



Idaho Sheriffs' Association

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UTILITIES COMMISSION

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*Vaughn Killeen,
Executive Director*

March 9, 2012

Idaho Public Utilities Commission
472 W. Washington St.
PO Box 83720
Boise, Idaho 83720-0074

RE: Objection to Notice of Proposed Settlement Order No. 32463
TracFone Wireless Inc. Case No. TFW-T-09-01

Dear Commissioners:

The Idaho Sheriffs' Association (ISA) objects to the proposed Settlement Stipulation and the application of TracFone Wireless to become an Eligible Telecommunications Carrier pursuant to 47 U.S.C. § 214(e)(2). The proposed settlement does not sufficiently address the fact that TracFone is currently in violation of Idaho law. TracFone has not been remitting Emergency Communications Fees to Idaho's forty-four counties in support of their respective 9-1-1 systems as required by section 31-4804, Idaho Code.

Idaho Sheriffs operate most 911 dispatch centers and infrastructure is costly to maintain and update. Revenues from 911 fees are significantly lessened because of TracFone's blatant disregard of Idaho law. The Idaho Emergency Communication Commission has calculated that almost \$5 million in lawful fees attributed to TracFone have not been paid since 2004. The proposed settlement stipulation rewards TracFone for disregarding Idaho law with millions of dollars of "waived" back payments.

Additionally, TracFone has not made any attempt to negotiate a future process for collecting the Idaho Emergency Communications Fee. TracFone "good faith" statement is insufficient based on their track record here and in other states.

The refusal of TracFone to collect and remit the fees that they are legally obligated to collect hurts public safety dispatch centers in their efforts to provide responsive emergency services to the public. Providing safety to the citizens of Idaho is our responsibility and TracFone is making our job more difficult.

Accordingly, the ISA respectfully requests that the PUC reconsider their proposed stipulation and deny the application until TracFone comes into compliance with existing law regarding the services they provide in Idaho.

Sincerely,

Vaughn Killeen
Executive Director