# **Ruth Nettles**

From:Guynnm@gtlaw.com on behalf of BRECHERM@gtlaw.comSent:Friday, May 02, 2008 3:58 PMTo:Filings@psc.state.fl.usSubject:Electronic FilingAttachments:TracFone\_070586TP.pdf

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- 2. **Docket No. 070586TP**, Application of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Florida
- 3. Name of party on whose behalf the document is being filed: TracFone Wireless, Inc.
- 4. Total number of pages: 3

### 5. Description:

Amendment to Application of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Florida for the Limited Purpose of Offering Lifeline Service to Qualified Households

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## Before the FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of

Application of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Florida Docket No. 070586TP

## AMENDMENT TO APPLICATION OF TRACFONE WIRELESS, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF FLORIDA FOR THE LIMITED PURPOSE OF OFFERING LIFELINE SERVICE TO QUALIFIED HOUSEHOLDS

TracFone Wireless, Inc. ("TracFone"), by its undersigned counsel, hereby amends its application for designation as an Eligible Telecommunications Carrier ("ETC") filed on September 6,2007 and pending in the above-captioned docketed proceeding. The changes to its application described in this Amendment result from a series of discussions between TracFone and members of the Commission's staff. The Application is amended as follows:

### 1. <u>Exclusion of Tribal Lands</u>

TracFone's designated service area for Lifeline service in Florida will not encompass federally-recognized tribally-owned lands. This modification is necessary to conform with the Federal Communications Commission's recent order designating TracFone as an ETC in ten states and the District of Columbia.<sup>1</sup>

### 2. Availability of Low-Volume Prepaid Wireless Phone Cards

In addition to the Lifeline program described in the Application, TracFone will offer special low volume prepaid wireless cards in denominations of \$2.00, \$5.00, and \$10.00. The

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<sup>&</sup>lt;sup>1</sup> In the Matter of Federal-State Joint Board on Universal Service and TracFone Wireless, Inc., *et al*, FCC 08-100, released April 11, 2008.

per minute price for airtime provided with these low volume cards will be \$0.20. This price is otherwise only available with purchases of larger quantities of airtime. These low volume cards will be usable only with Lifeline accounts and will be sold at selected retail outlets throughout Florida. Those outlets may initially include Family Dollar, Dollar General, Walgreen's CVS Pharmacy, and Publix. Other retail outlets may be authorized by TracFone to sell these low volume cards in the future. Specific lists of locations where the low volume cards are sold will be provided to Lifeline customers in welcome packages provide by TracFone to new customers. The list also will be maintained on TracFone's Internet website (www.tracfone.com).

### 3. <u>Free Handsets</u>

Each TracFone Lifeline customer will be provided with a wireless telephone handset at no charge to the customer. The handsets will be either refurbished handsets subject to availability, or new handsets. All handsets provided by TracFone to Lifeline customers will be E911 compliant.

#### 4. NET10 Will Not be Offered

Tracfone will not offer Lifeline customers the NET10 Pay-As-You-Go Wireless option described at page 21 of the application. The TracFone Pay-As-You-Go Wireless plan will be available. All TracFone Lifeline customers will be provided with 68 minutes of airtime at no charge each month they are enrolled in the Lifeline program. Each month's allocation of free airtime will be added to the customer's account by TracFone. There will be no need to redeem coupons or make purchases to obtain that allotment of airtime. If TracFone later decides to expand its Lifeline service to include a NET10 service option, it will notify the Commission in advance of any such offering.

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### 5. <u>Transitional Discount</u>

Section 364.105 Florida Statutes requires that each local exchange telecommunications company offer a thirty percent discount on basic local exchange telecommunications service for to former Lifeline customers for a period of one year after they no longer qualify for Lifeline. Florida Statutes contain no comparable statutory requirement for non-local exchange carrier ETCs, including wireless ETCs. In the event that the Commission imposes a transitional discount requirement on wireless ETCs, including TracFone, TracFone will comply with that requirement by providing such transitional customers with thirty percent additional minutes of airtime on any purchase of prepaid wireless service. For example, if a former Lifeline customer purchases a TracFone airtime product during the transition period which provides 100 minutes of airtime, the customer will receive 130 minutes. As with other usage provided by TracFone to Lifeline customer. This thirty percent additional minutes will be applicable to the low volume cards described in no. 2, above. However, the transitional discounts will not be available to Lifeline customers who are removed from the program due to fraud.

Respectfully submitted,

#### **TRACFONE WIRELESS, INC.**

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Its Attorneys

May 2, 2008