ETC "shall give advance notice to the state commission of such relinquishment," the state commission must ensure that the relinquishing ETC's customers will be served by the remaining ETC(s), and the state commission must ensure sufficient notice to permit the purchase and construction of facilities if necessary.[12]

11. Because at least one other ETC (in addition to Cricket) serves all areas in which Cricket is currently designated as a Lifeline-only ETC, applicable federal law requires the Commission to permit Cricket to relinquish its Lifeline-only ETC designation.

12. Further, no purchase or construction of facilities by any remaining ETC is necessary, because existing facilities are sufficient to ensure that all customers served by Cricket will continue to be served. Accordingly, "notice to permit the purchase or construction of adequate facilities by any remaining [ETC]" is neither necessary nor appropriate.

13. Additionally, New Cricket has no current plans to stop offering competitive prepaid wireless plans to all consumers, including low-income consumers.

14. Cricket will ensure that its current Lifeline customers in South Carolina (fewer than 370 as of April 30, 2015) receive ample notice that Cricket will no longer be offering Lifeline. Exhibit C is a sample copy of the notification Cricket will provide via U.S. Mail to each of its Lifeline customers on or before June 15, 2015. Because Cricket customers are most familiar with receiving information from Cricket via text message, Cricket will also send each Lifeline customer at least one text message no later than June 15, 2015 directing them to a

---

[11] 47 C.F.R. § 54.205(a).

[12] *Id.*, § 54.205(a) and (b).

website(s) with information about New Cricket's offers and alternative Lifeline providers. In addition to offering to transition each Lifeline customer to a competitively-priced wireless calling plan offered by New Cricket, Cricket also will inform each of its Lifeline customers that a Lifeline discount can be obtained from the remaining ETC(s) in the area, and it will provide the link to lifelinesupport.org through which a customer may obtain carrier-specific contact information.[13] Cricket Lifeline customers will not incur early termination fees for choosing a new Lifeline provider, because no Cricket customers are subject to such fees.

15. In order to avoid customer confusion and assist with a smooth transition process, as of June 5, 2015, Cricket will stop accepting new Lifeline applications, stop adding new Lifeline customers, and inform potential customers inquiring about Lifeline of the pendency of this Petition. The Office of Regulatory Staff has reviewed and concurs with this approach, which is consistent with the approach relinquishing wireless ETCs have been allowed to take in many other jurisdictions.[14] This approach will prevent a newly enrolled Lifeline customer on

---

[13] *See* Exhibit C.

[14] *See* Order, *In re: Application of Cricket Communications, LLC for a Commission Order Granting Relinquishment of its Designations as a Lifeline-Only Eligible Telecommunications Carrier,* Case No. 2015-00135, Kentucky Public Service Commission (May 14, 2015); Order Granting Petition for Relinquishment of Eligible Telecommunications Carrier Designation, *In re: Petition of Cricket Communications, Inc. for Designation as an Eligible Telecommunications Carrier,* Order No. 02 in Docket UT-111534, Washington State Utilities and Transportation Commission (February 26, 2015); Order Cancelling Eligible Telecommunications Carrier Designation, *In re Petition of Cricket Communications, Inc. for Relinquishment of Eligible Telecommunications Carrier Status,* Docket No. 15-CRCZ-296-ETC, State Corporation Commission of Kansas (February 10, 2015); Order of the Commission, *In re Verified Petition of Cricket Communications, Inc. for Relinquishment of its Designation as an Eligible Telecommunications Carrier,* Cause No. 41052 ETC 57, Indiana Utility Regulatory Commission (February 4, 2015); Order, *Cricket Communications, Inc. Petition to Relinquish its Designation as an Eligible Telecommunications Carrier Under 47 U.S.C §214(e)(2)*, Docket No. 14-0635, Illinois Commerce Commission (January 6, 2015); Order, *In Re Petition of Cincinnati Bell Wireless, LLC for Relinquishment of Eligible Telecommunications Carrier Designation,* Case No. 2014-00140 at 2 (May 16, 2014); *Application of Sprint Nextel Corporation to Relinquish Its Designation as an Eligible Telecommunications Carrier*, Texas PUC Docket No.

Cricket's CDMA network from having to change to another Lifeline provider shortly thereafter or having to change devices to receive GSM/LTE service from New Cricket.

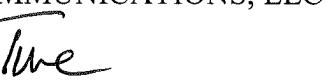
16. Cricket seeks to relinquish its Lifeline-only ETC designation effective on July 31, 2015. Cricket, therefore, requests that the Commission issue an order granting this petition as soon as possible.

CONCLUSION

Cricket, therefore, respectfully requests that the Commission issue an order as soon as possible granting relinquishment of Cricket's Lifeline-only ETC designation effective July 31, 2015.

Respectfully submitted this 28th day of May, 2015.

CRICKET COMMUNICATIONS, LLC



Patrick W. Turner
Suite 5200
1600 Williams Street
Columbia, South Carolina 29201
(803) 401-2900
pt1285@att.com

40543, Staff Memo at 2 (July 25, 2012)("Ms. Kimberly Scardino, Deputy Division Chief, the FCC TAPD, stated in an email to Staff dated July 24, 2012, that Staff's requirement that no new Lifeline customers be enrolled in Sprint Nextel's Lifeline plan after the 90-day notices have been sent does not conflict with Federal ETC requirements."); *Telecommunications Carriers Eligible for Support, Federal-State Joint Board on Universal Service*, WC Docket No. 09-197, CC Docket No. 96-45, 27 FCC Rcd 14215 (WCB, November 16, 2012) (approving Verizon Wireless's ETC relinquishment notice, which also informed the Commission that it would cease enrolling new Lifeline customers prior to its relinquishment date). See also, *Cricket's Notice of Relinquishment of Eligible Telecommunications Carrier Designations*, WC Docket No. 09-197, CC Docket No. 96-45, filed with the FCC on October 14, 2014.

EXHIBIT A to Cricket's Petition to Relinquish Lifeline-Only ETC Designation
Docket Nos. 2003-227-C and 2010-21-C

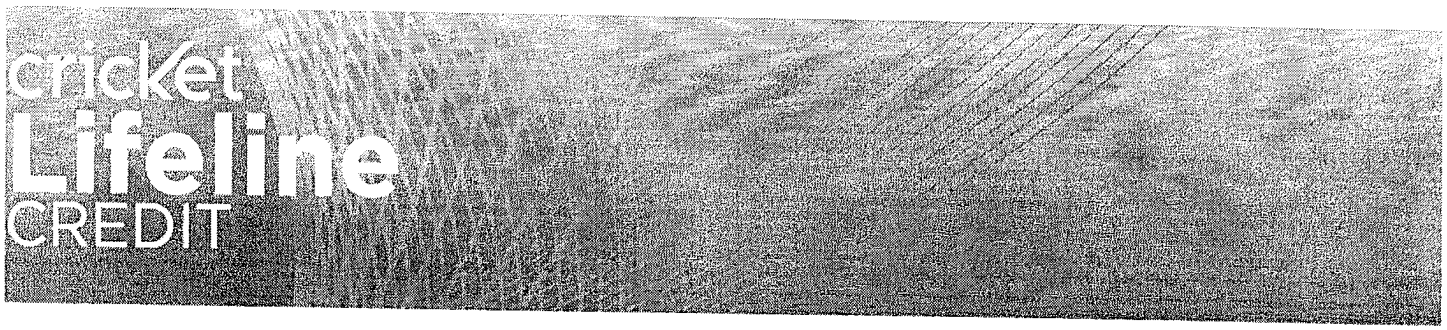
Wire Center (CLLI) Impacted by Cricket's Relinquishment of Lifeline-Only ETC Designation	ILEC Serving the Wire Center
CHTNSCDP	AT&T South Carolina
CHTNSCDT	AT&T South Carolina
CHTNSCJM	AT&T South Carolina
CHTNSCJN	AT&T South Carolina
CHTNSCLB	AT&T South Carolina
CHTNSCNO	AT&T South Carolina
CHTNSCWA	AT&T South Carolina
CLVRSCES	AT&T South Carolina
EDBHSCMA	AT&T South Carolina
HCGVSCMA	AT&T South Carolina
LKWLSCRS	AT&T South Carolina
MNPLSCES	AT&T South Carolina
SBRKSCSK	AT&T South Carolina
SHRNSCMA	AT&T South Carolina
SUVLSCMA	AT&T South Carolina
YORKSCMA	AT&T South Carolina
BFTNSCAQ	Bluffton Telephone Company, Inc.
BFTNSCXA	Bluffton Telephone Company, Inc.
BUFTSCXA	Centurylink /United
ESTLSCXA	Centurylink /United
HMPNSCXA	Centurylink /United
LRBYSCXA	Centurylink /United
LWCNSCAA	Centurylink /United
RDLDSCXA	Centurylink /United
STHLSCXA	Centurylink /United
FTMLSCXB	Fort Mill Telephone Co.
HLWDSCXA	Frontier Communications of the Carolinas Inc. - SC
YMSSSCXA	Frontier Communications of the Carolinas Inc. - SC
HLHDSCXA	Hargray Telephone Company, Inc.
HLHDSCXB	Hargray Telephone Company, Inc.
HLHDSCXC	Hargray Telephone Company, Inc.
HRVLSCXA	Hargray Telephone Company, Inc.
CRSSSCXA	Home Telephone
HUGRSCXA	Home Telephone
MNCRSCXB	Home Telephone
FTLWSCXA	Lancaster Telephone Co.
LNCSSCXA	Lancaster Telephone Co.
LCKHSCXA	Lockhart Telephone Co., Inc.
AWDWSCXA	Mcclellanville Tel.
HNVLSCXA	Palmetto Rural
WLBOSC02	Palmetto Rural
RCHLSCXB	Rock Hill Telephone Co.
BONNSCXA	St. Stephen Tel.
PIVLSCXA	St. Stephen Tel.
KRSHSCXB	Windstream South Carolina, Inc.

EXHIBIT B to Cricket's Petition to Relinquish Lifeline-Only ETC Designation
Docket Nos. 2003-227-C and 2010-21-C

ETC Service Area Impacted by Cricket's Relinquishment of Lifeline-Only ETC Designation (by Study Area)	Non-ILEC ETC Serving the Area (Not an Exhaustive List)
249009	Budget Prepay, Inc.
249012	Tracfone Wireless, Inc.
249013	Virgin Mobile USA, LP
249014	I-Wireless, LLC
249016	SC Lifeline Inc. / Clear Talk
249017	Budget Prepay, Inc.
249018	Global Connection Inc. of America
249019	Boomerang Wireless, LLC
249021	Telrite Corporation
249022	Tag Mobile LLC
249024	Blue Jay Wireless, LLC
249025	Q Link Wireless, LLC
249026	Tempo Telecom, LLC
249027	Airvoice Wireless, LLC

1132623

EXHIBIT C to Cricket's Petition to Relinquish Lifeline-Only ETC Designation
Docket Nos. 2003-227-C and 2010-21-C



IMPORTANT LIFELINE INFORMATION

{Customer Name}
{Mailing Address 1} Wireless Number(s): {Wireless Number}
{Mailing Address 2}
{City, MN Zip}

June 15, 2015

Dear {Customer Name},

We're writing to let you know that **subject to approval by the Public Service Commission of South Carolina, Cricket will no longer provide Lifeline discounts in South Carolina as of July 31, 2015.** Cricket is discontinuing its participation in the Lifeline program as it prepares to shut down its "old" Cricket CDMA network in South Carolina.

As part of shutting down Cricket's "old" network, Cricket plans on terminating **your current service for mobile number [Tel. No.] on [*insert dates between August 15 and September 14, depending on billing cycle*].** We'll contact you again in the near future to provide more information about Cricket's "old" network shutdown. In the meantime, as an existing Cricket Lifeline customer, you'll continue to receive your Lifeline Credit on your current Cricket rate plan.[1]

We hope you'll stay with Cricket and enjoy the unparalleled benefits of Cricket's "new" 4G network and rate plans. All you need is a compatible GSM phone and one of Cricket's new rate plans. These new plans don't include a Lifeline discount, but we encourage you to check out the great values they offer.

- **Plans start at $25/month** – Taxes and fees included and **no Lifeline paperwork needed to qualify**
- Plans provide **unlimited talk and text** – And they include nationwide GSM coverage and no roaming charges

It's your choice! You can go with one of Cricket's new rate plans or you may decide to move to another service provider that still offers Lifeline discounts.

If you'd like to receive Lifeline discounts from another service provider, visit lifelinesupport.org.

---

[1] You will continue to receive a Lifeline discount equivalent until your service on the "old" network is terminated unless your service is suspended or you change your current rate plan.

EXHIBIT C to Cricket's Petition to Relinquish Lifeline-Only ETC Designation
Docket Nos. 2003-227-C and 2010-21-C

If you choose to remain a Cricket customer, act before your current service terminates on [***insert dates between August 15 and September 14, depending on billing cycle***]. **Visit your nearest Cricket retail store** to switch to a new GSM phone and rate plan—or learn more about switching to Cricket at http://cricketwireless.com/switch.

- **Talk, text and share** with reliable nationwide coverage and fast 4G LTE speeds.
- **Enjoy simple, affordable**, unlimited plans with all taxes and fees included.
- **Choose from** a great selection of the best phones and top brands—all at great prices.

We look forward to continuing to serve your wireless needs.

Sincerely,

Cricket Wireless

1132735

STATE OF SOUTH CAROLINA)
) CERTIFICATE OF SERVICE
COUNTY OF RICHLAND)

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, LLC. d/b/a AT&T South Carolina ("AT&T") and that she has caused Cricket Communications, LLC d/b/a Cricket Wireless (f/k/a Hargray Wireless, LLC's) Petition to Relinquish Lifeline-Only ETC Designation in Docket No. 2003-227-C to be served upon the following on May 28, 2015:

C. Lessie Hammonds, Esquire
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
(ORS)
(Electronic Mail)

F. David Butler, Esquire
Senior Counsel
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail)

Joseph Melchers
General Counsel
S.C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail)

Jocelyn G. Boyd, Esquire
Chief Clerk
S. C. Public Service Commission
Post Office Box 11649
Columbia, South Carolina 29211
(PSC Staff)
(Electronic Mail)

Darra Cothran, Esquire
Woodward, Cothran & Herndon
Post Office Box 12399
Columbia, South Carolina 29211
(MCI)
(Electronic Mail)

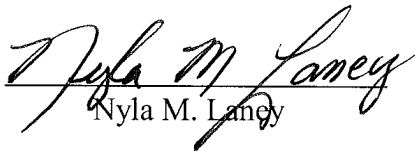
H. Edward Phillips, Esquire
14111 Capital Blvd.
Mailstop: NCWKFR0313
Wake Forest, North Carolina 27587
(Embarq)
(Electronic Mail)

Margaret M. Fox, Esquire
McNair Law Firm, P.A.
Post Office Box 11390
Columbia, South Carolina 29211
(SCTC)
(Electronic Mail)

Scott Elliott, Esquire
Elliott & Elliott, P.A.
1508 Lady Street
Columbia, South Carolina 29201
(United Telephone Company of the Carolinas, LLC
d/b/a Centurylink)
(Electronic Mail)

Stan Bugner
State Director/Regulatory & Government Affairs
1301 Gervais St., #825
Columbia, SC 29201
(Verizon Communications, Inc.)
(Electronic Mail)

Steven W. Hamm, Esquire
Richardson Plowden
1900 Barnwell Street
Columbia, SC 29201
(Verizon Communications, Inc.)
(Electronic Mail)



Nyla M. Laney

1104991