

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF ASSURANCE)	
WIRELESS USA, LP FOR EXPANSION OF THE)	
AREA IN WHICH IT MAY PROVIDE LIFELINE)	
SERVICE AS AN ELIGIBLE)	CASE NO.
TELECOMMUNICATION CARRIER AND FOR)	2024-00374
AUTHORIZATION TO RECEIVE KENTUCKY)	
UNIVERSAL SERVICE FUND SUPPORT FOR)	
LIFELINE SERVICE)	

ORDER

On December 3, 2024, Assurance Wireless USA, LP (Assurance Wireless), a common carrier, filed an application seeking to expand its eligible telecommunications carrier (ETC) service area for the purpose of providing Lifeline-only service. Assurance Wireless, a Competitive Local Exchange Carrier, was granted ETC designation by the Commission in Case No. 2010-00524 for the purpose of receiving federal Lifeline support.¹ As part of its application, Assurance Wireless requested that the record of Commission Case No. 2010-00524 be incorporated into the record in this matter.² The Commission previously granted Assurance Wireless ETC designation for the purpose of receiving Federal Low-Income (Lifeline) support from the Universal Service Fund (USF) in the Kentucky areas listed in its application.³ Assurance Wireless seeks to expand its

¹ Case No. 2010-00524, *Petition of Virgin Mobile USA, L.P. for Limited Designation as an Eligible Telecommunications Carrier*, (Ky. PSC June 10, 2011).

² Application at 3.

³ Case No. 2010-00524, June 10, 2011 Order.

Lifeline ETC designated service area to include additional areas in Kentucky.⁴ In this application Assurance Wireless is not seeking designation in the expanded area to receive high-cost assistance funding from the federal Universal Service Fund.⁵ In support of this portion of its application, Assurance Wireless submitted an email, described a public comment, from the Administrator Kentucky 911 Services Board indicating that Assurance Wireless was “...in full compliance with the Kentucky 911 Services’ remittance requirements.”⁶ Assurance Wireless also seeks to participate in the Kentucky USF in order to provide supplemental state Lifeline discounts to eligible customers in the proposed designation area “for Lifeline service that it provides within the Commonwealth of Kentucky,” as identified in Exhibit C and Exhibit D.⁷

Assurance Wireless is a limited partnership organized in the state of Delaware which was originally formed as a limited liability company known as Virgin Mobile USA, LLC and subsequently changed to a limited partnership known as Virgin Mobile, USA, LP.⁸ The name change from Virgin Mobile, USA, LP to Assurance Wireless USA LP occurred on February 18, 2020.⁹ Assurance Wireless attests in its application that it continues to meet all the federal requirements for Lifeline-only ETCs, including those that have been promulgated since receiving its ETC designation.¹⁰

⁴ Application, Exhibit D.

⁵ Application at 3.

⁶ Public comment email to Commission, (filed Dec. 17, 2024).

⁷ Application at 3.

⁸ Application at 1-2.

⁹ Application at 2.

¹⁰ Application at 3.

47 USC § 214(e)(2) provides in part that:

A State commission shall upon its own motion or upon request designate a common carrier . . . as an eligible telecommunications carrier for a service area designated by the State commission. Upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated by the State commission, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the State commission shall find that the designation is in the public interest.

The Commission, prior to designating an ETC pursuant to 47 U.S.C. § 214(e)(6), must determine whether such designation is in the public interest and the same consideration is given for expanding the service area of an ETC. In determining the public interest, the Commission has historically considered the benefits of increased consumer choice and the unique advantages and disadvantages of the petitioner's service offering.¹¹

Upon review of Assurance Wireless request to incorporate the record of Commission Case No. 2010-00524, the Commission finds that the request should be granted. The Commission further finds that Assurance Wireless has provided sufficient information required for amending its service area in which it is designated as an ETC. Assurance Wireless seeks expand its service area to provide service in the areas listed in its application,¹² including provide service in the territories of some rural carriers. Such

¹¹ See Case No. 2012-00473, *Application of Q Link Wireless LLC for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Kentucky* (Ky. PSC Mar. 3, 2013).

¹² Application, Exhibit D.

expanded coverage will increase consumer choice and increase competition in areas with existing ETCs. Accordingly, the Commission finds that the public interest supports such expansion of Assurance Wireless's service area, subject to Assurance Wireless's continued compliance with the representations and commitments made in its application and the Federal Communication Commission's rules, thus the request should be granted. Finally, the Commission finds that Assurance Wireless should be an ETC eligible to receive Kentucky Universal Service Fund support for Lifeline service.

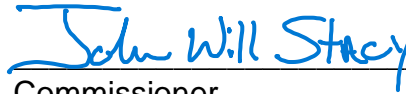
IT IS THEREFORE ORDERED that:

1. Assurance Wireless request to incorporate the record of Commission Case No. 2010-00524 is granted.
2. Assurance Wireless designation as a Lifeline ETC is amended to expand the territory Assurance Wireless may offer low-income Lifeline-only service as set forth in the application as Exhibit D.
3. Assurance Wireless request to be an ETC eligible to receive Kentucky Universal Service Fund support for low-income Lifeline service is granted.
4. The case is closed and removed from the Commission's docket.

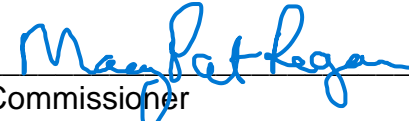
PUBLIC SERVICE COMMISSION



Chairman



Commissioner



Commissioner

ATTEST:

Executive Director

ENTERED
JAN 28 2025
KENTUCKY PUBLIC SERVICE COMMISSION ^{jdc}

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