

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE APPLICATION)
OF CRICKET COMMUNICATIONS, INC.) CASE NO. CRI-T-11-01
FOR DESIGNATION AS AN ELIGIBLE)
TELECOMMUNICATIONS CARRIER) ORDER NO. 32675

On July 19, 2012, Cricket Communications, Inc. ("Cricket" or "Company") filed an Application, pursuant to Section 214(e)(2) of the Telecommunications Act of 1934, to amend its designation as an eligible telecommunications carrier ("ETC") in the State of Idaho. *Application to Amend* at 1. Cricket was previously granted ETC designation on March 27, 2012. *See* Order No. 32501.

On October 3, 2012, the Commission issued a Notice of Application and Modified Procedure establishing a 21-day comment period. Staff was the only party to submit comments within the established comment period.

THE APPLICATION

Cricket's Application to amend its designation as an ETC requests Commission approval to "expand its ETC designation area to allow Cricket to offer affordable advanced telecommunications services to low-income Idaho customers outside the current designation area, utilizing support from the federal Lifeline program of the federal Universal Service Fund ("USF")." *Id.* at 1-2.

Cricket believes that the expansion of its Idaho service territory would serve the public interest because it would allow the Company to make its discounted telecommunications services available to additional "low-income residents of Idaho, thereby . . . advancing the goals of universal service." *Id.*

Cricket's Application states that it "is a facilities-based carrier that provides digital wireless services on a common carrier basis, primarily using its own state-of-the-art facilities." *Id.* Cricket and its affiliates serve "approximately 6.2 million customers in 34 states and the District of Columbia." *Id.* Cricket says that it offers customers the benefits of unlimited calling at flat rates, without requiring fixed-term contracts or credit checks. Cricket attached Exhibit A to its Application identifying the areas in Idaho wherein the Company is already designated an ETC. The Company proposes a basic plan for \$35/month that includes unlimited nationwide

local calling, unlimited nationwide U.S. long-distance (including calls to Puerto Rico and Canada), Caller ID, and voicemail. In addition, Cricket offers seven expanded plans with enhanced features. *Id.*, Exh. C.

Cricket reiterated its previous claims, made in CRI-T-11-01, that the Company meets all of the state and federal statutory and regulatory requirements for ETC designation in Idaho. *Id.* at 2-4. Additionally, Cricket notes that “in February 2012, the Federal Communications Commission (“FCC”) granted Cricket forbearance from the service area conformance requirement of section 214(e)(6) of the Act and section 54.207(b) of the FCC rules.” *Id.* at 4. The FCC’s approval of Cricket’s ETC application and compliance plan has allowed Cricket to become “eligible for Lifeline-only ETC designation in service areas that do not conform to that of an underlying rural telephone company study area.” *Id.* Exhibit B of Crickets’ Application to amend displays “the proposed additions to its designated [Idaho] ETC area and Cricket’s corresponding coverage.” *Id.*

Cricket asserts that it will “continue to comply with the applicable annual certification requirements adopted by the Commission’s ETC Requirements Order[,]” including the collection and remittance of applicable Idaho Telephone Service Assistance Program (ITSAP) and Idaho Emergency Communications Act (E-911) fees. *Id.* at 4, 6.

STAFF ANALYSIS AND RECOMMENDATION

Staff reviewed Cricket’s Application to amend its ETC designation to add 10 new wire centers. As it did in the Company’s original ETC application, Staff believes that Cricket demonstrates an understanding of its ETC requirements and a commitment to fulfill the obligations of an ETC in the expanded area: the Company will provide all universal services throughout its current and expanded territory; the Company satisfies the public interest analysis; the Company will provide multiple service plans to meet a variety of consumer needs for low-income service; and the Company will continue to meet its obligation to collect and remit ITSAP and 911 fees. Therefore, Staff recommended approval of Cricket’s Application to amend its ETC designation.

COMMISSION DECISION

The Commission reviewed the filings in this case, including the Company’s Application, exhibits, and Staff comments. The Commission approves Cricket’s request to amend its ETC designation in Idaho, previously authorized by the Commission on March 27,

2012. *See* Order No. 32501. The Commission finds that an expansion of Cricket's ETC service area to include an additional 10 wire centers in Idaho is consistent with "the public interest, convenience, and necessity." *Id.* The Commission believes that expanding Cricket's ETC status "will benefit consumers by offering services of another competitor and may be beneficial to eligible recipients of Idaho's Telecommunications Service Assistance Program (ITSAP) or Lifeline service." Order No. 30360 at 8.

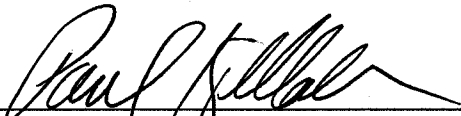
The Commission finds that Cricket has previously demonstrated that it will comply with the specific Idaho ETC requirements more fully described in Order No. 29841 at 21, Appendix 1. Therefore, the Commission finds that Cricket has satisfied the requirements for designation as an ETC and approves the Company's Application to amend its ETC designation in Idaho.

ORDER

IT IS HEREBY ORDERED that the Application of Cricket Communications, Inc. to amend its eligible telecommunications carrier (ETC) status in Idaho is approved.

THIS IS A FINAL ORDER. Any person interested in the Order may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* § 61-626.

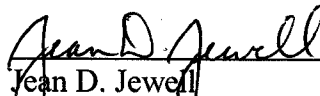
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 5th
day of November 2012.


PAUL KJELLANDER, PRESIDENT


MACK A. REDFORD, COMMISSIONER


MARSHA H. SMITH, COMMISSIONER

ATTEST:


Jean D. Jewell
Commission Secretary

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