

## DECISION MEMORANDUM

**TO:** COMMISSIONER KJELLANDER  
COMMISSIONER REDFORD  
COMMISSIONER SMITH  
COMMISSION SECRETARY  
COMMISSION STAFF  
LEGAL

**FROM:** NEIL PRICE  
DEPUTY ATTORNEY GENERAL

**DATE:** SEPTEMBER 27, 2012

**SUBJECT:** APPLICATION OF CRICKET COMMUNICATIONS, INC. TO AMEND  
ITS DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS  
CARRIER, CASE NO. CRI-T-11-01

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.

### 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.

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.

#### COMMISSION DECISION

Does the Commission wish to process Cricket’s Application to amend its designation as an ETC in Idaho through Modified Procedure with a corresponding 21-day comment period?



---

Neil Price  
Deputy Attorney General

M:CRI-T-11-01\_np3