

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST OF BUDGET PREPAY, INC., TO)	
RELINQUISH ITS WIRELINE LIFELINE ONLY)	CASE NO.
ELIGIBLE TELECOMMUNICATIONS CARRIER)	2016-00184
DESIGNATION)	

ORDER

On December 28, 2009, the Commission granted the request of Budget Prepay, Inc. ("Budget") for designation as an Eligible Telecommunications Carrier ("ETC").¹ Budget was authorized to receive low-income support for the purpose of providing Lifeline to wireline customers. On May 27, 2016, Budget petitioned the Commission pursuant to 47 U.S.C. § 214(e)(4) for relinquishment of its ETC status in Kentucky.

Budget is a Competitive Local Exchange Carrier and recently received Federal Communications Commission approval to transfer all of Budget's wireline subscribers in Kentucky to Global Connection Inc. of America ("Global Connection").² Budget ceased having any Lifeline customers on November 30, 2015.³

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. Following relinquishment of Budget's ETC designation, several ETCs in the study area will

¹ Case No. 2009-00269, *Application of Budget Prepay, Inc. for Designation as a Non-Rural Eligible Telecommunications Carrier* (Ky. PSC Dec. 28, 2009).

² Application at 1.

³ Budget Prepay, Inc. Response to Commission Staff's Request for Information (filed Aug. 9, 2016), Item 1.

continue to provide Lifeline.⁴ The Incumbent Local Exchange Carriers, BellSouth Telecommunications, LLC d/b/a AT&T Kentucky and Windstream Kentucky East, are designated as ETCs in the area served by Budget, 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 Budget is designated as an ETC in Kentucky, notice need not be provided to those carriers to permit them to purchase or construct facilities to ensure that Budget's customers will continue to receive service.

Budget and Global Connection jointly provided written notice to each of their then-current customers in Kentucky advising that Budget would no longer provide service and beginning on October 25, 2015, their service would be provided by Global Connection. Budget and Global also notified the Commission on November 4, 2015, and included the customer notice.⁵

47 USC § 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 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

⁴ Application at 2.

⁵ *Id.* at 3.

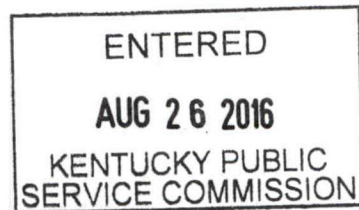
remaining eligible telecommunications carrier. The State commission . . . shall establish a time, not to exceed one year after the State commission . . . approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

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. The Commission also finds that Budget has provided sufficient notice to its customers to enable those customers to seek alternative service providers.

IT IS THEREFORE ORDERED that:

1. Budget's request to withdraw as an ETC is granted.
2. This case is now closed and removed from the Commission's docket.

By the Commission



ATTEST:

A handwritten signature in blue ink that reads "Salina R. Mathews". The signature is written in a cursive style and is positioned above a horizontal line.

Executive Director

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