

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1668

In the Matter of)
)
Boomerang Wireless, LLC d/b/a enTouch Wireless)
)
Application for Limited Designation as an Eligible)
Telecommunications Carrier and Eligible)
Telecommunications Provider for the Purpose)
of Offering Lifeline Service, and Request for)
Waiver Pursuant to 860-033-0001(2))
_____)

**NOTICE OF EXPANSION OF COVERAGE THROUGH USE OF ADDITIONAL
UNDERLYING WIRELESS FACILITIES, AND REQUEST TO MODIFY
DESIGNATED SERVICE AREA**

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April 11, 2016

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Pursuant to paragraph 12 of the Stipulation filed in this docket on July 31, 2014, and adopted by Order 15-280 of the Oregon Public Utility Commission (“Commission”) on September 16, 2015, Boomerang Wireless, LLC d/b/a enTouch Wireless (“Boomerang” or the “Company”) respectfully provides notice to the Commission that it is expanding its coverage through the use of additional wireless facilities, and requests modification of its designated service area, as described herein.

I. BOOMERANG IS EXPANDING COVERAGE BY ADDING AT&T AND T-MOBILE AS UNDERLYING CARRIERS

The Commission designated Boomerang as an Eligible Telecommunications Carrier (“ETC”) and Eligible Telecommunications Provider (“ETP”) by issuing Order No. 15-280 in this docket on September 16, 2015.¹ Paragraph 12 of Order 15-280 provides:

If Boomerang discontinues the use of either Verizon Wireless or Sprint facilities to provide Lifeline services in Oregon, or expands coverage through use of additional underlying wireless facilities, it will file notice with the Commission in Docket No. UM 1668 at least thirty (30) days prior to the network change. After notice is filed, Staff will perform a review of Boomerang's remaining wireless coverage and may recommend that the Commission modify Boomerang's designated service area as may be appropriate.

At the time the Commission approved Boomerang as an ETC and ETP, Boomerang’s planned service offerings to Oregon Lifeline customers relied on the networks of two underlying carriers, Sprint and Verizon Wireless. Boomerang hereby notifies the Commission that it is now

¹ *In the Matter of Boomerang Wireless, LLC dba enTouch Wireless, Application for Limited Designation as an Eligible Telecommunications Carrier and Eligible Telecommunications Provider*, Docket No. UM 1668, Order No. 15-280 (entered Sept. 16, 2015).

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additionally authorized to use the networks of two additional underlying carriers, AT&T and T-Mobile, and expects to utilize those carriers' GSM networks in connection with Lifeline service by May 11, 2016 – 30 days after the filing of this notice – or later, depending on when Boomerang is authorized by PUC staff to formally commence offering of its Lifeline services in Oregon.

II. IN LIGHT OF THE EXPANDED COVERAGE, THE COMMISSION SHOULD EXPAND BOOMERANG'S DESIGNATED SERVICE AREA

By adding two major wireless networks, Boomerang will be able to serve customers in more locations. As a result, consistent with paragraph 12 of Order No. 15-280, it is appropriate to modify Boomerang's designated service area by adding additional Zip codes. Accordingly, Boomerang asks that the Commission modify Boomerang's designated service area to include the additional Zip codes listed in **Exhibit A**, and depicted in **Exhibit B**, which is an update to the map provided as Exhibit B to the Stipulation. In support of that request, Boomerang asks that the Commission staff review the coverage provided by Verizon, Sprint, AT&T and T-Mobile in those Zip codes.

Boomerang remains committed to the service commitments made in the Stipulation, consistent with item 4.2 of the Commission's initial designation requirements. Consistent with item 4.2.2.1 of the Commission's initial designation requirements, **Exhibit A** also includes certain Zip codes where less than full coverage exists. Generally, designation in areas with less than complete coverage is appropriate where (i) coverage does exist in key population centers (e.g., cities and towns), (ii) significant areas without coverage are parts of state or national parks, or state or national forests, and/or (iii) where there is coverage in the clear majority of the area.

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Generally, the public interest is served when customers in an area have an additional choice for Oregon Lifeline service, and Boomerang submits that in each proposed Zip code it appears that a majority of the population in the area would have coverage. Expanding the designated service area would enable Boomerang to offer low-income Oregonians in additional areas of Oregon the opportunity to enjoy wireless Oregon Lifeline, directly advancing the goals of universal service.

Requirement 4.2.2.2 of Order No. 15-382 requires a description of the process that an applicant will use to determine whether service can be provided to an individual when he/she inquires or makes a request for service in an area with potentially incomplete coverage. Boomerang will take one or more of the following steps to determine whether service can be provided, and which carrier(s) are likely to provide acceptable coverage: (1) check the customer's Zip code against the coverage data available to Boomerang; (2) check the customer's city/town against the coverage data available to Boomerang; (3) use a mapping tool (*e.g.*, Google Earth) to determine the location of the customer's address and compare that against coverage data available to Boomerang; (4) ship the customer a handset enabled for a carrier likely to provide coverage, allowing the customer to test coverage, and, if necessary, to exchange the handset for one enabled for another carrier if the customer determines that insufficient coverage exists. Boomerang also reaffirms the commitment it made in the Stipulation concerning reporting quarterly on the number of customers within the designated service area that are declined service or cancel service because of poor or no reception, using the form attached as **Exhibit D**, so that the data may be analyzed to determine areas of insufficient service.

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III. BOOMERANG WILL CONTINUE TO SATISFY ALL REQUIREMENTS IN ORDER NO. 15-280 AND THE STIPULATION, AND ALL REQUIREMENTS APPLICABLE TO ELIGIBLE TELECOMMUNICATIONS CARRIERS AND ELIGIBLE TELECOMMUNICATIONS PROVIDERS

The Commission designated Boomerang as an ETC and ETP on September 16, 2015 by issuing Order No. 15-280 in docket UM 1668.² Except as described herein, the facts describing Boomerang set forth in the Stipulation and in Order No. 15-280 remain unchanged. Following the addition of AT&T and T-Mobile and the expansion of the designated service area, Boomerang commits to continue to satisfy each of the statutory and regulatory requirements for ETC and ETP designation set forth in the Act,³ the FCC's Rules⁴, Oregon statutes, and the Commission's orders and rules.⁵ Boomerang also commits to continuing to satisfy each of the requirements set forth in the Stipulation and Order No. 15-280. Except as described below, the requirements set forth therein are unchanged by the addition of AT&T and T-Mobile and the proposed expansion of the designated service area. Boomerang proposes minor modifications as to how it will satisfy paragraph 42 of the Stipulation, and is providing an updated version of the map depicting statewide coverage and signal strength as attached **Exhibit C**, replacing the map provided as Exhibit C to the Stipulation.

A. Modifications to Reporting Form to Include AT&T and T-Mobile

Paragraph 42 of the Stipulation provides that Boomerang will provide quarterly reports to Staff and CUB using the reporting form attached as Exhibit G to the Stipulation. With the addition of AT&T and T-Mobile, Boomerang proposes to modify the form set forth in Exhibit G

² *Id.*

³ 47 U.S.C. § 214(e)(1)-(2).

⁴ 47 C.F.R. § 54.201.

⁵ *See* OAR 860-033-0005, *et seq.*

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to add space to report information on the GSM-enabled handsets used in conjunction with the AT&T and T-Mobile networks. Lines 2(d)(1) and 2(d)(2) of Exhibit G provide space for Boomerang to report the number of “Sprint-enabled handsets sent to replace Verizon-enabled handsets,” and the number of “Verizon-enabled handsets sent to replace Sprint-enabled handsets.” Boomerang proposes to replace these lines with the following lines, in which it would report replacement handsets enabled to function with each of the underlying carriers:

- 2(d)(1) Sprint-enabled handsets sent to replace other handsets;
- 2(d)(2) Verizon-enabled handsets sent to replace other handsets;
- 2(d)(3) T-Mobile-enabled handsets sent to replace other handsets;
- 2(d)(4) AT&T-enabled handsets sent to replace other handsets.

A proposed revision to the quarterly reporting form is attached hereto as **Exhibit D**.

B. Update to Oregon Coverage Map

As Exhibit C to the Stipulation, Boomerang provided a map of its combined Sprint and Verizon coverage in Oregon. An updated version of that map, showing updated Sprint and Verizon coverage, was submitted as part of Boomerang’s Supplemental Application to expand its designated service area to include the Siletz Reservation, which was filed on March 21, 2016 in this docket. Attached hereto as **Exhibit C**, Boomerang is submitting an additional revision to Exhibit C of the Stipulation, generally depicting Boomerang’s coverage in Oregon – all of which is at least -99 dBm – reflecting the combined coverage of Boomerang’s four underlying carriers AT&T, T-Mobile, Sprint and Verizon. It should be noted that the map provides a high-level approximation of wireless coverage and that actual coverage at a more detailed level will vary depending on network and transmission limitations and other factors.

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IV. ANNUAL RECERTIFICATION PROCESS

Boomerang remains committed to complying with the applicable annual certification requirements recently adopted by the Commission in Order No. 15-169 in docket UM 1648.⁶

V. LEGAL AUTHORITY

The Commission has the legal authority to grant the relief requested by the Applicant pursuant to 47 U.S.C. §214(e)(2); 47 C.F.R. § 54.201.

VI. RELIEF REQUESTED

For the reasons set forth above, and pursuant to Section 214(e)(2) of the Act, Boomerang requests that the Commission enter an Order modifying Boomerang's designated service area to include the Zip codes described in Exhibit A, and approving the modifications to the quarterly report proposed herein. Boomerang respectfully asks that the Commission enter said Order at the earliest possible date.

Dated this 11th day of April, 2016.

Respectfully submitted,

By: 

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⁶ *In the Matter of Public Utility Commission of Oregon, Staff Investigation into Eligible Communication Carriers' Requirements*, Order No. 15-169; Docket UM 1648 (entered June 4, 2015), modifying *In the matter of Public Utility Commission of Oregon Staff Investigation to Establish Requirements for Initial designation and Recertification of Telecommunications Carriers Eligible to Receive Federal Universal Service Support*, Order No. 06-292, Docket UM 1217 (entered June 13, 2006) (setting forth requirements).

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LIST OF EXHIBITS

- | | |
|------------------|---|
| Exhibit A | Zip Codes to Add to Designated Service Area |
| Exhibit B | Map of Expanded Designated Service Area |
| Exhibit C | Revised Oregon Coverage Map |
| Exhibit D | Update to Quarterly Reporting Form |

Exhibit A – Zip Codes to Add to Designated Service Area (Excludes Tribal Lands)

Zip Codes to Add to Designated Service Area (Excludes Tribal Lands)

| Zip Code | City | County |
|----------|--------------------------|--------------|
| 97001 | Antelope | Wasco |
| 97011 | Brightwood | Clackamas |
| 97020 | Donald | Marion |
| 97028 | Government Camp | Clackamas |
| 97037 | Maupin | Wasco |
| 97041 | Mount Hood Parkdale | Hood River |
| 97042 | Mulino | Clackamas |
| 97049 | Rhododendron | Clackamas |
| 97063 | Tygh Valley | Wasco |
| 97141 | Tillamook ¹ | Tillamook |
| 97324 | Alsea ¹ | Benton |
| 97329 | Cascadia | Linn |
| 97342 | Detroit ² | Marion |
| 97343 | Eddyville ^{1,2} | Lincoln |
| 97346 | Gates | Marion/Linn |
| 97350 | Idanha ¹ | Marion/Linn |
| 97358 | Lyons ¹ | Linn |
| 97360 | Mill City | Marion/Linn |
| 97364 | Neotsu | Lincoln |
| 97373 | Saint Benedict | Marion |
| 97380 | Siletz ² | Lincoln |
| 97384 | Mehama | Marion |
| 97390 | Tidewater ¹ | Lane/Lincoln |
| 97410 | Azalea ¹ | Douglas |
| 97413 | Blue River ¹ | Lane |
| 97417 | Canyonville ² | Douglas |
| 97430 | Deadwood ¹ | Lane |
| 97434 | Dorena | Lane |
| 97442 | Glendale | Douglas |
| 97447 | Idlewild | Douglas |
| 97463 | Oakridge ¹ | Lane |
| 97466 | Powers ¹ | Coos |
| 97467 | Reedsport ¹ | Douglas |
| 97469 | Riddle ^{1,2} | Douglas |
| 97480 | Swishhome | Lane |
| 97486 | Umpqua ¹ | Douglas |
| 97492 | Westfir | Lane |
| 97493 | Westlake ¹ | Lane |

¹ In areas where less than complete coverage exists, designation is appropriate because (i) coverage does exist in key population centers (e.g., cities and towns), (ii) significant areas without coverage are within state/national parks or forests where people are unlikely to reside, and/or (iii) there is coverage in the clear majority of the area.

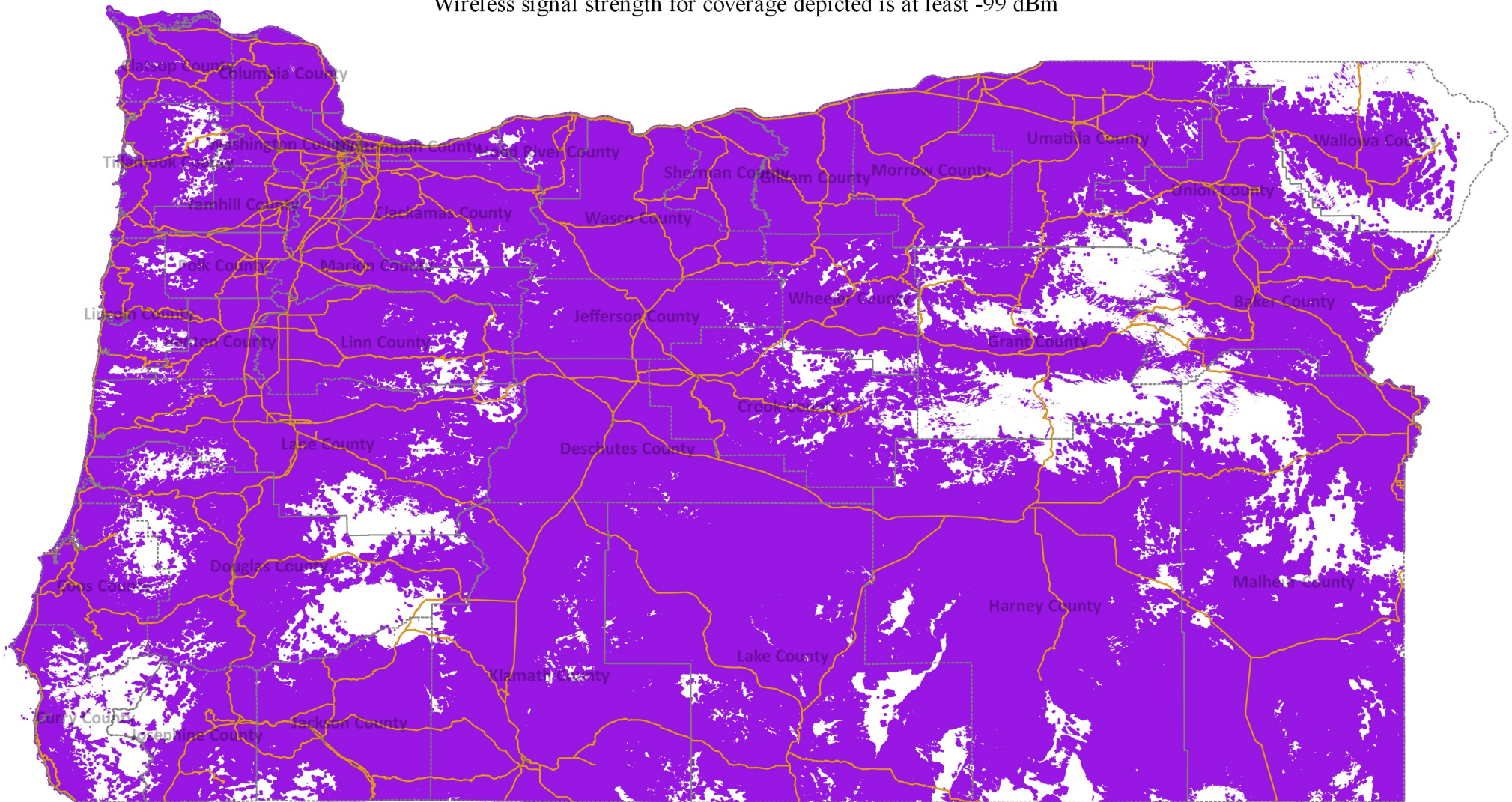
² Excludes portion on Tribal Lands (*i.e.*, federally-recognized reservation lands).

Exhibit A – Zip Codes to Add to Designated Service Area (Excludes Tribal Lands)

| | | |
|-------|----------------------------|-----------|
| 97498 | Yachats ¹ | Lincoln |
| 97503 | White City | Jackson |
| 97520 | Ashland | Jackson |
| 97522 | Butte Falls | Jackson |
| 97523 | Cave Junction ¹ | Josephine |
| 97524 | Eagle Point | Jackson |
| 97530 | Jacksonville ¹ | Jackson |
| 97531 | Kerby | Josephine |
| 97534 | O Brien ¹ | Josephine |
| 97536 | Prospect | Jackson |
| 97537 | Rogue River | Jackson |
| 97538 | Selma ¹ | Josephine |
| 97541 | Trail | Jackson |
| 97544 | Williams ¹ | Josephine |
| 97621 | Beatty ² | Klamath |
| 97622 | Bly | Klamath |
| 97630 | Lakeview | Lake |
| 97632 | Malin | Klamath |
| 97634 | Midland | Klamath |
| 97730 | Camp Sherman | Jefferson |
| 97731 | Chemult | Klamath |
| 97733 | Crescent | Klamath |
| 97750 | Mitchell ¹ | Wheeler |
| 97759 | Sisters ¹ | Deschutes |
| 97819 | Bridgeport | Baker |
| 97823 | Condon | Gilliam |
| 97824 | Cove ¹ | Union |
| 97828 | Enterprise ¹ | Wallowa |
| 97830 | Fossil ¹ | Wheeler |
| 97834 | Halfway ¹ | Baker |
| 97836 | Heppner | Morrow |
| 97839 | Lexington | Morrow |
| 97843 | Ione | Morrow |
| 97845 | John Day | Grant |
| 97846 | Joseph ¹ | Wallowa |
| 97856 | Long Creek ¹ | Grant |
| 97859 | Meacham ² | Umatilla |
| 97865 | Mount Vernon ¹ | Grant |
| 97869 | Prairie City ¹ | Grant |
| 97880 | Ukiah ¹ | Umatilla |
| 97883 | Union ¹ | Union |
| 97885 | Wallowa ¹ | Wallowa |
| 97909 | Jamieson | Malheur |
| 97918 | Vale | Malheur |

Exhibit C - Oregon Coverage Map (based on May 11, 2016 addition of AT&T & T-Mobile)

Wireless signal strength for coverage depicted is at least -99 dBm



Legend

- Wireless Coverage (at least -99 dBm)
- County Boundary
- Highways

Exhibit D – Quarterly Report

QUARTERLY REPORT – OREGON LIFELINE
Due by end of first month following end of quarter

| | | Month 1 | Month 2 | Month 3 |
|---|--|-----------------|-----------------|-----------------|
| 1 | Non-usage: Customers de-enrolled for non-usage | | | |
| 2 | Free Handsets | | | |
| | a. 1. Lost/stolen handsets (note 1) | | | |
| | 2. Lost/stolen handsets replaced | | | |
| | b. 1. Customers reporting they did not receive free handset (note 2) | | | |
| | 2. Replacement handsets sent | | | |
| | c. 1. Defective handsets reported (note 3) | | | |
| | 2. Replacement handsets sent | | | |
| | d. 1. Sprint-enabled handsets sent to replace other handsets | | | |
| | 2. Verizon-enabled handsets sent to replace other handsets | | | |
| | 3. T-Mobile-enabled handsets sent to replace other handsets | | | |
| | 4. AT&T-enabled handsets sent to replace other handsets | | | |
| 3 | All Handsets | | | |
| | a. Customer requests to unlock handset | | | |
| | b. Unlocking requests denied | | | |
| 4 | Coverage Issues | | | |
| | a. Lifeline customer requests denied due to lack of coverage (list associated home addresses) | | | |
| | b. Lifeline customers that cancelled service due to coverage issues (list associated home addresses) | | | |
| 5 | Customer Complaints or Problems* (note 4) | | | |
| | a. Wireless coverage or reception (note 5) | | | |
| | b. First month’s free minutes | | | |
| | c. Subsequent month’s free minutes | | | |
| | d. Add-on or top-up options | | | |
| *For each complaint or problem, document a) customer name and phone number, b) date of call, c) description of complaint/problem, and d) explanation of disposition of complaint/problem and date. Include with report only upon request of OPUC Staff. | | | | |
| 6 | Customer Service Center | | | |
| | a. Avg. no. of seconds to reach representative (after recording) | | | |
| | b. Calls from current Oregon Lifeline customers | | | |
| | c. Inquiries from Oregon non-Lifeline customers regarding Lifeline | N/A (note 6) | N/A (note 6) | N/A (note 6) |
| | d. Requests to change Lifeline calling plans | | | |
| 7 | Number of non-Lifeline customers in Oregon | | | |

Exhibit D – Quarterly Report

QUARTERLY REPORT – OREGON LIFELINE
 Due by end of first month following end of quarter
 Complete for each of three months in quarter

Usage Characteristics Report – Lifeline Plans

| | | Plan A | Plan B | Plan C |
|----|---|-----------------|-----------------|-----------------|
| 1 | No. of total active subscribers | | | |
| 2 | No. of subscribers that depleted all free minutes by month's end | | | |
| 3 | No. of subscribers that depleted all free minutes within first 15 days of the month | | | |
| 4 | Percentage of free units used for voice calls (customer average) | | | |
| 5 | Percentage of free units used for texts (customer average) | | | |
| 6 | Percentage of free minutes used for international calls (customer average) | N/A (note 7) | N/A (note 7) | N/A (note 7) |
| 7 | Number of customers who purchased additional voice units | | | |
| 8 | Average number of additional minutes purchased (for customers that purchased voice units) | | | |
| 9 | Number of customers who purchased data-only cards | | | |
| 10 | Number of customers who purchased text add-ons | Included in #7 | Included in #7 | Included in #7 |

Notes:

- (1) The number of calls reporting lost or stolen handsets will be reported until the number of handsets reported as lost or stolen can be quantified.
- (2) The number of calls reporting failures to receive handsets will be reported until the number of handsets that were reported as not received can be quantified.
- (3) The number of calls reporting defective handsets will be reported until the number of handsets that were reported as defective can be quantified.
- (4) This data will be provided to the extent that improvements to Boomerang's reporting system allow the documentation and reporting of the data.
- (5) Calls may be included in aggregate categories until details can be made available.
- (6) Boomerang does not use the telephone as an intake mechanism.
- (7) Boomerang does not permit free units to be used for international calling.