

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CRICKET)
COMMUNICATIONS, LLC FOR A)
COMMISSION ORDER GRANTING) CASE NO. 2015-00135
RELINQUISHMENT OF ITS DESIGNATIONS)
AS A LIFELINE-ONLY ELIGIBLE)
TELECOMMUNICATIONS CARRIER)

ORDER

On December 21, 2011, the Commission granted the request of Cricket Communications, Inc. ("Cricket") for designation as an Eligible Telecommunications Carrier ("ETC").¹ Cricket was authorized to receive low-income support for the purpose of providing Lifeline and Link-up service. On February 23, 2015, Cricket notified the Commission of its intent to elect to become a limited liability company effective on or about February 28, 2015.²

On April 23, 2015, Cricket submitted a petition to the Commission for relinquishment of its ETC status in Kentucky and therefore to discontinue the provision of wireless services to Lifeline customers. Cricket requests that its ETC designation be relinquished as of July 31, 2015.

¹ Case No. 2011-00382, *Application of Cricket Communications, Inc. for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky*, (Ky. PSC Dec. 21, 2011).

² Hereafter "Cricket" shall refer to Cricket Communications, LLC.

Cricket is a facilities-based wireless provider. Cricket states it has fewer than 1,730 Kentucky Lifeline customers as of April 1, 2015.³ Cricket will provide a notice by U.S. Postal Service mail to each Lifeline customer on or before June 15, 2015. Cricket states that it will also notify each Lifeline customer by text message no later than June 15, 2015. Each notice will provide the Lifeline customers with options for continuing Lifeline service with another carrier or obtaining unsubsidized service. Cricket states that it will no longer accept Lifeline applications during the pendency of this application.

Under 47 U.S.C. § 214(e)(4), a State commission shall permit a carrier to relinquish its ETC designation in any area served by more than one ETC. The incumbent local exchange carriers, BellSouth Telecommunications, LLC d/b/a AT&T Kentucky, Cincinnati Bell Telephone Company, and Windstream Kentucky East, LLC are designated as ETCs, and the Commission is aware that other utilities are designated as ETCs in the area. Because other ETCs currently serve the entire area in which Cricket is designated an ETC in Kentucky, notice need not be provided to those carriers to permit them to purchase or construct facilities to ensure that customers will continue to receive service.

47 U.S.C. § 214 (e)(4) states in part:

A state commission . . . shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission . . . of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier

³ Application at 3.

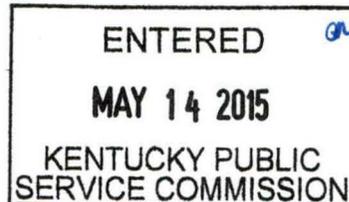
to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission . . . shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, 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.

Based on the evidence and having been sufficiently advised, the Commission finds that, pursuant to 47 U.S.C. § 214(e)(4), there is more than one ETC in the area of relinquishment, and those carriers have sufficient facilities for the provision of service.

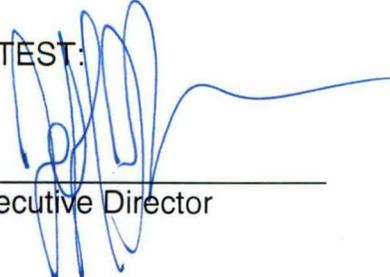
IT IS THEREFORE ORDERED that:

1. Cricket's request to withdraw as an ETC is granted effective July 31, 2015.
2. This case is now closed and removed from the Commission's docket.

By the Commission



ATTEST:



Executive Director

*Cricket Communications, LLC
575 Morosgo Drive NE
Atlanta, GA 30324

*Honorable Mark R Overstreet
Attorney at Law
Stites & Harbison
421 West Main Street
P. O. Box 634
Frankfort, KENTUCKY 40602-0634