

**IN THE MATTER OF THE APPLICATION )**  
**OF T-MOBILE WEST CORP. FOR )**  
**DESIGNATION AS AN ELIGIBLE )**  
**TELECOMMUNICATIONS CARRIER )**  
**)**  
**)**  
**)**  
**)**  
**)**

**CASE NO. TMW-T-10-01**

**NOTICE OF APPLICATION**

**NOTICE OF**

**MODIFIED PROCEDURE**

**ORDER NO. 32240**

The Application states that T-Mobile is committed to providing the required universal services throughout its designated ETC service areas, including the FCC's ETC servicing requirements found at 47 C.F.R. § 54.202. In those instances when T-Mobile receives a request for service outside its existing network coverage areas, T-Mobile will provide service within a reasonable period of time. To provide service the Company maintains that it will explore several alternatives including: modify or replace the customer's equipment; deploy a roof-mounted antenna or other equipment; adjust the nearest cell tower; adjust network or customer facilities; resell services from another carrier's facility; or use or construct an additional cell site/extender/repeater or other similar equipment. Application at 5. If T-Mobile determines that it cannot reasonably serve a new customer, then it will report the "unfulfilled request within thirty (30) days after making such a determination." *Id.*

The Company also commits to advertise the availability of its universal service offering within its proposed ETC service areas by using media of general distribution. *Id.* In addition, the Company notes that it already has various retail stores and authorized agents throughout its existing service area.

Once designated as an ETC, the Company will make available to qualified low-income customers a discounted service offer that meets the "Lifeline" requirements.<sup>2</sup> T-Mobile plans to make available to qualifying low-income customers an affordable wireless handset; 145 "whenever" minutes, 500 night minutes, and 500 weekend minutes per month; and a Lifeline monthly rate of \$6.41. *Id.* at 6. In its Application, T-Mobile also declares that it will comply with the Idaho Commission's ETC requirements. In particular, the Company has filed a two-year investment plan to better serve customers once it is designated as an ETC. The Company indicates that it will be able to provide emergency services and that it will comply with the CTIA consumer protection code. *Id. citing* Order No. 29841, App. at 3. In August 2010, T-Mobile was recognized as earning the highest ranking in J.D. Power & Associates' satisfaction survey for wireless carriers.

In conclusion, T-Mobile asserts that designating it as an ETC would provide a benefit to customers in its service territory and is in the public interest. *Id.* at 8-10. Besides providing

---

<sup>2</sup> The Lifeline program is intended to provide universal service to eligible low-income customers by using USF revenues to make telecommunications service more affordable. Idaho participates in the residential Lifeline program pursuant to *Idaho Code* § 56-901 and Order No. 21713.

consumers with competitive pricing and new services, customers will also benefit from increased competition. ETC status “will result in consumers having greater access to wireless telecommunications services in rural areas, thereby advancing the basic goal of preserving and advancing universal service.” *Id.* at 9. T-Mobile requests that the Commission certify that T-Mobile may receive federal USF funds for universal service support. *Id.* at 11.

### **MERGER**

On March 20, 2011, AT&T announced plans to acquire T-Mobile USA, including all of its wholly owned subsidiaries such as T-Mobile West. In a production request, Staff asked about the impact of the proposed merger on the ETC Application. T-Mobile answered that notwithstanding the proposed merger, it “will be the designated ETC legal entity with the obligations and responsibilities of a universal service provider in Idaho.”

### **NOTICE OF MODIFIED PROCEDURE**

YOU ARE HEREBY NOTIFIED that the Commission has determined that the public interest may not require a formal hearing in this matter and will proceed under Modified Procedure pursuant to Rules 201 through 204 of the Idaho Public Utilities Commission's Rules of Procedure, IDAPA 31.01.01.201 through .204. The Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation in past ETC cases.

YOU ARE FURTHER NOTIFIED that any person desiring to state a position on this ETC Application **may file a written comment in support or opposition with the Commission within 21 days from the service date of this Order.** The comment must contain a statement of reasons supporting the comment. Persons desiring a hearing must specifically request a hearing in their written comments and state why Modified Procedure is inappropriate in this case. Written comments concerning this Application shall be mailed to the Commission and the Applicant at the addresses reflected below:

Commission Secretary  
Idaho Public Utilities Commission  
PO Box 83720  
Boise, ID 83720-0074

Street Address for Express Mail:

472 W. Washington Street  
Boise, ID 83702-5918

Mark P. Trincherro  
Davis Wright Tremaine LLP  
1300 SW Fifth Avenue, Suite 2300  
Portland, OR 97201  
E-mail: [marktrincherro@dwt.com](mailto:marktrincherro@dwt.com)

Teri Ohta  
Senior Corporate Counsel  
T-Mobile USA, Inc.  
12920 SE 38<sup>th</sup> Street  
Bellevue, WA 98006

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's home page located at [www.puc.idaho.gov](http://www.puc.idaho.gov). Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document. These comments must also be sent to T-Mobile at the e-mail addresses listed above.

YOU ARE FURTHER NOTIFIED that the Application and supporting workpapers and exhibits have been filed with the Commission and are available for public inspection during regular business hours at the Commission offices. The Application is also available on the Commission's web site at [www.puc.idaho.gov](http://www.puc.idaho.gov) by clicking on "File Room" and then "Telephone Cases."

YOU ARE FURTHER NOTIFIED that all proceedings in this case will be held pursuant to the Commission's jurisdiction under Title 62 of the Idaho Code and specifically *Idaho Code* § 62-610D. The Commission may enter any final Order consistent with its authority under Title 62.

YOU ARE FURTHER NOTIFIED that all proceedings in this matter will be conducted pursuant to the Commission's Rules of Procedure, IDAPA 31.01.01.000 *et seq.*

### **ORDER**

IT IS HEREBY ORDERED that this case be processed under Modified Procedure. Interested persons wishing to file comments must do so within 21 days from the service date of this Order.


DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 12<sup>th</sup>  
day of May 2011.

  
\_\_\_\_\_  
PAUL KJELLANDER, PRESIDENT

  
\_\_\_\_\_  
MACK A. REDFORD, COMMISSIONER

  
\_\_\_\_\_  
MARSHA H. SMITH, COMMISSIONER

ATTEST:

  
\_\_\_\_\_  
Jean D. Jewell  
Commission Secretary

bls/O:TMW-T-10-01\_dh