

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

TRACFONE WIRELESS, INC'S. CONDITIONS )  
AS AN ELIGIBLE TELECOMMUNICATIONS ) CASE NO.  
CARRIER IN KENTUCKY ) 2013-00182  
)

ORDER

On September 23, 2010, the Commission designated TracFone Wireless, Inc. ("TracFone") as an Eligible Telecommunications Carrier ("ETC") in Kentucky for the limited purposes of providing Lifeline and Link-Up.<sup>1</sup> The Order granted TracFone ETC status subject to TracFone's agreeing to four conditions. TracFone subsequently agreed to all of the conditions, and the Commission gave final approval on November 24, 2010.

Condition 2 was as follows:

TracFone must perform an annual audit of all Lifeline customers in accordance with Administrative Case No. 360. The Commission requires that TracFone submit a quarterly report to the Commission, effective with the date of this Order, showing the number of customers who have been deactivated for not having any activity on their phone in a 60-day period, not passing annual verification, or voluntarily being deactivated.<sup>2</sup>

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<sup>1</sup> 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 Service to Qualified Households* (Ky. PSC Sep. 23, 2010).

<sup>2</sup> *Id.* at p. 21.

TracFone has performed the audits and filed those reports as required. The Commission, on its own motion, finds that it is no longer necessary to require Tracfone to adhere to this condition as stated.

The Federal Communications Commission (“FCC”) has since modified and promulgated several rules changes for Lifeline Providers.<sup>3</sup> One such rule change related to annual audits and reporting certain information to the FCC. Lifeline providers are required to file Form 555, which reports to the FCC the results of the annual audit and the number of customers de-enrolled for non-usage. Form 555 is submitted annually, and a copy is provided to the Commission. The Commission finds that submission of the Form 555 will satisfy Condition 2 in the future, and quarterly reports will no longer be required. The Commission has already adopted the audit procedures of the FCC and no longer requires audits to be completed in accordance with Administrative Case 360,<sup>4</sup> but in accordance with FCC rules.<sup>5</sup>

IT IS THEREFORE ORDERED that:

1. TracFone shall continue to perform annual audits in accordance with FCC rules and shall no longer be required to file quarterly reports in accordance with Condition 2 of the Commission’s Order in Case No. 2009-00100.
2. The matter is closed and removed from the Commission’s docket.

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<sup>3</sup> *Lifeline and Link-Up Reform and Modernization et al., Report and Order and Further Notice of Proposed Rulemaking*, WC Dkt. Nos. 11-42 et al., cc Dkt. No. 96-45, FCC 12-11 (rel. Feb. 6, 2012).

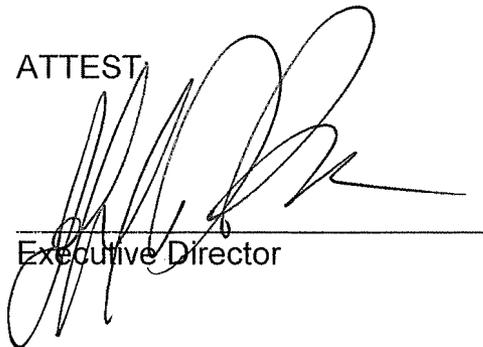
<sup>4</sup> Administrative Case No. 360, *An Inquiry into Universal Service and Funding Issues* (Ky. PSC Aug. 24, 2004).

<sup>5</sup> Administrative Case No. 2012-00146, *Lifeline Reform* (Ky. PSC May 1, 2012).

By the Commission

ENTERED  
MAY 14 2013  
KENTUCKY PUBLIC  
SERVICE COMMISSION

ATTEST



Executive Director

Case No. 2013-00182

