

**COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION**

In the Matter of:

)	
)	
ELECTRONIC PETITION OF TRACFONE)	
WIRELESS, INC. TO AMEND ITS DESIGNATION AS)	CASE NO.
AN ELIGIBLE TELECOMMUNICATIONS CARRIER)	2019-000185
TO RECEIVE KENTUCKY UNIVERSAL SERVICE)	
SUPPORT FOR LIFELINE SERVICE)	

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

TracFone Wireless, Inc. ("TracFone"), hereby files its response to Commission Staff's First Request for Information to TracFone Wireless, Inc., issued in the above-captioned case on September 17, 2019.

TRACFONE WIRELESS, INC.

PSC CASE NO. 2019-000185

COMMISSION STAFF'S FIRST INFORMATION REQUEST DATED SEPTEMBER 17, 2019

REQUEST 1

Responsible Person: Javier Rosado

Request 1

Provide the number of Lifeline subscribers that TracFone expects it will serve if the Commission finds that TracFone is eligible to receive Kentucky Universal Service support tor Lifeline service.

Response 1

TracFone expects that enhancement of its Lifeline program in Kentucky with receipt of Kentucky Universal Service Fund (KUSF) support will enable it to serve approximately 45,000 low-income Kentucky households.

**TRACFONE WIRELESS, INC.
PSC CASE NO. 2019-000185**

**COMMISSION STAFF'S FIRST INFORMATION REQUEST DATED SEPTEMBER 17,
2019**

REQUEST 2

Responsible Person: Chesley Dillon and Javier Rosado

Request 2

Confirm that TracFone will collect or otherwise contribute the Kentucky USF per-line surcharge, currently \$0.07 per line per month, to the Kentucky USF for each TracFone Kentucky customer, both Lifeline and non-Lifeline, and provide the number of customers currently served.

Response 2

TracFone confirms that it will collect or otherwise contribute the Kentucky USF per-line surcharge for each TracFone Kentucky customer – Lifeline and non-Lifeline. As of September 24, 2019, TracFone serves a total of 372,535 customers in Kentucky.

TRACFONE WIRELESS, INC.
PSC CASE NO. 2019-000185

COMMISSION STAFF'S FIRST INFORMATION REQUEST DATED SEPTEMBER 17, 2019

REQUEST 3

Responsible Person: Chesley Dillon and Javier Rosado

Request 3

Confirm that TracFone will collect or otherwise contribute the Kentucky Telecommunications Relay Service / Telecommunications Access Program surcharge, currently \$.03 per line per month, to the Kentucky Telecommunications Relay Service / Telecommunications Access Program Fund for each TracFone Kentucky customer, both Lifeline and non-Lifeline [and] provide the number of customers currently served.

Response 3

The Commission's Order extending the collection of fees to support the Kentucky Telecommunications Relay Service fund and the Kentucky Telecommunications Access Program fund ("TRS/TAP Fund") to wireless telecommunications providers requires monthly collection of the fees for these funds from billed retail customers. *See Petition of the Kentucky Commission on the Deaf and Hard of Hearing to Expand the Funding Base for the Kentucky Telecommunications Access Program*, Case No. 2007-00464 and *Request for Proposal and Selection of a Vendor for Telecommunications Relay Service*, Administrative Case No. 372, Order (Kentucky Pub. Serv. Comm'n: February 16, 2009) ("TRS/TAP Fund Order"). As noted in the TRS/TAP Fund Order, "wireless carriers, in the same manner as ILECs and CLECs, shall be required to outline the combined fees on each retail customer's bill as a separate line item denoted as "Kentucky TRS/TAP Fee" or something similar in title." *Id.* at 8. Also, the TRS/TAP Fund Order directs wireless carriers to give notice to their retail customers of the upcoming collection of TRS and TAP fees and that "[s]uch notice shall be made through the

generation of bill inserts or bill messages.” *Id.* at 9. TracFone, as a provider of prepaid wireless services, does not issue bills to its customers. Pursuant to Kentucky law as described above, the TRS/TAP fees are imposed on monthly billed subscribers, not on carriers, and not on non-billed prepaid service customers. Therefore, because TracFone is not obligated to collect the fees from its prepaid service customers, it has no obligation to collect such fees or otherwise contribute to the TRS/TAP Fund.

As noted in the response to Request 2, as of September 24, 2019, TracFone serves a total of 372,535 customers in Kentucky.

TRACFONE WIRELESS, INC.

PSC CASE NO. 2019-000185

COMMISSION STAFF'S FIRST INFORMATION REQUEST DATED SEPTEMBER 17, 2019

REQUEST 4

Responsible Person: Chesley Dillon

Request 4

Confirm that TracFone will collect or otherwise contribute to the appropriate 911 emergency service authority in its service area.

Response 4

TracFone will contribute to the appropriate 911 emergency service authority in accordance with current Kentucky law, specifically KRS 65.7634, governing support for funding of 911 services.

**TRACFONE WIRELESS, INC.
PSC CASE NO. 2019-000185**

**COMMISSION STAFF'S FIRST INFORMATION REQUEST DATED SEPTEMBER 17,
2019**

REQUEST 5

Responsible Person: Chesley Dillon

Request 5

Confirm that TracFone will comply with the annual assessment and gross earnings report requirements pursuant to KRS 278.10-150.

Response 5

On June 13, 2016, the Commission issued an Order finding that “TracFone is not subject to the reporting requirements of KRS 278.140” and “TracFone is not subject to the annual assessment requirements of KRS 278.150.” *Investigation of the Failure of TracFone Wireless, Inc. to File Required Reports*, Case No. 2011-00322, Order (Kentucky Pub. Serv. Comm’n: June 13, 2016). In accordance with the Commission’s Order, TracFone has been determined not to be subject to the annual assessment and gross earnings report requirements codified at KRS 278.130-150.

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AN ELIGIBLE TELECOMMUNICATIONS CARRIER) 2019-000185
TO RECEIVE KENTUCKY UNIVERSAL SERVICE)
SUPPORT FOR LIFELINE SERVICE)

CERTIFICATION

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

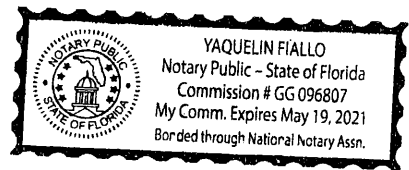
Chesley Dillon, being duly sworn, deposes and says that he is Vice President Corporate Taxation of TracFone Wireless, Inc. ("TracFone"), that he has reviewed TracFone's Response to Commission Staff's First Request for Information issued in the above-referenced case on September 17, 2019 in the above-referenced case, that he has personal knowledge of the matters set forth in the responses for which he is identified as a witness, and that the answers contained therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

Chesley Dillon

Subscribed and sworn before me on this 15th day of October, 2019.

Yaquelin Fiallo
Notary Public

My Commission expires:



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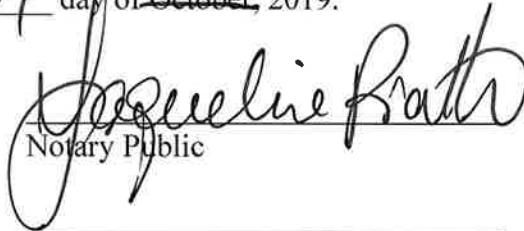
CERTIFICATION

STATE OF FLORIDA)
)
COUNTY OF MIAMI-DADE)

Javier Rosado, being duly sworn, deposes and says that he is Senior Officer Business Development and Government Services of TracFone Wireless, Inc. ("TracFone"), that he has supervised the preparation of the TracFone's Response to Commission Staff's First Request for Information issued in the above-referenced case on September 17, 2019 in the above-referenced case, that he has reviewed the responses, that he has personal knowledge of the matters set forth in the response for which he is identified as a witness, and that the answers contained therein are true and accurate to the best of his knowledge, information and belief, formed after reasonable inquiry.

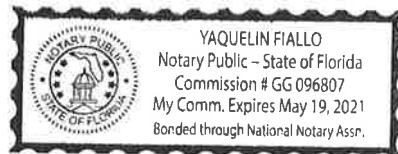


Subscribed and sworn before me on this 24 day of ~~October~~ ^{September}, 2019.



Notary Public

My Commission expires:



Respectfully submitted,

TRACFONE WIRELESS, INC.

/s/ Thomas P. O'Brien

Thomas P. O'Brien, III

Cory J. Skolnick

FROST BROWN TODD LLC

400 West Market Street, 32nd Floor

Louisville, KY 40202-3363

(502) 589-5400

and

Mitchell F. Brecher

Debra McGuire Mercer

GREENBERG TRAURIG, LLP

2101 L Street, NW, Suite 1000

Washington, DC 20554

(202) 331-3100

Its Attorneys

October 2, 2019

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