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August 3, 2015

**Via E-mail Only**  
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Attn: Filing Center  
Public Utility Commission of Oregon  
201 High Street SE, Suite 100  
P.O. Box 2148  
Salem, OR 97301-2551

Re: OPUC Docket 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)

Dear Sir or Madam:

On behalf of Boomerang Wireless, LLC, attached for filing in docket UM 1668 is the Joint  
Testimony of all the parties, along with supporting exhibits and affidavits. In addition, attached  
for filing in the same docket is a joint motion to admit the testimony and supporting documents  
into evidence in this proceeding.

An additional supporting affidavit from Mr. Jenks of the Citizens' Utility Board will be filed  
separately.

Thank you for your assistance. Please feel free to call if you have any questions on this filing.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in black ink that reads "Alan J. Galloway".

Alan J. Galloway  
Of Attorneys for Boomerang Wireless, LLC

AJG/cap

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CASE: UM 1668  
WITNESSES: Kim Lehrman, Kay  
Marinos, Jon Cray, Bob Jenks

**PUBLIC UTILITY COMMISSION  
OF  
OREGON**

**JOINT EXHIBIT 100**

**JOINT TESTIMONY OF BOOMERANG, STAFF, AND CITIZENS' UTILITY BOARD  
OF OREGON  
IN SUPPORT OF STIPULATION**

**July 31, 2015**

1 **I. INTRODUCTION**

2 **Q. Please state your names and positions.**

3 A. My name is Kim Lehrman. I am the President of Boomerang Wireless. I am testifying on  
4 behalf of Boomerang Wireless dba enTouch Wireless (“Boomerang”). My witness  
5 qualifications statement is included as Exhibit Joint/101 to this testimony.

6 My name is Kay Marinos. I am a Manager in the Telecommunications and Water  
7 Division of the Public Utility Commission of Oregon (the “Commission”). My witness  
8 qualifications statement is included as Exhibit Joint/102 to this testimony.

9 My name is Jon Cray. I am the Program Manager of the Residential Service  
10 Protection Fund (“RSPF”) of the Central Services Division of the Commission. My  
11 witness qualifications statement is included as Exhibit Joint/103 to this testimony.

12 My name is Bob Jenks. I am the Executive Director of the Citizens’ Utility Board  
13 of Oregon (“CUB”). My witness qualifications statement is included as Exhibit Joint/104  
14 to this testimony.

15 **Q. What is the purpose of your testimony?**

16 A. The purpose of our joint testimony is to describe and support the stipulation  
17 (“Stipulation”) among Boomerang, Staff of the Commission (“Staff”), and CUB, which  
18 supports Boomerang’s request for designation as an Eligible Telecommunications Carrier  
19 (“ETC”) and Eligible Telecommunications Provider (“ETP”) by the Commission. This  
20 Stipulation was filed with this joint testimony.

21 **Q. Please describe the procedural history of this docket, including settlement  
22 discussions among the Parties.**

23 A. On August 2, 2013, Boomerang filed its Application for Limited Designation as an ETC  
24 (the “Application”) with the Commission. This Application also included a request for  
25 designation as an ETP for participation in the Oregon Telephone Assistance Program  
26 (“OTAP”), and requested waivers of certain Oregon Administrative Rules (“OARs”) pursuant to OAR 860-033-0001(2). Docket UM 1668 was opened to address the

1 Application.

2 A workshop/settlement conference with all Parties was held in this proceeding on  
3 October 23, 2013. Another workshop was held the following day with Boomerang  
4 personnel and OTAP personnel to discuss OTAP issues and procedures. On February 18,  
5 2014, Staff issued data requests, to which Boomerang responded on March 4, 2014. The  
6 Parties continued to exchange information informally and held subsequent  
7 workshops/settlement conferences on the following dates in 2014: May 19, July 8,  
8 August 1, September 17, and December 1. Staff and Boomerang had a conference call  
9 regarding operations on January 13, 2015, and the Parties held additional settlement  
10 conferences on May 20, 2015 and May 27, 2015.

11 **Q. Does the Stipulation resolve all of the issues in this proceeding?**

12 A. Yes. Boomerang, Staff, and CUB (collectively, the “Parties”) agree that Boomerang’s  
13 Application, as modified by, and subject to, the terms and conditions set forth in the  
14 Stipulation and its Exhibits will satisfy all applicable legal requirements and will be in the  
15 public interest, and jointly request that the Commission issue an order designating  
16 Boomerang as an ETC and an ETP subject to the terms and conditions contained in the  
17 Stipulation.

18 **Q. Are all parties to the proceeding signatories to the Stipulation?**

19 A. Yes.

20

## 21 **II. GENERAL DESCRIPTION OF THE APPLICANT AND APPLICATION**

22 **Q. Who is Boomerang?**

23 A. Boomerang Wireless, LLC d/b/a enTouch Wireless (“Boomerang”) is an Iowa limited  
24 liability company with its principal offices located at 955 Kacena Road, Suite A,  
25 Hiawatha, Iowa 52233. Boomerang is registered in Oregon as a Foreign Limited  
26 Liability Company, and is authorized to business in Oregon. HH Ventures, LLC has  
100% ownership of Boomerang Wireless and its sister company, Ready Wireless, LLC.

1           Boomerang is a mobile virtual network operator that provides wireless service to  
2 customers utilizing the nationwide coverage networks of Verizon Wireless and Sprint.  
3 Boomerang provides Lifeline services to its customers under the brand enTouch  
4 Wireless. Boomerang has been designated as an ETC to provide Lifeline service in 22  
5 states, and provides Lifeline service to residents of Tribal lands in 9 of the 22 states.

6           Boomerang is headed by Kim Lehrman, President and also includes Julia  
7 Redman-Carter, Regulatory & Compliance Officer; Sam Hamdan, Director of Sales; Jake  
8 Poshusta, Director of Operations; and Valorie Collingwood, Director of Accounting. The  
9 Boomerang leadership team has about 50 years of combined experience in the  
10 telecommunications industry.

11 **Q. What does Boomerang propose to offer to Lifeline customers in Oregon?**

12 A. Boomerang proposes to offer wireless telecommunications services to qualified  
13 Lifeline customers. Each Lifeline customer would receive a block of “units” each month  
14 that they may use for either voice or text messaging (SMS). Boomerang’s Lifeline plan  
15 includes caller ID, call waiting, call forwarding, three-way calling, and basic voicemail.  
16 In addition to the Lifeline-supported services, each customer receives a 911-compliant  
17 handset that is provided by Boomerang free of charge. Boomerang Lifeline customers  
18 will also have the option of purchasing additional “units” or data sold on a pre-paid basis  
19 under the AirFair and getReady! brands.

20           Following designation, Boomerang will offer customers the following enTouch  
21 Wireless rate plan, as described in Exhibit D to the Stipulation.

22           The plan provides 250 units each month, each of which can be used for one  
23 minute of voice service, including local voice calls and nationwide long-distance service.  
24 Customers may also elect to use units for text messaging at the rate of one unit per  
25 nationwide text message. Calls to enTouch Wireless customer service and 911 are free,  
26 and do not count against units. Each customer also receives voicemail, caller ID, call  
waiting, call forwarding, three-way calling, and free 411 calls. There are no out-of-

1 pocket charges for the customer such as activation fees, no recurring monthly charges, or  
2 deposits. Boomerang Lifeline customers will also have the option of purchasing top up  
3 cards that provide additional units or data; these cards are available under the AirFair and  
4 getReady! brands on a pre-paid basis, which are available in various denominations as  
5 described in Exhibit D to the Stipulation. The most affordable top up options provide an  
6 additional 100 units, plus 50MB of data, for \$5 – a rate of \$0.05 per voice minute or text  
7 message.

8 **Q. What is the relationship between Boomerang and the retailers offering top-up**  
9 **offerings?**

10 A. Boomerang is 100%-owned by HH Ventures. HH Ventures also owns Boomerang's  
11 sister company, Ready Wireless, which offers top-up cards under the getReady! brand.  
12 AirFair top-up cards are provided by InComm, a leading prepaid product and transaction  
13 services company. HH Ventures has a national distribution contract for top-up cards  
14 with InComm, reaching 100,000 retail locations including 7-Eleven stores.

15 **Q. Where will Boomerang offer its Lifeline services in Oregon?**

16 A. Boomerang will offer its Lifeline services throughout the proposed designated service  
17 area defined by the ZIP codes listed in Exhibit A to the Stipulation. A map that generally  
18 illustrates the designated service area is provided as Exhibit B to the Stipulation. A map  
19 that depicts wireless coverage is provided as Exhibit C to the Stipulation. If a customer  
20 determines that the wireless coverage is insufficient at his or her residence, the customer  
21 may cancel service from Boomerang and Boomerang will report the information to Staff  
22 in order to assist in the identification of areas lacking sufficient wireless service.

23 **Q. Will Boomerang offer Lifeline services on Tribal Lands in Oregon?**

24 A. Not at this time or as part of the designation related to this Stipulation. Boomerang  
25 currently serves customers on tribal lands in nine other states, and Boomerang's stated  
26 intent is to eventually serve tribal lands in Oregon as well. The details of Boomerang's  
Tribal Lifeline rate plan are shown in Exhibit E to the Stipulation. If Boomerang is

1 designated as an ETC and ETP, it plans to enter into dialogue with tribal authorities to  
2 identify tribal lands on which the relevant tribal authorities desire Boomerang service,  
3 and to seek additional designation from the Commission to serve such lands, through the  
4 filing of a supplemental application. Under paragraph 10 of the Stipulation, the initial  
5 designated service area will exclude any tribal lands that might otherwise be  
6 encompassed by the ZIP codes listed in Exhibit A to the Stipulation. Boomerang will not  
7 offer Lifeline service on any tribal lands or provide Tribal Lifeline benefits in Oregon  
8 without filing a supplemental application and obtaining Commission approval.

9 **Q. Does Boomerang currently offer wireless service to customers in Oregon?**

10 A. No.

11 **Q. If Boomerang is designated as an ETC and an ETP in Oregon, will the Company  
12 offer wireless service to non-lifeline customers?**

13 A. Boomerang does not plan on marketing non-Lifeline plans in Oregon, although customers  
14 that no longer qualify for Lifeline may opt to use top up cards with their existing phones.

15 **Q. What financial support will Boomerang receive?**

16 A. Boomerang will receive support from the Lifeline program of the Federal Universal  
17 Service Fund ("FUSF"). Boomerang does not request OTAP support from the RSPF at  
18 this time, although it reserves the right to seek such support in a future, separate filing  
19 with the Commission.

20 **Q. Why does Boomerang seek "limited" designation as an ETC in Oregon?**

21 A. Boomerang seeks designation as an ETC for the sole purpose of offering Lifeline service  
22 to low-income Oregonians, and will receive only low-income Lifeline support from the  
23 FUSF. Boomerang is not seeking high-cost support from the FUSF, or from any source  
24 other than low-income Lifeline support.

25 **III. THE STIPULATION**

26 **Q. Please generally describe the Stipulation.**

1 A. Beginning with information presented in the filed application, and supplemented by  
2 additional information shared during the course of this proceeding, Staff and CUB  
3 identified additional Oregon-specific concerns and issues that are addressed in the  
4 Stipulation. The Parties explored these issues through discovery and in a number of  
5 settlement discussions. The Stipulation reflects and formalizes the Parties' resolution of  
6 the issues.

7 In the Stipulation, the Parties agree that Boomerang, subject to the terms and  
8 conditions set forth in the Stipulation, has satisfied the applicable legal requirements for  
9 approval as an ETC and an ETP and that such designation is in the public interest.

10 Accordingly, the Parties recommend that the Commission designate Boomerang  
11 as an ETC and as an ETP for the limited purpose of offering Lifeline services in the ZIP  
12 codes listed in Exhibit A of the Stipulation, subject to the terms and conditions set forth  
13 in the Stipulation.

14 **Q. What are the legal standards that apply to Boomerang's Application?**

15 A. The federal requirements for ETC designation are set forth in 47 U.S.C. §214(e)(2) and  
16 rules of the Federal Communications Commission ("FCC"), including 47 C.F.R. §§  
17 54.101, 54.201, and 54.405. The Oregon requirements for ETC designation were  
18 established by the Commission in Order No. 06-292 ("ETC Order"). One of those  
19 requirements is to offer Lifeline and OTAP services. In order to offer Lifeline and OTAP  
20 services in Oregon, an ETC must receive designation as an ETP. ETP requirements are  
21 found in the Commission's RSPF OARs.

22 **IV. REQUIREMENTS FOR ETC DESIGNATION**

23 **Q. What do the FCC's rules require for designation as an ETC?**

24 A. Under the FCC's regulations set forth in 47 C.F.R. § 54.201(d), common carriers are  
25 eligible for designation if they offer and advertise the Lifeline-supported services  
26 throughout a designated service area and meet specific obligations. Although 47 U.S.C.  
§ 214(e)(1) and 47 C.F.R. § 54.201(i) require that ETCs offer the supported services



1 “either using its own facilities or a combination of its own facilities and resale of another  
2 carrier’s services,” the FCC has granted forbearance from the “own facilities”  
3 requirement to carriers that have FCC-approved Compliance Plans.<sup>1</sup> (Boomerang is  
4 exempt from the “own facilities” requirement because its Compliance Plan was approved  
5 on August 8, 2012.)

6 Following the FCC’s *Lifeline Reform Order*, the FCC’s rules were amended to  
7 require a carrier seeking designation as a Lifeline-only ETC to demonstrate that it is  
8 financially and technically capable of providing the supported Lifeline service in  
9 compliance with all of the low-income program rules. 47 C.F.R. § 54.201(h).

10 **Q. Does Boomerang meet the eligibility requirements under the FCC’s rules?**

11 A. Yes. Boomerang’s Application, supplemented by supporting materials, and revised to  
12 reflect changes and terms agreed to in the Stipulation, addresses the federal eligibility  
13 requirements. Boomerang has demonstrated its ability to meet the federal requirements.

14 **Q. What are the Commission’s requirements for ETC designation in Oregon?**

15 A. The Commission established requirements for ETC designation in Oregon in Order 06-  
16 292. These requirements, while consistent with the FCC’s requirements at the time of the  
17 Order, included certain additional requirements. Subsequent to the release of that Order,  
18 the FCC made a number of changes to the Lifeline program in its 2012 *Lifeline Reform*  
19 *Order*.<sup>2</sup> In Docket No. UM 1648, updates to the Oregon requirements for initial  
20 designation are being considered.

21 **Q. Has Boomerang met the requirements for ETC designation in Oregon?**

22  
23 <sup>1</sup> In the *Lifeline Reform Order*, the FCC decided, on its own motion, to forbear from applying the facilities  
24 requirement of Section 214(e)(1)(A) to any telecommunications carrier that seeks limited ETC designation to  
25 participate in the Lifeline program, conditioned on the ETC’s compliance with certain 911 requirements and the  
26 ETC’s filing with and approval by the FCC of a compliance plan describing the ETC’s adherence to certain  
protections prescribed by the FCC. *In the Matter of Lifeline and Link Up Reform and Modernization, Lifeline and*  
*Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital*  
*Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23,  
Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) (“*Lifeline Reform*  
*Order*”), ¶ 368.

<sup>2</sup> See *Lifeline Reform Order*, *supra* .

1 A. Yes, with a few exceptions for which waivers are requested. Order No. 06-292 sets out a  
2 number of requirements. The Parties agree that there is no question Boomerang has met  
3 several of those requirements. For example, Application requirement 1.1 in Appendix A  
4 to Order No. 06-292 requires a demonstration of the applicant's common carrier status.  
5 Section 153 of the Communications Act of 1934, as amended, defines a common carrier  
6 as "any person engaged as a common carrier for hire, in interstate or foreign  
7 communication by wire or radio...." 47 U.S.C. § 153(11). The Communications Act  
8 expressly classifies wireless carriers as common carriers for regulatory purposes.  
9 47 U.S.C. § 332(c)(1)(A). Accordingly, Boomerang is clearly a common carrier. Such  
10 requirements are not discussed further in this testimony. This joint testimony will further  
11 identify any Oregon requirements that should be waived or otherwise deemed to have  
12 been satisfied based on FCC actions regarding Lifeline services in recent years or the  
13 circumstances concerning Boomerang's service offering.

14 **Q. Does Boomerang satisfy Initial Application Requirement 2.1?**

15 A. Yes, the Stipulating Parties agree this requirement has been met. Application  
16 requirement 2.1 in Appendix A of Order No. 06-292 requires a statement of the carrier's  
17 commitment to offer all required supported services and description of each supported  
18 service currently offered, listing nine services. The FCC's 2011 amendments to 47  
19 C.F.R. § 54.101 eliminated the equivalent list of nine supported services, specifying  
20 instead that "voice telephony service" (as defined in the modified rule) is supported by  
21 the federal universal service mechanisms. Following designation as an ETC in Oregon,  
22 Boomerang has committed to offer the supported voice telephony services as described in  
23 the amended 47 C.F.R. § 54.101. Although no longer required by the FCC, the services  
24 that Boomerang has committed to provide in its Application include the nine services or  
25 their functional equivalent that are enumerated in Oregon's requirement 2.1.

26 **Q. Does Boomerang satisfy Initial Application Requirement 2.4?**

A. Yes, the Stipulating Parties agree this requirement has been met. Application

1 requirement 2.4 in Appendix A requires a demonstration that the applicant offers a local  
2 usage plan comparable to the basic local service offerings of the ILEC in the proposed  
3 designated service area. Although the FCC no longer requires such a demonstration,<sup>3</sup> the  
4 FCC had previously determined that the local usage requirements are met by a carrier that  
5 offers rate plans containing varying amounts of local usage.<sup>4</sup> Boomerang offers a local  
6 wireless usage plan that compares to those of the ILECs in its proposed designated  
7 service area, because customers will receive a block of units free of charge, and a  
8 nationwide “local” calling area.

9 **Q. Does Boomerang satisfy Initial Application Requirement 3.1?**

10 A. Yes, the Stipulating Parties agree this requirement has been met in some respects and that  
11 good cause for a waiver of other aspects of this requirement exists. Application  
12 requirement 3.1 of Appendix A requires explicit identification of the proposed designated  
13 service area through a map and a list of wire centers. Subrequirement 3.1.1 specifies that  
14 a map be provided that shows the applicant’s licensed service area boundaries and its  
15 requested designated service area boundaries overlaid on the boundaries of all ILEC wire  
16 centers it proposes to include in its designated service area. Exhibit B to the Stipulation  
17 contains a map that shows the designated service area boundaries based on included ZIP  
18 codes. It does not show the applicant’s licensed service area boundaries because  
19 Boomerang is a reseller of the facilities of other wireless carriers that actually hold the  
20 cellular licenses. Sub-requirement 3.1.2 requires a list of wire centers that will comprise  
21 the designated service area. Boomerang’s designated service area will be defined by ZIP  
22 codes rather than wire centers. Therefore, Boomerang includes the relevant list of ZIP  
23 codes in Exhibit A to the Stipulation. Because Boomerang will be relying on the licenses  
24 of its underlying carriers, and will be designated based on ZIP codes rather than wire  
25

26 <sup>3</sup> See *Lifeline Reform Order*, ¶¶ 46-47.

<sup>4</sup> See, e.g., *Federal-State Board on Universal Service, Farmers Cellular Telephone, Inc. Petition for Designation as an Eligible Telecommunications Carrier*, 18 FCC Rcd 3848, 3852 (2003).

1 center boundaries, the Parties agree that there is good cause for a partial waiver of  
2 requirements 3.1.1 and 3.1.2.

3 **Q. Please explain the use of ZIP codes to define Boomerang's designated service area.**

4 A. Wireless carriers often use ZIP codes to locate addresses and assist consumers in viewing  
5 wireless coverage areas. Although wire centers have been used by previous ETC  
6 applicants to define their designated service areas, the option to use a framework that is  
7 more relevant in the wireless environment is warranted. Wire centers are important  
8 identifiers for landline service, but hold little relevance to wireless carriers or customers.  
9 The use of ZIP codes to define areas for availability of Lifeline services would provide  
10 more clarity and ease of administration. For instance, few people can identify the ILEC  
11 wire center from which they are served, but everyone knows the ZIP code associated with  
12 where they live. Lifeline eligibility is based on a consumer's home address, to which a  
13 ZIP is attached and readily verifiable. When a potential customer applies for, or inquires  
14 about, Lifeline service, the ETC can simply check availability of Lifeline service given  
15 the customer's ZIP code. Additionally, the use of ZIP codes saves the ETCs the expense  
16 of "geocoding" addresses to determine which are included in specific wire centers.

17 **Q. Is the use of ZIP codes to define designated service areas prohibited by any rule or**  
18 **regulation?**

19 A. There appear to be no rules or regulations that prohibit the use of ZIP codes under  
20 reasonable circumstances. In its Order No. 06-292 (page 11), the Commission left the  
21 door open to consideration of ways to limit or define ETC designated service areas. In its  
22 USF/ICC Transformation Order,<sup>5</sup> the FCC broke its own historical pattern of using wire  
23 centers for ETC designation areas when it adopted census blocks as the units to award  
24 high-cost funds, such as those for the rural broadband experiments and CAF funding. In  
25 May of this year, the Commission granted ETC designation on the basis of specific  
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<sup>5</sup> See *Connect America Fund et al., WC Docket No. 10-90 et al.*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 17663, 18149, para. 1404 (2011) (USF/ICC Transformation Order).

1 census blocks to Douglas Services, Inc. for rural broadband experiment funding.<sup>6</sup> As an  
2 extra precaution, Staff contacted members of the FCC staff to ask if anything in federal  
3 rules or FCC orders prohibits the use of ZIP codes for Lifeline-only ETCs. The FCC  
4 staff responded that they were aware of no such prohibitions.

5 **Q. Does Boomerang satisfy Initial Application Requirement 3.2?**

6 A. Yes, the Stipulating Parties agree that the intent of this requirement has been met.  
7 Application requirement 3.2 is generally met because Boomerang commits to offer the  
8 supported services throughout the designated service area. Application requirement 3.2  
9 also includes a reference to 47 C.F.R. 54.202(a)(1)(i) that specified a six-step process that  
10 must be used to provide service when service is requested but not available. As a carrier  
11 that does not own network facilities but uses the networks of other carriers, Boomerang  
12 cannot follow that process. However, the specific federal rule at issue was revised in  
13 2012, and the six-step process requirements were eliminated. The rule now requires an  
14 applicant to certify that it will comply with the service requirements applicable to the  
15 support that it receives. Recognizing that, as a reseller, Boomerang's ability to resolve  
16 reception issues is limited, Boomerang has further agreed in paragraph 10 of the  
17 Stipulation to report on customers that it is unable to serve due to reception issues.

18 **Q. Does Boomerang satisfy Initial Application Requirement 4.2?**

19 A. The Stipulating Parties find the intent of this requirement has been met. However, as  
20 uncertainty exists as to the scope of the signal strength requirement, the Parties agree that  
21 a partial waiver is appropriate if more information is required than Boomerang has  
22 provided. Application requirement 4.2 requires a map showing the extent of current  
23 network coverage, and, for wireless carriers, signal strengths. As Exhibit C to the  
24 Stipulation, Boomerang has provided a coverage map indicating that the minimum signal  
25 strength is -99 dBm, and will, in keeping with the CTIA Consumer Code, provide  
26

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<sup>6</sup> See Order No. 15-159 in Docket No. UM 1721.

1 coverage mapping on its website. As a reseller, Boomerang does not have access to more  
2 detailed signal strength information.

3 **Q. Does Boomerang satisfy Initial Application Requirements 7.1 through 7.3?**

4 A. Yes, the Stipulating Parties agree these requirements have been met. . Application  
5 requirements 7.1 through 7.3 concern requirements for the Company to commit to  
6 advertise low-income services, and the identification and description of such services.  
7 With respect to Lifeline services, Boomerang has provided a description of its advertising  
8 plans in its Application, and the specific calling plan it will offer is described in Exhibits  
9 D and E to the Stipulation. Accordingly, the Stipulating Parties find that Boomerang has  
10 met this requirement. In addition, Boomerang has committed to abide by the advertising  
11 requirements in 47 C.F.R. § 54.405, adopted in the FCC's *Lifeline Reform Order*, namely  
12 publicizing the availability of Lifeline service in a manner reasonably designed to reach  
13 those likely to qualify,<sup>7</sup> making certain disclosures in materials describing the service,<sup>8</sup>  
14 and disclosing the name of the ETC on all materials describing the service.<sup>9</sup> Boomerang  
15 has also agreed, as provided in paragraph 29 of the Stipulation, to provide copies of its  
16 advertising materials to the Commission's staff for review.

17 The Parties note that the FCC has eliminated Link Up support, except for on  
18 Tribal Lands, and that in any case Boomerang is not seeking Link Up support. Therefore,  
19 to the extent that application requirements 7.1, 7.2, or 7.3 pertain to receipt of Link Up,  
20 these requirements are inapplicable to Boomerang.

21 **Q. Does Boomerang satisfy Initial Application Requirement 8.1?**

22 A. Yes, as those requirements apply to a reseller. Application requirement 8.1, and its  
23 subsidiary requirements, concerns a demonstration of ability to remain functional in  
24 emergencies, including the amount of backup power, ability to reroute traffic around  
25

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26 <sup>7</sup> 47 C.F.R. § 54.405(b).

<sup>8</sup> 47 C.F.R. § 54.405(c).

<sup>9</sup> 47 C.F.R. § 54.405(d).

1 damaged facilities, and the ability to manage traffic spikes during emergency periods.  
2 For Boomerang's own switching facilities that are used to provide services in part, the  
3 Application addresses how Boomerang meets requirement 8.1.

4 Because Boomerang is providing service to its customers through the Sprint and  
5 Verizon networks, it provides customers the same ability to remain functional in  
6 emergency situations as those networks currently provide to their own customers. One of  
7 those network providers, Sprint's subsidiary Virgin Mobile has been designated as an  
8 ETC, and both carriers are able to remain functional in emergencies.

9 **Q. Does Boomerang satisfy Initial Application Requirement 8.2?**

10 A. Yes. Application requirement 8.2 is a description of the current status of E911  
11 deployment and compliance. Boomerang has described how, by virtue of its relationship  
12 to Verizon and Sprint as a reseller, E911 is fully deployed and in compliance with all  
13 applicable E911 rules, therefore satisfying this requirement.

14 **Q. Does Boomerang satisfy Initial Application Requirement 9.1?**

15 A. Yes. Application requirement 9.1 is a commitment to specific, objective measures for  
16 service quality and consumer protection. Boomerang has met this requirement by  
17 committing to adhere to the CTIA Consumer Code for wireless carriers, including the  
18 newest provision that addresses the unlocking of handsets.

19 **Q. Does Boomerang satisfy Initial Application Requirement 9.2?**

20 A. Yes. Application requirement 9.2 is a commitment to resolve complaints received by the  
21 Commission, and designation of a specific contact person to work with the Commission's  
22 Consumer Services Division for complaint resolution. Boomerang has made that  
23 commitment in its Application, and has designated a contact person, thereby satisfying  
24 this requirement. Boomerang will also satisfy all consumer privacy protection standards  
25 as provided in 47 C.F.R. Part 64, Subpart U as applicable and will protect Customer  
26 Proprietary Network Information ("CPNI") as required by state and federal law.

**Q. Does Boomerang satisfy Initial Application Requirement 10.1?**

1 A. Yes. Application requirement 10.1 requires a demonstration that designation would be  
2 in the public interest, with subsidiary requirements addressing specific ways in which  
3 consumer choices will be increased, specific advantages and disadvantages of the  
4 applicant's service offering, and any other specific criteria determined by the  
5 Commission. Here, the Stipulating Parties agree that designation of Boomerang as an  
6 ETC, given the terms and conditions of the Stipulation, is in the public interest. In  
7 addition, designation will expand consumer choice among carriers and provide Lifeline  
8 services at no cost to participating customers.

9 **Q. Does Boomerang satisfy Initial Application Requirement 10.2?**

10 A. No, but the Stipulating Parties agree this requirement is inapplicable to Boomerang.  
11 Application requirement 10.2 is a creamskimming analysis for cases in which the  
12 applicant's proposed designated service area will not include the entire study area of a  
13 rural ILEC. However, as the FCC has subsequently indicated, creamskimming is not a  
14 concern for carriers seeking Lifeline support only. *See In the Matter of Virgin Mobile*  
15 *USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A)*, CC Docket No. 96-  
16 45, Order 09-18, ¶ 39 n. 101 (March 5, 2009) (explaining that "we need not perform a  
17 creamskimming analysis because Virgin Mobile is seeking eligibility for Lifeline support  
18 only").

19 **Q. What additional terms and conditions are contained in the Stipulation?**

20 A. These are the additional terms and conditions of the Stipulation:

- 21 • Under paragraph 12 of the Stipulation, if Boomerang discontinues or expands the  
22 use of its current underlying wireless carriers, or expands coverage through use of  
23 additional underlying wireless carriers, it will file notice with the Commission and Staff  
24 will review the remaining wireless coverage and may recommend modifications to the  
25 designated service area as may be appropriate. In addition, Boomerang will post its  
26 handset-unlocking policy consistent with the CTIA Consumer Code on the enTouch  
Wireless website.



- 1           ●       Under paragraphs 21 and 22 of the Stipulation, Boomerang will notify existing  
2 Lifeline customers within ten days following an increase in the minutes, units, or  
3 other material terms of its Lifeline service offerings and permit those customers to  
4 immediately subscribe. If, in another state, Boomerang has a Lifeline service offering  
5 with more included minutes or other material terms, or a promotional offering with a  
6 higher number of free minutes, Boomerang will extend such terms to all Oregon Lifeline  
7 customers.
- 8           ●       Under paragraphs 22 and 23 of the Stipulation, Boomerang will remit the RSPF  
9 surcharge to the Commission on behalf of all its Oregon customers and will remit the  
10 Oregon 9-1-1 tax on behalf of all of its Oregon Lifeline customers.
- 11          ●       Under paragraph 24 of the Stipulation, Boomerang must demonstrate operational  
12 readiness and the ability to submit all required reporting following designation as an ETC  
13 and ETP before it may begin advertising and offering Lifeline services.
- 14          ●       Under paragraph 29, Boomerang will comply with applicable OARs related to  
15 advertising, marketing and outreach, and in addition, will endeavor to caption or subtitle  
16 all of its television or streaming video advertisements for the Oregon Lifeline services.  
17 Boomerang agrees to discuss and address any concerns Staff may have with respect to  
18 any advertising and marketing material and work in good faith to resolve such concerns.
- 19          ●       Under paragraph 30 of the Stipulation, Boomerang acknowledges liability for the  
20 actions of employees, agents and other action on its behalf and agrees to a number of  
21 limitations on the use of third party representatives in order to protect the program and its  
22 participants from waste, fraud and abuse.
- 23          ●       Under paragraph 40 of the Stipulation, Boomerang will submit training materials  
24 for customer service representatives to Staff for review and approval that will clearly  
25 define Oregon Lifeline policies and procedures.
- 26

1 **V. THE COMMISSION'S ANNUAL REPORTING REQUIREMENTS**

2 **Q. What are the Commission's Annual Reporting Requirements?**

3 A. In Order 15-169, in Docket UM 1648, the Commission changed the annual reporting  
4 requirements previously established in Order 06-292. Beginning in 2015, each ETC must  
5 file annually with the Commission a complete (non-redacted) copy of certain reports filed  
6 with the FCC for the report year. For carriers receiving only low-income support, such as  
7 Boomerang, the only such form is FCC Form 481.

8 In addition, Order 15-169 specifies that ETCs receiving only low-income support  
9 shall file a report that includes all of the information specified in 47 C.F.R. § 54.422(b),  
10 even if the ETC does not submit Form 481 with this information to the FCC. Order 15-  
11 169 also specifies the timing and manner of these filings.

12 **Q. Will Boomerang submit a non-redacted copy of FCC Form 481 to the Commission,  
13 as specified by the Requirements in Order 15-169?**

14 A. Yes. Boomerang has committed to file a copy of its FCC Form 481 with the  
15 Commission, as required by Order 15-169, and agreed to in paragraph 15 of the  
16 Stipulation.

17

18 **VI. THE COMMISSION'S ETP REQUIREMENTS AND RSPF RULES**

19 **Q. What are the Commission's requirements for designation as an ETP?**

20 A. An ETC that is also designated as an ETP must comply with the RSPF rules set forth in  
21 OAR 860-033-0001 to OAR 860-033-0110. The definition of an ETP in OAR 860-033-  
22 0005(7) sets forth three broad eligibility criteria that a telecommunications carrier must  
23 meet to be designated as an ETP:

24 First, OAR 860-033-0005(7)(a) requires that an ETP offer the services "under 47  
25 C.F.R. § 54 Subpart E (2013) using either its own facilities or a combination of its own  
26 facilities and resale of another carrier's services."

Second, an ETP must advertise the availability of and the charges for such

1 services using media of general distribution.

2 Third, an ETP must demonstrate that it will comply with OAR 860-033-0005  
3 through 860-033-0110.

4 **Q. Does Boomerang satisfy the “own facilities” requirement in OAR 860-033-0005(7)?**

5 A. No, it does not. However, given the FCC’s forbearance of the corresponding federal  
6 ETC requirement that the OAR requirement was based on, Boomerang requests, and the  
7 Parties support, a waiver of this requirement. In approving Boomerang’s compliance  
8 plan, the FCC has granted Boomerang forbearance from the analogous federal  
9 requirement for purposes of 47 U.S.C. § 214 and 47 C.F.R. § 54.

10 **Q. Does Boomerang satisfy the advertising requirement in OAR 860-033-0005(7)?**

11 A. Yes, the Stipulating Parties agree that Boomerang has committed to do so. Paragraph 29  
12 of the Stipulation addresses advertising, and Boomerang agrees that it will advertise its  
13 Oregon Lifeline plan.

14 **Q. Has Boomerang demonstrated that it can comply with OAR 860-033-0005 through  
15 OAR 860-033-0110?**

16 A. The Stipulating Parties agree that Boomerang has demonstrated it can comply with the  
17 requirements of OAR 860-033-0005 through OAR 860-033-0110 with the exception of  
18 five rules for which the Parties support a waiver or partial waiver.

19 **Q. What are the rules for which the Parties support a waiver?**

20 A. The Stipulating Parties support a waiver or partial waiver of ), OAR 860-033-0005(7)(a),  
21 OAR 860-033-0006(3)(b) and (c), OAR 860-033-0010(2), OAR 860-033-0035(1)(b) and  
22 OAR 860-033-0046(4). These rules are identified in Exhibit F to the Stipulation.

23 **Q. On what basis do the Parties support a waiver of OAR 860-033-0006(b) and (c)?**

24 A. The Stipulating Parties believe there is good cause for a waiver of OAR 860-033-  
25 0006(3)(b) and (c) to the extent that it would require Boomerang to collect the RSPF  
26 surcharge from its customers and identify the RSPF surcharge on each customer’s bill,  
respectively. Boomerang is a pre-paid wireless service provider that does not issue bills

1 to its Lifeline customers. However, Boomerang will remit the RSPF surcharge to the  
2 Commission on behalf of all its Oregon customers.

3 **Q. On what basis do the Parties support a waiver of OAR 860-033-0005(7)(a) ?**

4 A. Under OAR 860-033-0005(7)(a) an ETP is required to use its own facilities or a  
5 combination of its own facilities and resale of another carrier's services. As stated  
6 above, given the FCC's forbearance of the corresponding federal ETC requirement that  
7 this OAR requirement was based on, Boomerang requests, and the Parties support, a  
8 waiver of this requirement.

9 **Q. On what basis do the Stipulating Parties support a waiver of OAR 860-033-0010(2)  
10 and OAR 860-033-0035(1)(b)?**

11 A. Under OAR 860-033-0035(1), the monthly OTAP benefit includes federal Lifeline  
12 program support of \$9.25 and the State of Oregon support of \$3.50. OAR 860-033-  
13 0010(2) refers to the "OTAP discount." Boomerang will offer the federal Lifeline  
14 support of \$9.25. However, because Boomerang is not seeking the \$3.50 in OTAP  
15 support, Boomerang cannot pass along that support as an additional \$3.50 discount on its  
16 service offering. To the extent that the terms "OTAP discount" and "OTAP benefit" may  
17 be construed to include the State support of \$3.50 per month, the Parties agree that a  
18 partial waiver of OAR 860-033-0010(2) and a waiver of OAR 860-033-0035(1)(b) is  
19 appropriate.

20 **Q. On what basis do the parties support a waiver of OAR 860-033-0046(4)?**

21 A. The Stipulating Parties agree there is good cause for a waiver of OAR 860-033-0046(4)  
22 to the extent it requires the filing of a weekly No Match report. . In lieu of the weekly  
23 No Match report required by OAR 860-033-0046(4), the Parties have agreed, as set out in  
24 Paragraph 34 of the Stipulation, that Boomerang will submit a weekly Order Activity  
25 report to Staff in an electronic format accessible by the Commission. The Parties support  
26 a waiver of OAR 860-033-0046(4) because Boomerang will provide the same  
information required for the No Match report in the Order Activity report.

1 **Q. Are there other rules that the Parties recommend be waived?**

2 A. No.

3

4 **VII. SUPPLEMENTAL REPORTING**

5 **Q. What reporting is required of Boomerang under the Stipulation?**

6 A. Boomerang agrees to provide quarterly reports to Staff and to CUB in the format  
7 identified in the Stipulation as Exhibit G. In addition, Boomerang further agrees to  
8 provide Staff a copy of the Oregon-specific monthly Lifeline Worksheets (Form 497) that  
9 it submits to the Universal Service Administrative Company ("USAC") from which it  
10 claims or seeks low-income reimbursement or support from the FUSF. In conjunction  
11 with Form 497, Boomerang agrees to report to Staff the customers' names, residential  
12 addresses, phone numbers and Commission-assigned OTAP identification numbers to  
13 Staff in an electronic format accessible by the Commission.

14 **Q. Do the Parties recognize that much of the material sought in the reports is sensitive  
15 and may be subject to confidential treatment?**

16 A. Yes. The information that Boomerang is required to submit to the Commission, Staff or  
17 CUB, as appropriate, may be subject to submission as confidential pursuant to OAR 860-  
18 001-0070 and covered by the Protective Order entered in this docket on September 5,  
19 2013.

20 Certain information, however, will be subject to sharing with the FCC or USAC,  
21 with appropriate protections to ensure confidentiality.

22 **VIII. CONCLUSION**

23 **Q. What do the Parties recommend regarding the Stipulation?**

24 A. The Parties recommend that the Commission adopt the Stipulation as the basis for  
25 resolving all the contested issues in this proceeding, and that the Commission grant  
26 Boomerang's request for designation as an ETC and ETP in Oregon subject to the terms  
and conditions of the Stipulation. The Parties further recommend that the Commission

1 waive, with respect to Boomerang’s compliance, all of the rules and/or requirements for  
2 which waivers were recommended in Exhibit F to the Stipulation.

3 **Q. Please summarize the benefits of Boomerang’s designation.**

4 A. As explained in the Application, Boomerang’s designation to offer Lifeline services in  
5 Oregon would provide benefits to qualifying low-income consumers in the state.  
6 Boomerang’s Lifeline service includes 250 monthly minutes of use, calling features, and  
7 a phone that can be used for voice, texts, and data. Boomerang’s combination of voice  
8 and text service with customers' ability to purchase data or additional units, will offer  
9 low-income Oregonians additional choices for Lifeline service, and may increase  
10 participation in the Lifeline program in Oregon. With the ability to provide either  
11 Verizon- or Sprint-compatible handset, Boomerang will provide an extensive coverage  
12 area and the ability to address coverage “holes” by replacing customers’ handsets with  
13 those configured for use on the other carrier’s network. Boomerang has an established  
14 customer service operation, and provides customer support at no charge.  
15 In sum, designating Boomerang would allow it to provide benefits to eligible low-income  
16 Oregonians by means of its calling plans and phones, would support 911 and RSPF, and  
17 would not unnecessarily burden the RSPF low-income funding mechanisms.

18 For all of the above reasons, the Parties agree that Boomerang’s Application for  
19 ETC and ETP status, as modified by, and subject to, the terms and conditions set forth in  
20 the Stipulation — by which Boomerang has agreed to abide – satisfies all applicable legal  
21 requirements and will be in the public interest, and that the Commission should issue an  
22 order granting ETC and ETP designation subject to the terms and conditions contained in  
23 the Stipulation.

24 **Q. Does this conclude your joint testimony?**

25 A. Yes.

26

WITNESS QUALIFICATION STATEMENT

NAME: Kimberley Lehrman  
EMPLOYER: Boomerang Wireless, LLC d/b/a enTouch Wireless  
TITLE: President  
ADDRESS: 955 Kacena Road. Suite A. Hiawatha, Iowa. 52233  
EDUCATION: BBA, University of Iowa, *magna cum laude*, 1983

PROFESSIONAL EXPERIENCE:

President, Boomerang Wireless, LLP. 2013- Present  
Officer responsible for overall management of Boomerang Wireless LLC, including launching and expanding operations an Eligible Telecommunications Carrier approved in 22 states and serving over 100,000 ETC Lifeline customers under the enTouch Wireless brand.

Vice President, Marketing, Ready Wireless, 2011 to 2013.  
Officer responsible for marketing for Mobile Virtual Network Enabler serving pre-paid wireless carriers.

President & Chief Marketing Officer, Marian Heath Greeting Cards 2002-2011  
Responsible for marketing and overall management of greeting card company that grew from a small independent company to become third largest national brand in the market.

Owner, VP Sales, LiveWARE5 1998-2002  
Owner of company providing live streaming media software platform funded by Intel. Managed national and international telecommunications distribution platform and events for government, Fortune 500 and non-profits. Acquired by national CLEC- McLeod USA.

WITNESS QUALIFICATION STATEMENT

NAME: Kay Marinos

EMPLOYER: Public Utility Commission of Oregon

TITLE: Manager

ADDRESS: 201 High Street SE  
Salem, OR 97301

EDUCATION: PhD/ABD and MA in Economics, University of Hawaii  
BA in Economics, Hofstra University

PROFESSIONAL EXPERIENCE:

Manager, Competitive Issues, Public Utility Commission of Oregon, 2007 - Present  
Responsible for managing telecommunications competitive issues, competitive provider certifications, carrier interconnection agreements, wholesale service quality, Eligible Telecommunications Carrier (ETC) designations, federal universal service programs (high-cost and low-income) and ILEC service territory allocations. Staff member of Federal-State Joint Board on Universal Service.

Senior Telecommunications Analyst, Public Utility Commission of Oregon, 2004 – 2007  
Responsible for federal ETC designations, annual ETC certifications, and federal universal service issues.

Senior Consultant/Specialist, NYNEX/Bell Atlantic/Verizon Communications, 1988 – 2003  
Managed special project teams to ensure compliance with regulatory and legal requirements. As subject matter expert, performed wide range of analytic functions to develop and support company's objectives in federal regulatory proceedings. Major issues included Telecom Act implementation, competitive markets, interconnection, pricing flexibility, price caps, access rates, cost recovery and cost allocation.

Manager, National Exchange Carrier Association (NECA), 1984 - 1988  
Managed development of telecom industry forecasts of interstate usage and dedicated access services used to determine nationwide carrier pool rates.

Business Research Analyst, GTE Hawaiian Telephone, 1982 – 1983  
Developed revenue and demand forecasts for budgeting and network planning.

Economist and Planner, State of Hawaii, 1978 – 1982



**WITNESS QUALIFICATION STATEMENT**

NAME: Jon Cray

EMPLOYER: Public Utility Commission of Oregon

TITLE: Residential Service Protection Fund Program Manager, Central Services Division

ADDRESS: 201 High Street SE, Suite 100  
Salem, OR 97301

EDUCATION: MS in Communication Sciences and Disorders  
East Carolina University, 2002

BS in Communication Sciences and Disorders  
East Carolina University, 2000

PROFESSIONAL EXPERIENCE:

Program Manager, Residential Service Protection Fund, Public Utility Commission of Oregon, 2006 – Present

Manage the Oregon Telephone Assistance Program, Telecommunication Devices Access Program and Oregon Telecommunications Relay Service

Contact Center Manager, Communication Service for the Deaf, 2005 – 2006

Managed the California Telephone Access Program call center for the California Public Utilities Commission

Contact Center Supervisor, Communication Service for the Deaf, 2003 – 2006

Managed a team of customer service representatives for the California Telephone Access Program

**WITNESS QUALIFICATION STATEMENT**

**NAME:** Bob Jenks

**EMPLOYER:** Citizens' Utility Board of Oregon

**TITLE:** Executive Director

**ADDRESS:** 610 SW Broadway, Suite 400  
Portland, OR 97205

**EDUCATION:** Bachelor of Science, Economics  
Willamette University, Salem, OR

**EXPERIENCE:** Provided testimony or comments in a variety of OPUC dockets, including UE 88, UE 92, UM 903, UM 918, UE 102, UP 168, UT 125, UT 141, UE 115, UE 116, UE 137, UE 139, UE 161, UE 165, UE 167, UE 170, UE 172, UE 173, UE 207, UE 208, UE 210, UE 233, UE 246, UE 283, UG 152, UM 995, UM 1050, UM 1071, UM 1147, UM 1121, UM 1206, UM 1209, UM 1355, UM 1635, UM 1633, and UM 1654. Participated in the development of a variety of Least Cost Plans and PUC Settlement Conferences. Provided testimony to Oregon Legislative Committees on consumer issues relating to energy and telecommunications. Lobbied the Oregon Congressional delegation on behalf of CUB and the National Association of State Utility Consumer Advocates.

Between 1982 and 1991, worked for the Oregon State Public Interest Research Group, the Massachusetts Public Interest Research Group, and the Fund for Public Interest Research on a variety of public policy issues.

**MEMBERSHIP:** National Association of State Utility Consumer Advocates  
Board of Directors, OSPIRG Citizen Lobby  
Telecommunications Policy Committee, Consumer Federation of America  
Electricity Policy Committee, Consumer Federation of America  
Board of Directors (Public Interest Representative), NEEA

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

**AFFIDAVIT OF KIM LEHRMAN**

STATE of Iowa )  
 )  
County of Linn )

I, Kim Lehrman, being duly sworn on oath, depose and say:

1. My name is Kim Lehrman. I am the President of Boomerang Wireless, LLC.
2. I am one of the sponsors of the "Joint Testimony of Boomerang, Staff, and Citizens' Utility Board of Oregon in Support of Stipulation," submitted as Joint Exhibit 100 in this matter.
3. I have personal knowledge of the matters addressed in Joint Exhibit 100, including the operations of Boomerang Wireless, LLC and the terms of the stipulation.
4. To the best of my knowledge, the testimony in Joint Exhibit 100 is true and accurate. My testimony would be the same as that in Joint Exhibit 100 if given orally today.

Dated this 31 day of July, 2015.

Kim Lehrman

Subscribed and sworn to before me this 31 day of July, 2015.

Signed:

Printed: Julia Redman-Carter

My Commission Expires: 4/7/2017



**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1668

In the Matter of

Boomerang Wireless, dba Entouch Wireless,  
Application for Limited Designation as an  
Eligible Telecommunications Carrier

AFFIDAVIT OF KAY MARINOS

STATE OF OREGON            )  
  ss.  
County of Marion            )


I, Kay Marinos, hereby depose and say:

1. I am employed by the Public Utility Commission of Oregon (Commission) as a Manager in the Telecommunications and Water Division.

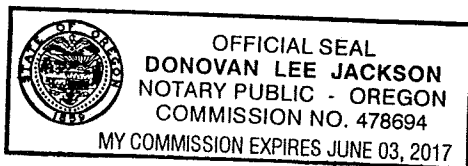
2. I filed joint testimony on behalf of Staff and the stipulating parties in support of the Stipulation filed in this matter, along with my witness qualification exhibit. (See Joint Exhibit 100 and 102).


3. The joint testimony is true and accurate based on my information and belief.

Dated this 31 day of July 2015.

  
\_\_\_\_\_  
Kay Marinos

SUBSCRIBED AND SWORN to before me this 31 day of JULY, 2015.



  
\_\_\_\_\_  
Notary Public, State of Oregon  
County of MARION  
My Commission Expires: JUNE 3 2017

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1668

In the Matter of

Boomerang Wireless, dba Entouch Wireless,  
Application for Limited Designation as an  
Eligible Telecommunications Carrier

AFFIDAVIT OF JON CRAY

STATE OF OREGON            )  
  ss.  
County of Marion            )

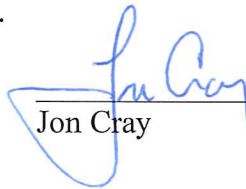
I, Jon Cray, hereby depose and say:

1. I am employed by the Public Utility Commission of Oregon (Commission) as a Manager in the Central Services Division.

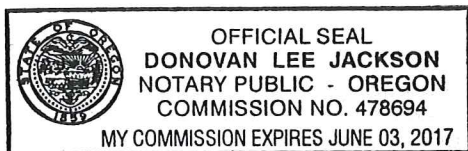
2. I filed joint testimony on behalf of Staff and the stipulating parties in support of the Stipulation filed in this matter, along with my witness qualification exhibit. (See Joint Exhibit 100 and 103).

3. The joint testimony is true and accurate based on my information and belief.

Dated this 31 day of July 2015.

  
\_\_\_\_\_  
Jon Cray

SUBSCRIBED AND SWORN to before me this 31 day of JULY, 2015.



  
\_\_\_\_\_  
Notary Public, State of Oregon  
County of MARION  
My Commission Expires: JUNE 3 2017

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1668

In the Matter of

BOOMERANG WIRELESS, LLC, d/b/a  
ENTOUCH WIRELESS

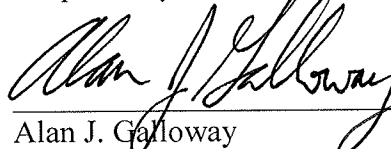
Application for Limited Designation as an  
Eligible Telecommunications Carrier and  
Eligible Telecommunications Provider

**JOINT MOTION TO ADMIT  
TESTIMONY AS EVIDENCE IN THE  
PROCEEDING**

On behalf of itself and the other parties to this proceeding, Boomerang Wireless, LLC d/b/a enTouch Wireless (“Boomerang”) respectfully moves the Commission to admit the Joint Testimony of Boomerang, Staff, and Citizens’ Utility Board of Oregon in Support of the Stipulation submitted for filing on July 31, 2015, along with the supporting witness qualification statement exhibits and supporting affidavits, as evidence in the record of this proceeding.

Dated: August 3, 2015.

Respectfully submitted,



Alan J. Galloway  
Davis Wright Tremaine LLP  
1300 SW Fifth Avenue, Ste. 2400  
Portland, OR 97201  
Tel: (503) 241-2300/Fax: (503) 778-5299  
[alangalloway@dwt.com](mailto:alangalloway@dwt.com)

Of Attorneys for Boomerang Wireless, LLC  
d/b/a enTouch Wireless