

BEFORE THE
MISSOURI PUBLIC SERVICE COMMISSION

IN THE MATTER OF	)	DOCKET NO.
	)	
APPLICATION OF TELRITE	)	
CORPORATION D/B/A LIFE WIRELESS	)	
FOR EXPANDED SERVICE AREA AS A	)	
WIRELESS ETC IN THE STATE OF	)	
MISSOURI (LOW INCOME ONLY)	)	

**APPLICATION OF TELRITE CORPORATION D/B/A LIFE WIRELESS
FOR EXPANDED SERVICE AREA AS A WIRELESS ETC
IN THE STATE OF MISSOURI (LOW INCOME ONLY)**

COMES NOW Telrite Corporation d/b/a Life Wireless (“Telrite” or the “Company”), by and through its undersigned counsel, and pursuant to Section 214(e)(2) of the Telecommunications Act of 1996 (the “1996 Act”), 47 U.S.C. § 214(e)(2), Federal Communications Commission (“FCC”) Universal Service Rules, 47 C.F.R. §§ 54.101 through 54.207 (the “FCC Rules”), and 4 CSR 240-31.130 hereby requests that the Missouri Public Service Commission (the “Commission”) approve an expanded service area in which Telrite is designated as an Eligible Telecommunications Carrier (“ETC”) in the State of Missouri in all exchanges to the extent that its underlying carrier AT&T Mobility has facilities and coverage (the “Expanded Service Area”).

By Order dated November 10, 2010, in File No. XO-2011-0062, Telrite was designated by the Commission as an ETC for the purpose of providing prepaid wireless services in Missouri in the service areas of AT&T Missouri (the “Designation Order”). Since the date of the Designation Order, the Company’s coverage has increased throughout the state. Telrite hereby

requests the Commission approve this request for Expanded Service Area for the purpose of receiving federal low-income universal service support for prepaid wireless services, specifically Lifeline. Telrite will offer Lifeline service in all areas throughout the State of Missouri that are served by its underlying wireless carrier AT&T Mobility; and therefore, it requests designation statewide in all exchanges to the extent that its underlying carrier has facilities and coverage.

Telrite respectfully requests that the Commission grant this Petition and that it do so expeditiously so that Telrite may provide wireless service to low income households in the Expanded Service Area as soon as possible. In further support of its Petition, Telrite states as follows:

I. GENERAL INFORMATION.

1. Telrite is a Georgia corporation with its principal offices located at 4113 Monticello Street, Covington, Georgia 30014. A copy of Telrite's Articles of Incorporation are on file with the Commission in File No. XO-2011-0062 and incorporated herein by reference.

2. Correspondence or communications pertaining to this Application should be directed to Telrite's attorneys of record:

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3. Questions concerning the ongoing operations of Telrite should be directed to:

Susan Berlin
VP Regulatory Affairs & Counsel
Telrite Corporation

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4. The Company has been granted ETC designation in the following states and U.S. jurisdictions: Arizona, Arkansas, California, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Nebraska, Nevada, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Texas, Utah, Washington, Wisconsin, Vermont and West Virginia as well as Puerto Rico and the United States Virgin Islands. Telrite has never been denied ETC designation by any state commission or by the FCC in connection with any state.

5. Telrite was previously designated as an ETC by the Commission and has been operating as a wireless ETC in the State of Missouri since 2010 in compliance with the Commission's conditions. Upon approval of the Expanded Service Area, Telrite will continue to comply with each of the conditions set forth in the Commission's Order dated November 10, 2010, in File No. XO-2011-0062.

II. BACKGROUND.

6. Section 214(e)(2) of the 1996 Act provides that:

A State commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) 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.

Section 214(e)(1) of the 1996 Act provides:

A common carrier designated as an eligible telecommunications carrier under paragraph (2), (3), or (6) shall be eligible to receive universal service support in accordance with section 254 of this title and shall, throughout the service area for which the designation is received—

(A) offer the services that are supported by Federal universal service support mechanisms under section 254(c) of this title, either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and

(B) advertise the availability of such services and the charges therefor using media of general distribution.

7. Pursuant to 47 U.S.C. § 214(e)(2), the Commission has the statutory authority to designate a common carrier as an ETC that offers the services supported by federal Universal Service Fund support mechanisms and advertises “the availability of such services and the charges therefore using media of general distribution.” As noted in Section 214(e)(2) of the 1996 Act, the Commission has the authority to designate the service area for each ETC.

III. TELRITE HAS ALREADY BEEN GRANTED DESIGNATION AS AN ETC IN THE STATE OF MISSOURI

8. Telrite was designated by the Commission as an ETC on November 10, 2010, in File No. XO-2011-0062 by Order of the Commission and upon recommendation of the Staff of the Commission. In connection with the Commission's approval of Telrite's Application for Designation as an ETC, the Commission and the Staff considered the facts and matters set forth

in the Application, including information regarding the Company's organization, officers and managerial experience, financial and technical requirements, advertising samples, terms of service, and information regarding handsets provided by Telrite. In addition, the Commission and the Staff reviewed Telrite's commitment to providing the required services, and to complying with Missouri service quality standards and verification and certification procedures, as well as the FCC's additional eligibility requirements, consumer protection standards, and annual reporting requirements. Additionally, on December 19, 2012, Telrite filed its Revised Compliance Plan ("Compliance Plan") with the FCC which was approved on December 26, 2012 as shown in the Public Notice available at this link:

https://apps.fcc.gov/edocs_public/attachmatch/DA-12-2063A1.pdf. Telrite hereby reaffirms its compliance with and commitment to each of the foregoing requirements in accordance with the Commission's Order and with the approved Compliance Plan.

9. Since the Commission has already determined that the Company meets the requirements of an ETC in Missouri, the present Application is limited to whether Telrite's service area should be expanded to include the Expanded Service Area. As demonstrated below, Telrite's Application for Expanded Service Area serves the public interest as outlined by the FCC.

IV. APPROVAL OF THE EXPANDED SERVICE AREA IS IN THE PUBLIC INTEREST OF THE STATE OF MISSOURI AND ITS LOW-INCOME TELECOMMUNICATIONS END-USERS

A. Wireless ETCs Per Se Promote the Public Interest in Non-Rural ILEC Areas

10. The FCC has determined that while "[d]esignation of competitive ETCs promotes and benefits consumers...by increasing customer choice," designation must include "an affirmative determination that such designation is in the public interest regardless of whether the

applicant seeks designation in an area served by a rural or non-rural carrier.” In areas served by non-rural ILECs, the 1996 Act does not require a separate public interest finding. The FCC has previously held that designating a competitor as an ETC in areas served by non-rural ILECs is per se in the public interest.

11. In this Application for Expanded Service Area, Telrite seeks designation as an ETC in areas served by both rural and non-rural ILECs in Missouri. Telrite’s designation as an ETC will provide a valuable wireless alternative to the existing telecommunications services currently available in these areas.

B. Approval of Telrite’s Expanded Service Area as an ETC Serves the Public Interest

12. Telrite submits that the public interest benefits of designating Telrite as an ETC include 1) a larger local calling area and expanded coverage area via multiple underlying carriers (as compared to traditional wireline carriers and single wireless carriers); 2) the convenience, portability, and security afforded by mobile telephone service; 3) the opportunity for customers to control cost by receiving a pre-set amount of flat-rate monthly airtime; 4) the ability to purchase additional low-cost usage at multiple convenient locations in the event that included usage has been exhausted; 5) the ability of users to use the supported service to send and receive “SMS” or text messages as well as the option to send data and access the public internet; and 6) 911 and, where available, enhanced 911 service in accordance with current FCC requirements. In addition, the inclusion of domestic telephone toll calling as a part of Telrite’s flat-rate wireless offering (currently at no cost to qualifying Lifeline end users) allows consumers to avoid the risks of becoming burdened with significant and unexpected per-minute charges for domestic telephone toll and overage charges. These per-minute overruns form the basis of a substantial

number of consumer complaints to state and federal regulators. Accordingly, Telrite's offerings will help to reduce this burden on this Commission by obviating the cause for such complaints.

C. Grant of Telrite's ETC Status is Consistent with the FCC's Additional Public Interest Factors

13. The FCC has also identified factors that are to be considered in determining whether designation of additional ETCs will serve the public interest and whether the benefits of an additional ETC would outweigh potential harms. These factors include: 1) the benefits of increased competitive choice; and 2) the unique advantages of the applicant company's service offerings. Telrite affirms that its ETC designation meets these criteria as described below.

The Benefits of Increased Competitive Choice

14. The FCC has long acknowledged the benefits to consumers of being able to choose from a variety of telecommunications providers and the resulting variety of telecommunications services they provide. This is of particular interest in cases where wireless providers like Telrite seek to provide service as an alternative to the ILEC. In the Highland Cellular case, the FCC recognized and affirmed that some households may not have access to the public switched network as provided by the ILEC. The availability of a wireless competitor benefits all consumers. The availability of a wireless competitor benefits consumers who routinely drive long distances to attend work or school or to accomplish everyday tasks such as shopping or attending community and social events. The wireless service offered by Telrite will provide these consumers with a convenient and affordable alternative to traditional telecommunications service that can be used while at home and away from home.

15. Telrite expects these additional competitive advantages to create an atmosphere that will cause many qualified consumers, at their option, to select Telrite's low-income wireless Lifeline service in lieu of the more traditional wireline or wireless services.

16. Designation of Telrite as an ETC also creates competitive pressure for other wireline and wireless providers within the proposed Expanded Service Area. In order to remain competitive in low-income markets, therefore, all carriers will have greater incentives to improve networks, increase service offerings and lower prices. This results in improved consumer services and, consistent with federal law, benefits consumers by allowing Telrite to offer the services designated for support at rates that are “just, reasonable, and affordable.”

Unique Advantages of Telrite’s Service Offerings

17. Telrite will offer a unique, easy to use, competitive and affordable wireless telecommunications service, like it does where it already operates in Missouri, which it will make available to qualified consumers who either have no other service alternatives or who choose a wireless prepaid solution in lieu of more traditional services. Telrite’s standard customer terms and conditions in connection with its wireless service offerings can be found at <http://www.lifewireless.com/tos.php>.

18. Telrite will announce and advertise telecommunications services as an ETC in its Expanded Service Area and will publicize the availability of Lifeline services in a manner reasonably designed to reach those likely to qualify for those services. Accordingly, more low-income Missouri residents will be made aware of the opportunities afforded to them under the Lifeline program and will be able to take advantage of those opportunities by subscribing to Telrite’s service.

19. Telrite will provide universal service as an ETC in all of its Expanded Service Area.

20. Telrite will provide equal access to long distance carriers, to the extent to which it is able to do so.

21. Telrite offers a local usage plan comparable to that offered by the ILEC in the Expanded Service Area for which it seeks designation.

22. Telrite's Lifeline service is available with no credit check, deposit requirement, minimum service periods, or early termination fees. These services will be an attractive and affordable alternative to all consumers, without regard to age, residency, or credit worthiness.

Telrite's Prepaid Wireless Lifeline Plans

23. Telrite will offer qualified consumers its wireless Lifeline Service Plans. Qualified Lifeline customers who reside in Missouri will be provided with the following alternative non-tribal plans:

- A. 125 minutes that rollover where 3 texts equals 1 minute, and
- B. 500 minutes without rollover where 3 texts equals 1 minute.

24. In addition, Telrite will offer a Tribal Plan which includes Unlimited Talk and Text with 500 MB of data.

25. All low-income universal service support will be used to allow Telrite to provide the service with no monthly recurring charge, thus ensuring that the consumer receives the benefit of 100% of all universal service support funding for which Telrite will seek reimbursement. In the event that all airtime has been used, Lifeline customers will also have the capability of purchasing additional airtime in the various denominations set forth on page 23 of the Compliance Plan.

26. Airtime replenishment cards will be made available at many retail outlets frequented by low-income customers throughout the Service Area including any Money Gram location, as well as from Telrite's website.

27. Telrite's wireless plans will also include a free handset and the following Custom Calling features:

- A. Caller ID;
- B. Call Waiting;
- C. Call Forwarding;
- D. 3-Way Calling; and
- E. Voicemail.

28. Under Telrite's current offerings, wireless handsets will be delivered at no charge to qualifying customers, service will be activated, and the requisite number of minutes will be added upon certification of the customer for Lifeline.

29. Approval of Telrite's Expanded Service Area as an ETC Will Benefit Low Income Consumers in the State of Missouri.

30. Under the FCC Rules, an ETC applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards. Telrite will satisfy all such standards. As part of its certification requirements for providing local exchange services, Telrite must abide by the service quality and consumer protection rules. Telrite in general commits to satisfying all such applicable state and federal requirements related to consumer protection and service quality standards.

31. Under the FCC Rules, an ETC applicant must demonstrate its ability to remain functional in emergency situations. Telrite is committed to providing and maintaining essential telecommunications services in times of emergency. Telrite relies on the back-up power and emergency capabilities of its underlying carrier, AT&T, for these emergency situations. These

capabilities ensure the functionality of its service without an external power source. In instances of power outages, priority is set based upon traffic, cell site location and time of day.

32. In addition, designation of the Company as an ETC on a wireless basis will make Lifeline discounts available to many more Missouri residents. This provision of Lifeline discounts is particularly valuable to low-income customers in the wireless field, where, to Telrite's knowledge, there are a limited number of wireless providers offering USF supported service and even fewer offering the same with absolutely no monthly recurring charge to the end-user. As such, the service for which Telrite seeks ETC status is unique.

33. Inclusion of Telrite's wireless service in the Lifeline program will serve the public interest by increasing participation of qualified consumers in those programs, thereby contributing to an overall increase in the number of Missouri residents receiving Lifeline service and an increase to the amount of federal USF dollars benefiting Missouri residents.

34. Finally, inclusion of Telrite's wireless service in the Lifeline program will serve the public interest by furthering the extensive role that Telrite believes it will play in the provision of communications service to low-income consumers, transient users, and other consumers who, due to the restrictive credit criteria, deposit requirements, and long-term commitments of traditional service providers, are off network and, without any viable alternative, are likely to remain so.

CONCLUSION

Having demonstrated that this Application satisfies the public and universal service interests of the telecommunications consumers of the State of Missouri, Telrite respectfully requests that the Commission approve this Application for Expanded Service Area for the provision of Lifeline support on a wireless basis throughout Telrite's Expanded Service Area to include all exchanges to the extent that its underlying carrier AT&T Mobility has facilities and coverage throughout the State of Missouri (Low Income Only).

Respectfully submitted,

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Attorneys for
TELRITE CORPORATION D/B/A LIFE WIRELESS

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 29th day of August, 2016, to General Counsel's Office at staffcounservice@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov.

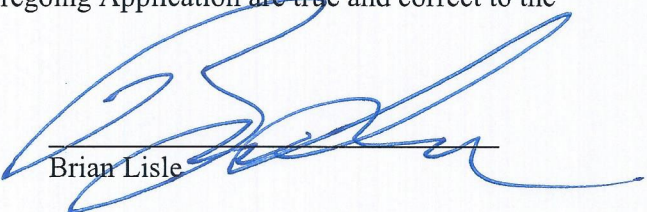
/s/ Mark W. Comley

VERIFICATION

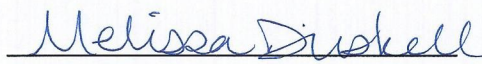
STATE OF GEORGIA

COUNTY OF COBB

PERSONALLY came and appeared before me, the undersigned party in and for the jurisdiction aforesaid, the within named Brian Lisle who after being duly sworn by me stated under oath as follows: that I am President of Telrite Corporation d/b/a Life Wireless ("Telrite") and that the matters and things set forth in the foregoing Application are true and correct to the best of my knowledge, information and belief.


Brian Lisle

SWORN TO AND SUBSCRIBED before me on this the 29th day of August, 2016.


NOTARY PUBLIC

My Commission Expires:

