

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF)	
BOOMERANG WIRELESS, LLC D/B/A)	
ENTOUCH FOR PARTIAL)	
RELINQUISHMENT OF DESIGNATION AS)	
AN ELIGIBLE TELECOMMUNICATIONS)	CASE NO. 2023-00267
CARRIER ON A WIRELESS BASIS (LOW-)	
INCOME ONLY) IN A CERTAIN SERVICE)	
AREA PREVIOUSLY SERVED BY)	
UNDERLYING CARRIER VERIZON)	
WIRELESS)	

VERIFIED APPLICATION

Pursuant to 47 U.S.C. § 214(e)(4), 47 C.F.R. § 54.101-.207, and 807 KAR 5:001, Boomerang Wireless doing business as enTouch Wireless (“Boomerang” or “the Applicant”) applies to the Kentucky Public Service Commission (“the Commission”) for relinquishment of its eligible telecommunications carrier (“ETC”) designation in those areas of the Commonwealth of Kentucky that Verizon Wireless serves and do not overlap with the licensed coverage area that Boomerang’s other underlying carrier serves, effective as of October 20, 2023.

In support of its Application, Mountain District states:

I. BACKGROUND

The Applicant’s full name and post office address is: Boomerang Wireless, LLC, 2711 Lyndon B Johnson Fwy, Suite 1065, Dallas, Texas 75234. Its e-mail address is. julia.redmancarter@viaoneservices.com.

Copies of all orders, pleadings and other communications related to this proceeding should be directed to:¹

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Boomerang is a limited liability company organized in the state of Iowa on January 18, 2008, and is currently in good standing in that state. It is authorized to transact business in the Commonwealth of Kentucky.

II. BOOMERANG'S PROPOSED PARTIAL RELINQUISHMENT OF ITS ETC DESIGNATED SERVICE AREA

By Order dated January 22, 2013, in Case No. 2012 -00422 (the "ETC Designation Order"),² the Commission designated Boomerang as an ETC in the Commonwealth of Kentucky for the purpose of providing Lifeline service only in its underlying carrier's licensed service areas throughout Kentucky. At the time of the ETC Designation Order, Boomerang's underlying carriers

¹ On August 4, 2023, pursuant to 807 KAR 5:001, Section 8, the Applicant notified the Commission of its election of the use of electronic filing procedures for this proceeding.

² *Application Of Boomerang Wireless, LLC For Designation As An Eligible Telecommunications Carrier On A Wireless Basis (Low-Income Only)*, Case No. 2012-00422 (Ky. PSC Jan. 22, 2012).

included only Sprint and Verizon. On April 12, 2016, Boomerang Wireless provided notice of additional Wireless Coverage via agreements with GSM carriers, one of which was T-Mobile, expanding Boomerang Wireless' existing service area.³

On February 28, 2022, the corporate ownership of Boomerang officially changed to ViaOne Services.⁴ As a result of a new mobile virtual network enabler (“MVNE”) arrangement, Boomerang no longer uses the Verizon Wireless network as an underlying carrier but continues to use the T-Mobile network, which following its merger with the Sprint network includes an expanded service area. Attached to this Application as Exhibit “A” is a listing of the zip codes that Verizon Wireless serves and that do not overlap with T-Mobile coverage area. Boomerang requests approval to relinquish these areas from its designated service area.

As a result of the proposed relinquishment, sixteen (16) subscribers in the exclusively former Verizon Wireless service areas will be affected. The affected subscribers will need to choose whether to port their service to Boomerang's alternate underlying carrier in zip codes in which the alternate underlying carrier is available, or to transfer their service to a new ETC designated service provider in their area. For subscribers who do not port their service to a Boomerang alternate underlying carrier where available or transfer their service to another ETC service provider, their services will be disconnected on October 20, 2023.

³ Letter from Douglas F. Brent, counsel for Boomerang Wireless, LLC, to Stephanie Bell, Deputy Executive Director, Kentucky Public Service Commission, subj: Notice of Additional Wireless Coverage for Boomerang Wireless LLC (Apr. 12, 2016).

⁴ Letter from J. Andrew Gipson to Deputy Executive Director, Kentucky Public Service Commission, subj: Notice of Change of Control Completed and Updated Contact Information for Boomerang Wireless LLC (filed in Case No. 2012-00422) (Mar. 24, 2022); *see also Wireline Competition Bureau Approves the Revised Compliance Plan of Boomerang Wireless, Inc.*, Public Notice, 37 FCC Rcd. 392 (WCB 2022).

III. BOOMERANG'S RELINQUISHMENT OF ETC DESIGNATION COMPLIES WITH FEDERAL LAW

47 U.S.C. Section 214(e)(4) requires a state regulatory commission to “permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier” under the following conditions: (1) there must be more than one ETC serving in the area of the ETC seeking relinquishment; (2) the ETC seeking relinquishment must provide advance notice to the relevant state commission; (3) the customers served by the relinquishing ETC must continue to be served by an ETC; and (4) to the extent that additional facilities are required to serve any of the relinquishing ETC’s customers, sufficient notice must be provided to ensure that the construction or purchase of any additional facilities necessary to serve the relinquishing ETC’s customers can be timely completed.⁵ The relevant Federal Communications Commission (“FCC”) rule essentially reiterates the same requirements.⁶

A. More than One ETC currently serves the ETC Service Areas to be Relinquished.

The Verizon Wireless service area is also currently served by more than one ETC as required by 47 U.S.C. § 214(e)(4). Specifically, each of the areas listed in **Exhibit A** is currently served by an Incumbent Local Exchange Carrier (“ILEC”), which is also an ETC. In addition, the Commission has designated multiple other wireless ETCs to provide Lifeline service within Boomerang’s current ETC designation area. **Exhibit B** lists alternate ETCs serving the applicable zip code areas.⁷ These alternate ETCs include Life Wireless, Q Link Wireless, Infiniti Mobile, Amerimex Communications, and Tag Mobile. Each serves one or more of the service areas listed in **Exhibit A**.

⁵ 47 U.S.C. § 214(e)(4)

⁶ 47 C.F.R. § 54.205(a).

⁷ A list of the designated ETCs whose service area includes the withdrawn service areas (by Zip Codes) listed in **Exhibit B**. This information was obtained from the Universal Service Administrative Company’s ‘Companies Near Me’ tool available at <https://cnm.universalservice.org>.

Boomerang will continue to provide all services supported by the universal service program, as detailed in 47 C.F.R. § 54.101(a), using T-Mobile USA as its underlying carrier. Boomerang's Lifeline service provides broadband Internet access service ("BIAS") in addition to voice telephony service. Boomerang commits that its Lifeline-supported services (both voice and broadband) will continue to meet or exceed the existing minimum service standards as set forth in 47 C.F.R. § 54.408 and any subsequent changes or revisions to these minimum service standards.

B. Boomerang is Providing Advance Notice to the Commission

Consistent with 47 U.S.C. § 214 (e)(4), Boomerang is filing this application over two months in advance of its requested effective date of relinquishment. This advance notice satisfies the requirement to provide advance notice to the Commission of Boomerang's intent to relinquish such support. Furthermore, Boomerang will distribute to affected subscribers notices advising of the proposed relinquishment beginning 60 days prior to the proposed effective date of October 20, 2023. The contents of these notices are described below.

C. Other ETCs Will Serve Consumers Within the ETC Service Area.

The ETCs listed in **Exhibit B** will remain available to serve the affected subscribers in one or more of the service areas listed in **Exhibit A**. Affected subscribers are receiving advance notice of their availability contemplated by 47 U.S.C. §214 (e)(4) following relinquishment of its ETC designation, effective October 20, 2023.

D. No Additional Facilities Will Need to Be Purchased or Constructed by the Remaining Eligible Telecommunications Carriers.

To the best of Boomerang's knowledge, none of the remaining ETCs will be required to purchase or construct additional facilities to continue to serve consumers within the service area to be relinquished. Because the remaining ETCs collectively currently serve the areas that Boomerang proposes to relinquish, the Commission need not provide notice to these carriers to

permit their purchase or construction of facilities to ensure continued service to Boomerang's customers.

E. Boomerang Is Taking Additional Steps To Notify Affected Subscribers.

Shortly after filing this Application, Boomerang will begin notifying its affected Lifeline subscribers on the Verizon Wireless network in Kentucky that to continue receiving their Lifeline benefit, they must either port their service to Boomerang's alternate underlying carrier, if the underlying carrier can serve that area; or transfer their service to a new ETC designated service provider in their area. The service of subscribers who do not port their service to a Boomerang alternate underlying carrier, where available, or transfer their service to another ETC service provider will be disconnected on October 20, 2023. Boomerang subscribers electing to obtain service from another provider will not be subject to any early termination fees.

Boomerang's affected subscribers will receive multiple notices that Boomerang intends to discontinue their service via text messages and mail. Boomerang may also follow-up these notices with phone calls/messages or emails if the subscriber has provided an email address. Boomerang has historically used text messages to communicate with its subscribers and this method has been the most effective method of ensuring Boomerang subscribers receive important information.

Boomerang will send each affected Lifeline subscriber notices 60-days, 45-days, 30-days, 15-days and 5-days, beginning August 21, 2023, which is sixty (60) days prior to Boomerang's preferred relinquishment date of October 20, 2023. The messages will contain a link to a web page with details and contacts for questions.

During the final three weeks before the preferred relinquishment date, enTouch Customer Service may reach out to affected subscribers who have not responded to Customer Service via the specially designated number. Boomerang may attempt to contact these subscribers via email (if the subscriber has provided Boomerang with an email address) or telephone call. These

messages, like the previous mentioned notices, will state that: (1) Boomerang is changing how it provides Lifeline service in the subscriber's area and this change requires the subscriber to take action to maintain Lifeline services; (2) Subscribers can make arrangements to keep their Lifeline benefit and remain with Boomerang; or select another service provider that can provide Lifeline benefit in the subscriber's area, and (3) If the subscriber chooses another Lifeline service provider, the subscriber must make arrangements to continue receiving Lifeline service before the disconnect date. These messages will also contain a link where alternative Lifeline providers in the subscriber's area can be identified and a designated toll-free number that subscribers may call to reach Boomerang's subscriber service representatives for information or assistance with the transition. **Exhibit C** to this Application contains a sample of the draft notices and information to be included on the Landing Page.

Boomerang will continue to provide its existing Lifeline subscribers with the Lifeline Kentucky discount and claim reimbursement for the Lifeline discount until Boomerang discontinues the services provided via the Verizon Wireless network in Kentucky. Boomerang expects to stop seeking reimbursement for the Lifeline discount in the service areas noted in **Exhibit A** on or about October 20, 2023.

IV. CONCLUSION

Boomerang has met the conditions set forth in 47 U.S.C. § 214(e)(4) for relinquishment of its designation as an ETC on a wireless basis (low-income only) in the service area previously served by underlying carrier Verizon Wireless exclusively.

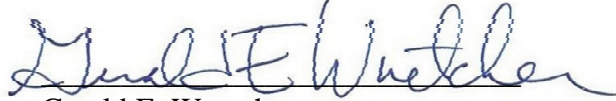
WHEREFORE, Boomerang requests that the Commission:

1. Place this Application at the head of the Commission's docket and enter a decision on the Application prior to the proposed effective date of **October 20, 2023**; and

2. Enter an Order approving Boomerang's Application for partial relinquishment of its designation as an ETC on a wireless basis (low-income only) in the service area previously served exclusively by underlying carrier Verizon Wireless.

Dated: August 11, 2023

Respectfully submitted,



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KBA No. 79125

*Counsel for Boomerang Wireless LLC d/b/a
enTouch Wireless*

STATE OF TEXAS)
) SS
COUNTY OF TARRANT)

The undersigned, Julia Redman-Carter, being duly sworn, deposes and states that she is the Regulatory and Compliance Officer of Boomerang Wireless, LLC d/b/a enTouch Wireless, has read this Application and knows its contents of this Application, confirms that the statements made herein are true and correct to the best of and within her personal knowledge, and further states that Boomerang Wireless, LLC will comply with the service requirements applicable to the low-income support that it receives.

IN TESTIMONY WHEREOF, witness the signature of the undersigned on this 11 day of August, 2023.

Julia Redman-Carter

Julia Redman-Carter
Regulatory and Compliance Officer
Boomerang Wireless LLC dba EnTouch Wireless

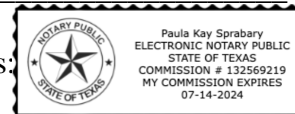
Subscribed and sworn to before me by Julia Redman-Carter in her capacity as Regulatory and Compliance Officer of Boomerang Wireless, LLC on this 11 day of August, 2023.

Paula Kay Sprabary

Notary Public

Notary ID: 132569219

My Commission expires:



CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8 and the Commission's Order of July 22, 2021 in Case No. 2020-00085, I certify that this document was transmitted to the Public Service Commission on August 11, 2023 and that no parties have been excused from electronic filing procedures.



*Counsel for Boomerang Wireless LLC d/b/a
enTouch Wireless*

EXHIBIT A

VERIZON WIRELESS SERVICE AREA TO BE RELINQUISHED

40007	40903	42087
40036	40939	42215
40077	41033	42254
40310	41046	42351
40355	41052	42354
40357	41749	42356
40358	41766	42367
40363	41775	42404
40379	42021	42406
40387	42023	42410
40445	42024	42411
40460	42032	42441
40464	42035	42455
40489	42036	42461
40813	42039	42462
40816	42040	42516
40827	42044	42539
40844	42058	42565
40856	42076	42566
40858	42081	
40902	42083	

EXHIBIT B

ALTERNATIVE ETC PROVIDERS

Mobile Nation
Life Wireless
Blue Jay Wireless
Infiniti Mobile
Air Voice Wireless
Safelink Wireless
Amerimex Communications
Easy Wireless
Assurance Wireless
Q Link Wireless

EXHIBIT C

SUBSCRIBER NOTICES – DRAFT

FIRST NOTICE – 60-DAYS PRIOR TO END DATE

DELIVERY BY SMS

Lifeline Alert: IMPORTANT MESSAGE: enTouch Wireless's coverage area changes require you to ACT before October 20 2023 to keep or continue your Lifeline and/or ACP services. Learn more at [[bit.ly link](#)] or call [[Dedicated CS#](#)].

SECOND NOTICE – 45-DAYS PRIOR TO END DATE

DELIVERY BY US MAIL

First + Last Name

Address Line 1

Address Line 2

City, Commonwealth 99999

In reference to account ending in <[Number](#)>

Dear <[Name](#)>,

Thank you for choosing enTouch Wireless to provide your Lifeline service and/or Affordable Connectivity Program (ACP) service.

enTouch Wireless is making changes to our coverage area that will impact the Lifeline benefit and ACP services in your area on October 20, 2023. If you still qualify to receive Lifeline benefit and/or ACP services, there are various options available to you that may enable you to keep your Lifeline benefit and/or ACP service. But you must act before **October 20, 2023**. For more information about the options, contact enTouch Customer services at [[Dedicated CS#](#)] and we can assist you or provide information about the options available to you.

The options available to you and the actions that you will need to take depend upon the Lifeline benefit, ACP service or combination thereof that you have with enTouch Wireless.

Subscribers with a Lifeline benefit and ACP services –

- Who want to stay with enTouch Wireless as your Service Provider, call enTouch Customer Service at [[Dedicated CS#](#)] for arrangements to port your Lifeline benefit and/or phone number to our alternate underlying carrier. And we can put both your Lifeline benefit and ACP service on one device, which will upgrade your Lifeline service with Lifeline and ACP services on one device.
- Who want to change Service Providers for either their Lifeline benefit or ACP service or in a service area where enTouch Wireless does not have an alternate underlying carrier, and if you still qualify to receive Lifeline benefit and/or ACP services, you can transfer your Lifeline benefit or ACP service to another provider. You can find **information about other Lifeline and ACP service providers in your area using USAC's**

‘Companies Near Me’ tool available at <https://cnm.universalservice.org>. There are no fees or charges for ending your service with enTouch Wireless.

If you do not contact enTouch Customer services at [Dedicated CS#], to confirm arrangements to keep your Lifeline benefit and/or ACP service with enTouch Wireless or do not transfer your Lifeline benefit, ACP service, and/or assigned telephone number(s) to another service provider(s) before October 20, 2023, you will **be de-enrolled from the Lifeline program and/or ACP program, and your device(s) and services will be disconnected on October 20, 2023.**

If you have any questions, please contact us at [Dedicated CS#].

Thank you again for choosing enTouch Wireless. We appreciate the opportunity to provide Lifeline and/or ACP service to you.

Best Regards,
enTouch Wireless

THIRD NOTICE – 30 DAYS PRIOR TO END DATE
DELIVERY BY SMS

Lifeline Alert: IMPORTANT MESSAGE: enTouch Wireless’s coverage area changes require you to ACT before October 20 2023 to keep or continue your Lifeline and/or ACP services. Learn more at [[bit.ly link](#)] or call [Dedicated CS#].

FOURTH) NOTICE – 15-DAYS PRIOR TO END DATE
DELIVERY BY SMS

Lifeline Alert: IMPORTANT MESSAGE: enTouch Wireless’s coverage area changes require you to ACT before October 20 2023 to continue your Lifeline and/or ACP services. Learn more at [[bit.ly link](#)] or call [Dedicated CS#] NOW.

FIFTH NOTICE – 5-DAYS PRIOR TO END DATE
DELIVERY BY SMS

Lifeline Alert: FINAL NOTICE: Your enTouch Lifeline and/or ACP services will end and your device(s) will be disconnected October 20 2023. Call [Dedicated CS#] NOW. See [[bit.ly link](#)].

Signature Certificate

Reference number: HGMNZ-UAEHE-JFUHN-6KFNJ

Signer

Timestamp

Signature

Paula Sprabary

Email: paula.sprabary@viaoneservices.com

Sent: 11 Aug 2023 17:11:38 UTC
Viewed: 11 Aug 2023 17:11:50 UTC
Signed: 11 Aug 2023 17:13:06 UTC



IP address: 35.150.26.3

Location: Fort Worth, United States

Julia Redman-Carter

Email: julia.redmancarter@viaoneservices.com

Sent: 11 Aug 2023 17:11:38 UTC
Viewed: 11 Aug 2023 17:11:42 UTC
Signed: 11 Aug 2023 17:13:12 UTC



IP address: 209.252.175.203

Location: Cedar Rapids, United States

Recipient Verification:

✓Email verified 11 Aug 2023 17:11:42 UTC
✓Personally Known 11 Aug 2023 17:11:10 UTC

Document notarized online using audio-video communication on:

11 Aug 2023 17:13:12 UTC

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