

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF THE FAILURE OF)
TRACFONE WIRELESS, INC. TO FILE) CASE NO. 2011-00322
REQUIRED REPORTS)

COMMISSION STAFF'S FIRST REQUEST FOR INFORMATION TO
TRACFONE WIRELESS, INC.

TracFone Wireless, Inc. ("TracFone"), pursuant to 807 KAR 5:001, is to file with the Commission the original and six copies of the following information. The information requested herein is due on or before September 15, 2012. Responses to requests for information shall be appropriately bound, tabbed, and indexed. Each response shall include the name of the witness responsible for responding to the questions related to the information provided.

Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or the person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

TracFone shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect. For any request to which TracFone fails or refuses to furnish all or part of the requested information, it shall

provide a written explanation of the specific grounds for its failure to completely and precisely respond.

Careful attention shall be given to copied material to ensure that it is legible. When the requested information has been previously provided in this proceeding in the requested format, reference may be made to the specific location of that information in responding to this request.

1. Explain, in detail, how TracFone provides Commercial Mobile Radio Service ("CMRS") to Kentucky consumers. Include all identifiable processes and/or operations utilized from the acquisition of airtime to the billing and/or usage tracking mechanisms relied on to manage end-user accounts.

2. Identify the entity responsible for managing each of the processes/operations identified in Item 1 above.

3. Identify each of the underlying facilities-based carriers relied on to provide wireless services to consumers in Kentucky.

4. Provide any and all documents that describe and govern the terms and conditions for each arrangement in place between TracFone and the underlying facilities-based carriers relied on to provide wireless services to consumers in Kentucky.

5. Describe and provide documentation for all of TracFone's licensing and/or registration status with the Federal Communications Commission ("FCC") (e.g., FCC International Authorization - Section 214 and FCC Registration Form 499-A).

6. Thoroughly compare and contrast TracFone's FCC regulatory classification (i.e., mobile virtual network operator ("MVNO")) with that of a facilities-

based FCC licensed CMRS provider. Make sure to specifically identify any requirements for a CMRS provider that are not applicable to an MVNO.

7. According to TracFone's website, the coverage for a subscriber encompasses the combined service areas of multiple CMRS providers. Explain how TracFone is able to combine the service areas of underlying facilities-based carriers to offer its services "everywhere that cellular service is offered."

8. Explain how TracFone's Eligible Telecommunications Carrier status¹ compares with that of the underlying facilities-based CMRS providers. In particular, discuss the ETC obligations that TracFone has for subscribers and whether or not those same obligations are also being met by the underlying CMRS provider.

9. TracFone states in its response to the Commission's October 12, 2011 Order that it is a wireless reseller. Besides the ownership of towers, switches, and spectrum, distinguish the differences in a wireless reseller and a facilities-based wireless provider as related to providing service to a customer.

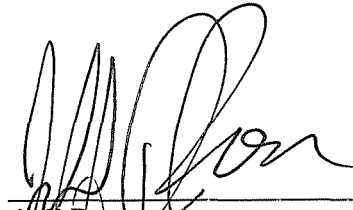
10. Distinguish the differences between a wireless reseller and a wireline reseller as related to providing service to a customer.

11. Does TracFone provide customer service to its customers or contract with other companies to provide customer service?

12. Does TracFone provide telecommunications service to the public for compensation?

¹ See Case No. 2009-00100, *Petition of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky for the Limited Purpose of Offering Lifeline and Link Up Services to Qualified Households* (Ky. PSC Nov. 24, 2010).

13. Does TracFone have "means" as used in the KRS 278.010(11) definition of "Facility"?



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cc: Parties of Record

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