

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

REQUEST BY TOTAL CALL MOBILE, LLC TO)	
RELINQUISH ITS ELIGIBLE)	CASE NO.
TELECOMMUNICATIONS CARRIER)	2016-00418
DESIGNATION AND FOR RELATED RELIEF)	

ORDER

On July 20, 2015, the Commission granted the request of Total Call Mobile, LLC (“Total Call”) for designation as an Eligible Telecommunications Carrier (“ETC”).¹ Total Call was authorized to receive federal Universal Support for Lifeline wireless customers. On December 1, 2016, Total Call petitioned the Commission pursuant to 47 U.S.C. § 214(e)(4) for relinquishment of its ETC status in Kentucky (“Petition”).

Total Call is a reseller of Commercial Mobile Radio Service, also known as a Mobile Virtual Network Operator, and has requested to relinquish its ETC designation and to discontinue providing service in Kentucky due to changes in the wireless industry and proposed modifications to the Lifeline Program.² Total Call currently serves only four Lifeline subscribers in Kentucky.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 Total Call’s ETC designation, there will continue to be several ETCs in

¹ Case No. 2014-00268, *Application of Total Call Mobile, Inc. for Limited Designation as an Eligible Telecommunications Carrier* (Ky. PSC July 20, 2015).

² Petition at paragraph 4.

³ *Id.* at paragraph 13.

the service area that provide Lifeline service.⁴ The incumbent Local Exchange Carriers are designated as ETCs in the area served by Total Call, 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 Total Call 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 customers will continue to receive service. Total Call sent customer notification via electronic means to each of its four wireless Lifeline customers in Kentucky.⁵ The notice advised each customer that Total Call planned to discontinue service on December 31, 2016, and that service could be obtained from other providers.⁶

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 *Id.* at paragraphs 10–11.

⁵ *Id.* at paragraphs 13–14.

⁶ *Id.* at paragraph 14.

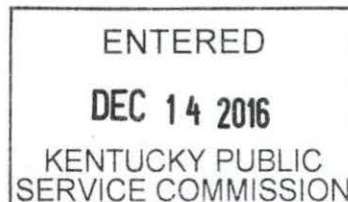
remaining eligible telecommunications carrier. The State commission . . . shall establish a time, not to exceed one year after the State commission approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

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 Total Call has provided sufficient notice to its customers to enable those customers to seek alternative service providers.

IT IS THEREFORE ORDERED that:

1. Total Call's request to withdraw as an ETC is granted as of December 31, 2016.
2. Total Call's request to cancel its authority to operate in Kentucky is granted as of December 31, 2016.
3. This case is now closed and removed from the Commission's docket.

By the Commission



ATTEST:


Executive Director

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

*Total Call Mobile, Inc.
1411 W 190th Street, Suite 650
Gardena, CA 90248

*Bevan, Mosca & Giuditta P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, NEW JERSEY 908-753-8