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ORIGINAL

April 18, 2017

VIA FEDEX

Ms. Diane Hanian, Commission Secretary
Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702-0074

**Re: Budget PrePay, Inc. dba Budget Mobile – Notice of ETC Relinquishment
Case No. BPP-T-12-01**

Dear Ms. Hanian:

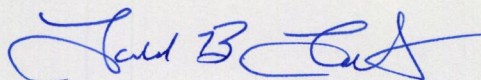
On behalf of Budget PrePay, Inc. dba Budget Mobile (“Budget”), we are enclosing for filing an original and seven copies of Budget’s Notice of Relinquishment of its Eligible Telecommunications Carrier Designation pursuant to 47 U.S.C. § 214(e)(4).

✓ Please date stamp the copy marked “Stamp and Return” and return this copy in the prepaid self-addressed envelope to my attention at Lukas, LaFuria, Gutierrez & Sachs, LLP.

Should you have any questions or concerns with regard to the above, please feel free to contact me either by phone at the number listed above or by email at tlantor@fcclaw.com

Respectfully submitted,

Lukas, LaFuria, Gutierrez & Sachs, LLP



Todd B. Lantor
Partner

Enclosures

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IDAHO PUBLIC
UTILITIES COMMISSION

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

In the Matter of the Application of)	Case No. BPP-T-12-01
)	
BUDGET PREPAY, INC. d/b/a)	NOTICE OF RELINQUISHMENT
BUDGET MOBILE)	OF ETC STATUS IN IDAHO
)	
For Designation as an Eligible)	
Telecommunications Carrier)	

Budget PrePay, Inc. dba Budget Mobile ("Budget"), pursuant to § 214(e)(4) of the Communications Act of 1934, as amended ("Act"), 47 U.S.C. § 214(e)(4), § 54.205 of the Rules of the Federal Communication Commission ("FCC"), 47 C.F.R. § 54.205, and Idaho Code § 62-610D(4), hereby requests that the Commission approve the relinquishment of Budget's Eligible Telecommunications Carrier ("ETC") designation in the State of Idaho, effective June 5, 2017. In support thereof, the following is respectfully submitted:

I. BACKGROUND

1. On January 23, 2013, the Commission designated Budget as an ETC for the limited purpose of providing the services supported by the Universal Service Fund ("USF") under the FCC's Lifeline Program ("Lifeline") for low-income consumers.

2. Budget seeks to relinquish its Lifeline-only ETC designation and to discontinue service in Idaho, because of changes in the wireless industry and proposed modifications to the Lifeline program.

3. Relinquishment of Budget's Lifeline-only ETC designation will not affect the amount of federal Lifeline support available to other ETCs in the state.

II. RELINQUISHMENT REQUIREMENTS

4. Under the USF provisions of the Act, the Commission must allow an ETC to relinquish its designation in any area served by more than one ETC. Section 214(e)(4) of the Act states, in pertinent part, as follows:

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 [ETC], the State commission ... shall require the remaining [ETC] or [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 eligible telecommunications carrier. The State commission ... shall establish a time, not to exceed one year after the State commission ... approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.¹

5. The FCC rule essentially reiterates the same requirements in § 214(e)(4) of the Act and states, in pertinent part, that a “state commission shall permit” an ETC to “relinquish its designation as such in any area served by more than one [ETC].”² The FCC rule also requires that the ETC “shall give advance notice to the state commission of such relinquishment.”³ Finally, the rule requires state commissions to ensure that the relinquishing ETC’s customers will be served by the remaining ETC(s) and ensure sufficient notice to permit the purchase and construction of facilities if necessary.⁴

¹ 47 U.S.C. § 214(e)(4). *See* 47 C.F.R. § 54.205.

² 47 C.F.R. § 54.205(a).

³ *Id.*

⁴ *See* 47 C.F.R. § 54.205(b).

6. Similarly, the Idaho Code provides that the Commission “shall permit an [ETC] to relinquish its designation as such a carrier in any area served by more than one (1) [ETC].”⁵ The Commission is also required “to ensure that all customers served by the relinquishing carrier will continue to be served.”⁶

7. The requirements for relinquishing ETC designation are: (1) there must be more than one ETC serving in the area of the ETC seeking relinquishment; (2) the ETC seeking relinquishment must provide advance notice to the relevant state commission; (3) the customers served by the relinquishing ETC must continue to be served by an ETC; and (4) to the extent that additional facilities are required to serve any of the relinquishing ETC’s customers, sufficient notice shall be provided to ensure that the construction or purchase can be timely completed. As shown below, all such requirements for relinquishing Budget’s ETC designation are satisfied.

III. BUDGET’S ETC DESIGNATED SERVICE AREA

8. The wire centers impacted by this request along with the incumbent local exchange carriers (“ILECs”) currently serving those wire centers are identified in Exhibit A, attached hereto. To the best of Budget’s knowledge, each of the wire centers identified in Exhibit A is currently served by the ILEC which is an ETC. In addition, the Commission has designated other wireless ETCs to provide Lifeline service within Budget’s current ETC designated area. Wireless ETCs, including Lifeline-only providers, which provide service in at least part of Budget’s ETC designated service area, include Assurance Wireless, Boomerang Wireless, Q Link Wireless, and SafeLink Wireless. As there is ready at least one other ETC in all areas in which Budget is currently designated as an ETC, the Commission is required by federal law to permit Budget to

⁵ Idaho Code § 62-610D(4).

⁶ *Id.*

relinquish its Lifeline-only ETC designation.

9. Since multiple ETCs already serve the same ETC service area that Budget serves, to the best of Budget's knowledge, those ETCs will not be required to purchase or construct additional facilities to ensure that Budget's Lifeline subscribers continue to receive service.

10. Because there is at least one additional ETC throughout Budget's ETC service area, there is no bar to prevent this Commission from allowing Budget to relinquish its ETC designation in Idaho, and the requirements set forth in 47 U.S.C. § 214(e)(4), 47 C.F.R. § 54.205, and Idaho Code § 62-610D(4) have been met.

IV. CUSTOMER NOTICE

11. Budget requests the Commission issue an order approving the relinquishment of Budget's ETC designation as soon as possible, but no later than 30 days after the date this Notice. Budget will provide notice to all of its wireless subscribers in Idaho by April 19, 2017. Budget currently has less than 250 Lifeline subscribers in Idaho. Such action will permit Budget to provide ample notice to its Lifeline customers of the discontinuance of their Lifeline service and to ensure an orderly transition. In addition, consistent with Section 31.41.01.312.02a of the Idaho Administrative Code which requires 45 days prior notice, actual Lifeline service will not cease until June 5, 2017, more than 45 days from the date of this filing and more than 45 days in advance of the date Budget will provide notice to its Lifeline customers in Idaho of the upcoming cessation of their Lifeline service from Budget.

12. If a Budget customer decides to obtain service from another provider, there will not be any early termination fees, as Budget customers are not subject to such fees.

13. Budget customers will receive notice that Budget intends to discontinue their service text message. Text messages have historically been the mechanism by which Budget

communicates with its customers, and they will be the most effective method of ensuring Budget's customers receive this important information.

14. Budget will send each Lifeline customer at least one text message on April 19, 2017, notifying Budget's Lifeline customers in Idaho of Budget's cessation of service in Idaho. The contents of this message will include the following information: (1) Budget is no longer an ETC and their existing service will be discontinued; (2) a Lifeline discount can be obtained from the remaining ETCs in Idaho and information about alternative Lifeline providers in Idaho will be provided; (3) the customer must make arrangements with another carrier to continue Lifeline service; and (4) a toll-free number will be provided that customers may call to reach Budget's customer service representatives to assist with the transition. The notice is set forth below:

Budget Mobile will cease providing service to you on 6-5-2017

Please contact another Lifeline provider like Boomerang Wireless or Q Link Wireless if you still want Lifeline.

**For more information, please call 888-777-4007 or visit
<http://www.budgetmobile.com>.**

**Additional information is available from the Idaho PUC at
<http://www.puc.idaho.gov/telecom/etc%20list.PDF>**

15. Budget will continue to provide its existing Lifeline customers with the Lifeline Idaho discount and claim reimbursement for the Lifeline discount until Budget discontinues its wireless operations in Idaho. Budget expects to stop seeking reimbursement for the Lifeline discount on or about June 5, 2017.

V. CONCLUSION

For the foregoing reasons, Budget respectfully requests that the Commission grant this Application expeditiously allowing Budget to relinquish its Lifeline-only ETC designation and right to receive federal Lifeline funding in Idaho, effective June 5, 2017.

Respectfully submitted,



Todd B. Lantor
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Counsel for Budget PrePay, Inc. dba Budget Mobile

Dated: April 18, 2017

EXHIBIT A

List of Rural

and

Non-Rural Wire Centers

Where Budget PrePay

Seeks ETC Relinquishment

EXHIBIT A

List of Rural and Non-Rural Wire Centers Where Budget PrePay Seeks ETC Relinquishment

Rural Wire Centers

<u>Company</u>	<u>Wire Center</u>
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	ALBNIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	ALMOIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	ARCOIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	ELBAIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	HLBKIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	HOWEIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	MALTIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	MCKYIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	MLCYIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	MOORIDXC
ALBION TELEPHONE CO. DBA ATC COMMUNICATIONS	RFRVIDXC
CAMBRIDGE TELEPHONE COMPANY	CMBRIDXC
CAMBRIDGE TELEPHONE COMPANY	CNCLIDXC
CAMBRIDGE TELEPHONE COMPANY	CPRMIDXC
CAMBRIDGE TELEPHONE COMPANY	LWMNIDXC
COLUMBINE TELCO DBA SILVER STAR COMMUNICATIPMS	DRGSIDMA
DIRECT COMMUNICATIONS ROCKLAND, INC.	ARBNIIDXC
DIRECT COMMUNICATIONS ROCKLAND, INC.	PARSIDXC
DIRECT COMMUNICATIONS ROCKLAND, INC.	RKLDIDXC
FARMERS MUTUAL TELEPHONE CO.	FRLDIDXX
FARMERS MUTUAL TELEPHONE CO.	NUARIDXC
FILER MUTUAL TELEPHONE CO.	FILRIDAA
FILER MUTUAL TELEPHONE CO.	HLSTIDXC
FREMONT TELCOM CO	STATIDMA
INLAND TELEPHONE CO.	LENRIDXA
MUD LAKE TELEPHONE COOPERATIVE ASSOICATION, INC.	DUBSIDXC
MUD LAKE TELEPHONE COOPERATIVE ASSOICATION, INC.	HAMRIDXC
MUD LAKE TELEPHONE COOPERATIVE ASSOICATION, INC.	KLGRIDXC
MUD LAKE TELEPHONE COOPERATIVE ASSOICATION, INC.	MNVWIDXC
MUD LAKE TELEPHONE COOPERATIVE ASSOICATION, INC.	TRTNIDXC
OREGON - IDAHO UTILITIES, INC.	SOMTIDXC
POTLATCH TELEPHONE CO., INC.	JLTTIDXA
POTLATCH TELEPHONE CO., INC.	KNDRIDXX
POTLATCH TELEPHONE CO., INC.	TROYIDXX
PROJECT MUTUAL TELEPHONE COOP. ASSOCIATION, INC.	MNDKIDXC
PROJECT MUTUAL TELEPHONE COOP. ASSOCIATION, INC.	NRLDIDXC
PROJECT MUTUAL TELEPHONE COOP. ASSOCIATION, INC.	OKLYIDXC

PROJECT MUTUAL TELEPHONE COOP. ASSOCIATION, INC.
 PROJECT MUTUAL TELEPHONE COOP. ASSOCIATION, INC.
 SILVER STAR TELEPHONE CO., INC.
 SILVER STAR TELEPHONE CO., INC.

PAULIDXC
 RPRTIDXC
 IRWNIDXC
 WAYNIDXC

Non-Rural Wire Centers

<u>Company</u>	<u>Wire Center</u>
QWEST CORPORATION	AMFLIDMA
QWEST CORPORATION	BLFTIDMA
QWEST CORPORATION	BLSSIDMA
QWEST CORPORATION	BNCRIDMA
QWEST CORPORATION	BOISIDMA
QWEST CORPORATION	BOISIDNW
QWEST CORPORATION	BOISIDSW
QWEST CORPORATION	BOISIDWE
QWEST CORPORATION	BRLYIDMA
QWEST CORPORATION	BUHLIDMA
QWEST CORPORATION	CLWLIDMA
QWEST CORPORATION	CRGMID01
QWEST CORPORATION	CSFRIDMA
QWEST CORPORATION	CTWDID01
QWEST CORPORATION	DECLIDMA
QWEST CORPORATION	DWNYIDMA
QWEST CORPORATION	DYTNIDMA
QWEST CORPORATION	EAGLIDNM
QWEST CORPORATION	EDHZIDMA
QWEST CORPORATION	EMMTIDMA
QWEST CORPORATION	FKLNIDMA
QWEST CORPORATION	FRTHIDMA
QWEST CORPORATION	GAVLID01
QWEST CORPORATION	GDNGIDMA
QWEST CORPORATION	GLFYIDMA
QWEST CORPORATION	GRACIDMA
QWEST CORPORATION	HALYIDMA
QWEST CORPORATION	HGMNIDMA
QWEST CORPORATION	IDCYIDMA
QWEST CORPORATION	IDFLIDMA
QWEST CORPORATION	INKMIDMA
QWEST CORPORATION	JERMIDNM
QWEST CORPORATION	KAMHID01
QWEST CORPORATION	KMBRIDMA
QWEST CORPORATION	KOSKID01

VERIZON NORTHWEST INC.-ID
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VERIZON NORTHWEST INC.-ID
VERIZON NORTHWEST INC.-WA

MSCWIDXX
ORFNIDXC
PECKIDXX
PIRCIDXX
PLMRIDXX
PNHRIDXA
PRLKIDXX
PRRVIDXX
PSFLIDXX
PTLTIDXX
RTHDIDXX
SNPNIDXX
SPLKIDXX
WEPPIDXX
FRTNWAXX

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of April, 2017, a true and correct original plus seven copies of the within and foregoing **NOTICE OF RELINQUISHMENT OF BUDGET'S ETC STATUS IN IDAHO** (Case No. BPP-T-12-01) was sent via FedEx Overnight Priority delivery to Commission Secretary Diane Hanian at the Idaho Public Utilities Commission office at 472 West Washington Street, Boise, Idaho 83702-0074 with additional copies sent by electronic mail to:

Donald L. Howell, II
Deputy Attorney General and
Attorney for the Commission Staff
Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702-5918

Grace Seaman
Technical Staff Member
Idaho Public Utilities Commission
472 West Washington Street
Boise, ID 83702-5918

Signed: Kathleen R. Mathiasen
Kathleen R. Mathiasen