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Via E-Filing (puc.filingcenter@state.or.us)

Oregon Public Utility Commission 201 High Street SE, Suite 100 Salem, OR 97301

Re: UM 1668—Notice of Changes to Lifeline Service Offerings of Boomerang Wireless, LLC

Dear Oregon Public Utility Commission:

Boomerang Wireless, LLC d/b/a enTouch Wireless ("Boomerang"), pursuant to the stipulation filed in this docket on August 28, 2015 ("Stipulation"), and subsequently approved by the Oregon Public Utility Commission ("Commission")<sup>1</sup> is filing its revised Lifeline service offerings with the Commission, having informally notified the Commission staff about these changes on January 15, 2021.

Boomerang is introducing its new 1000 Bundled Voice FREE Plan for non-Tribal customers, which replaces the previous free-to-customer option, the 1000 Bundled Voice Plan (FREE). As described in more detail below, Boomerang is also adding six new non-Tribal plans bundling voice, text and broadband data. Boomerang's current free-to-customer Tribal offering, the Tribal Unlimited Unit & 1.5 GB Plan, is also being replaced with Boomerang's new Tribal Unlimited Talk & Text & 4.5 GB FREE Plan and two other new plans bundling voice, text and broadband data. The revised plans set forth here are described in the revised Exhibits D and E to the Stipulation, attached hereto. These revised exhibits replace the original Exhibits D and E to the Stipulation and all prior revisions to those exhibits. The changes described herein are being made in a manner such that that Boomerang will remain in compliance with federal Lifeline rules

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<sup>&</sup>lt;sup>1</sup> In the Matter of Boomerang Wireless, LLC dba 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, Docket No. UM 1668, Order No. 15-280 (entered September 16, 2015).

Oregon Public Utility Commission April 1, 2021 Page 2

requiring that all customers be on either a data minimum standard or a voice minimum standard plan.

Boomerang's notice of these changes is made pursuant to the Stipulation, which requires submission of "revised service offerings" within 10 days of becoming effective. Boomerang informally notified the Commission staff ("Staff") of these changes on January 15, 2021. As noted in Boomerang's March 24, 2021 follow-up notice to Staff, Boomerang began offering these plans on its website on March 23, 2021. Boomerang is making this filing on or before April 2, 2021 (10 days after the plans were made public on the website).

Because customers will not see any reduction in voice minutes or other material terms (*i.e.*, terms telecommunications services within the Commission's jurisdiction), Boomerang does not believe any additional notice is needed under paragraph 19 of the Stipulation in this docket. Paragraph 19 requires 90-days' notice for any "reductions in minutes, units, or other material terms of its Lifeline service offerings." Here, there is no change in the number of voice minutes available under the new plan offerings. The broadband data available each month remains unchanged as well, staying at 100 MB. Although the new plan limits the number of text messages per month to 500, that is not a material change to minutes (or "units" which were tied to minutes at the time the Stipulation was executed), and is not a change to a "material term" of its Lifeline service offerings because (1) text messages are an information service, not a telecommunications service; (2) Boomerang has "grandfathered" all subscribers on the existing legacy "1000 Bundled Voice Plan (FREE)" plan as of January 4, 2021 (each a "Legacy Subscriber"). Due to this grandfathering, the Legacy Subscribers will not be transitioned to the new 1000 Bundled Voice FREE Plan or be subject to the 500 text limit at this time.<sup>2</sup> Finally, although not required by the Stipulation, the revised Exhibits D and E also reflect Boomerang's revised top-up offerings, which are not a Lifeline-supported service.

### New Free Plan and Bundled Plans for Non-Tribal Customers

Boomerang's free-to-customer non-Tribal plan will now be the 1000 Bundled Voice FREE Plan. The 1000 Bundled Voice FREE Plan now offers 1000 voice minutes, 500 text units, and an allocation of 100MB of 3G/4G/LTE data.

Boomerang is also introducing six other new non-Tribal bundled voice and broadband plans, each of which features a customer co-pay. Boomerang's new 1000 Voice & Unlimited Text 100MB Bundle Plan offers 1000 voice minutes and unlimited text units, and an allocation of 100MB of 3G/4G/LTE data. Both the 1200 Voice & Unlimited Text 250MB Bundle Plan and the 1200 Voice & Unlimited Text 1GB Bundle Plan offer 1200 voice minutes and unlimited text units in addition to, respectively, 250MB and 1GB of 3G/4G/LTE data. Eligible customers may elect to receive 30 days of service under the 1000 Voice & Unlimited Text 100MB Bundle Plan

 $<sup>^2</sup>$  If a Legacy Subscriber chooses to change plans, or if a Legacy Subscriber's plan were terminated for another reason (*e.g.* non-usage, failure to recertify) then that Legacy Subscriber would need to choose a plan from the current offerings if they re-enroll, since the Legacy Lifeline Voice Plan grandfathered plan is no longer offered. Finally, Boomerang reserves the right to transition those customers to another plan in the future, after adhering to applicable notice requirements, including to the Commission.

Oregon Public Utility Commission April 1, 2021 Page 3

subject to a \$1 co-pay, or 30 days of service under the 1200 Voice & Unlimited Text 250MB Bundle Plan subject to a \$5 co-pay, or 30 days of service under the 1200 Voice & Unlimited Text 1GB Bundle Plan subject to a \$10 co-pay. The remaining three new non-Tribal plans offer larger data allocations in addition to unlimited voice and text units: the Unlimited Talk & Text & 4.5 GB Broadband Plan, which includes an allocation of 4.5 GB of 3G/4G/LTE data subject to a \$25 co-pay for 30 days of service; the Unlimited Talk & Text & 5 GB Broadband Plan, which includes a total allocation of 5 GB of 3G/4G/LTE data subject to a \$26 co-pay for 30 days of service; and the Unlimited Talk & Text & 6 GB Broadband Plan, which includes a total allocation of 6 GB of 3G/4G/LTE data subject to a \$30 co-pay for 30 days of service.

The customer provides their own device for all the non-Tribal plans. Allocations of minutes, texts and/or data are automatically posted each month on the Lifeline customer's service date. There is no rollover of these allocations. Any unused minutes, texts, or data will expire on the next month's monthly service date. Should a Lifeline subscriber not purchase a subsequent co-pay plan, the Lifeline subscriber will default to the 1000 Bundled Voice FREE Plan.

Boomerang's non-Tribal plans, like all Boomerang offerings, are for private use and subject to the company's Acceptable Use Policy and Terms of Service, which prohibits certain uses which result in abnormally high numbers of calls or generate excessive levels of Internet traffic. Data speeds and availability are subject to network availability and device capability.<sup>3</sup> All usage is subject to the Acceptable Use Policy. See Terms of Service at <u>https://www.entouchwireless.com/terms-of-service</u>.

### New Free Plan and Bundled Plans for Tribal Customers

Boomerang's new Tribal Unlimited Talk & Text & 4.5 GB FREE Plan offers unlimited talk and text, with an allocation of 4.5 GB of 3G/4G/LTE data each month. Customers formerly on the Tribal Unlimited Unit & 1.5 GB Plan have been transitioned to the Tribal Unlimited Talk & Text & 4.5 GB FREE Plan.

Boomerang is also introducing two new Tribal bundled voice and broadband plans featuring a customer co-pay. Both the Tribal Unlimited Talk & Text & 5 GB Broadband Plan and the Tribal Unlimited Talk & Text & 6 GB Broadband Plan offer unlimited voice and unlimited texting. The Tribal Unlimited Talk & Text & 5 GB Broadband Plan includes a total allocation of 5 GB subject to a \$1 co-pay for 30 days, and the Tribal Unlimited Talk & Text & 6 GB Broadband Plan includes a total allocation of 6 GB subject to a \$5 co-pay for 30 days.

For all of the Tribal plans, a free entry level smart phone is available to eligible subscribers who have not received a free phone in the most recent 12 month period. Data allocations are automatically posted each month on the Lifeline customer's service date. There is no rollover, and any unused data expire on the next month's monthly service date. All Tribal plans are only available to eligible customers who reside on federally recognized Tribal lands. Should a Tribal

<sup>&</sup>lt;sup>3</sup> Availability of 3G/4G/LTE data is subject to compatibility between the customer's device and the underlying carrier's system. Boomerang is not aware of any network compatibility issues impeding Boomerang customers in Oregon from utilizing data offerings.

Oregon Public Utility Commission April 1, 2021 Page 4

Lifeline subscriber not purchase a subsequent co-pay plan, the Tribal Lifeline subscriber will default to the Tribal Unlimited Talk & Text & 4.5 GB FREE Plan.

Boomerang's Tribal offerings, like all Boomerang offerings, are for private use and subject to the company's Acceptable Use Policy and Terms of Service, which prohibits certain uses which result in abnormally high numbers of calls or generate excessive levels of Internet traffic. Data speeds and availability are subject to network availability and device capability.<sup>4</sup> All usage is subject to the Acceptable Use Policy. See Terms of Service at <u>https://www.entouchwireless.com/terms-of-service</u>.

Please contact the undersigned if you have any questions regarding this filing.

Very truly yours,

Davis Wright Tremaine LLP

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Alan J. Galloway

Enclosures

<sup>&</sup>lt;sup>4</sup> Availability of 3G/4G/LTE data is subject to compatibility between the customer's device and the underlying carrier's system. Boomerang is not aware of any network compatibility issues impeding Boomerang customers in Oregon from utilizing data offerings.

# Boomerang Wireless, LLC d/b/a enTouch Wireless Non-Tribal Lifeline Plan Offerings for Oregon

|   | FEATURE/ DESCRIPTION                 | 1000 BUNDLED VOICE FREE PLAN |
|---|--------------------------------------|------------------------------|
| • | Local Calls                          | Y                            |
| • | National Long Distance               | Y                            |
| ٠ | Nationwide Text                      | Y                            |
| ٠ | Free 411                             | Y                            |
| ٠ | 3G/4G/LTE Data per Month*            | 100 MB                       |
| • | Voice Minutes per Month              | 1000                         |
| ٠ | Text Messages per Month              | 500**                        |
| ٠ | Data Enabled Device Included?        | N                            |
| ٠ | Carry Over Minutes Month to Month    | N                            |
| • | Voicemail                            | Y                            |
| • | Caller ID                            | Y                            |
| • | Call Waiting                         | Y                            |
| • | Call Forwarding                      | Y                            |
| • | 3-way Calling                        | Y                            |
| • | Minimum Term of Service              | N                            |
| • | Required Credit Check and/or Deposit | Ν                            |
| • | Monthly Recurring Charges            | N                            |
| • | Activation Fees                      | Ν                            |

|   | FEATURE/ DESCRIPTION                 | 1000 VOICE & UNLIMITED TEXT<br>100 MB BUNDLE PLAN |
|---|--------------------------------------|---|
| • | Local Calls                          | Y   |
| • | National Long Distance               | Y   |
| • | Nationwide Text                      | Y   |
| • | Free 411                             | Y   |
| • | 3G/4G/LTE Data per Month*            | 100 MB  |
| • | Voice Minutes per Month              | 1000  |
| • | Text Messages per Month              | Unlimited**                                       |
| • | Data Enabled Device Included?        | Ν   |
| • | Carry Over Minutes Month to Month    | N   |
| • | Voicemail                            | Y   |
| • | Caller ID                            | Y   |
| • | Call Waiting                         | Y   |
| • | Call Forwarding                      | Y   |
| ٠ | 3-way Calling                        | Y   |
| • | Minimum Term of Service              | Ν   |
| • | Required Credit Check and/or Deposit | Ν   |
| • | Monthly Recurring Charges            | \$1 co-pay for 30 days                            |
| • | Activation Fees                      | N   |

\* Data speeds and availability are subject to network availability and device capability.

\*\* All usage, including Unlimited, is for private use and subject to the company's Acceptable Use Policy and Terms of Service, which prohibits certain uses which result in abnormally high numbers of calls or generate excessive levels of Internet traffic.

| FEATURE/ DESCRIPTION |                                      | 1200 VOICE & UNLIMITED TEXT<br>250 MB BUNDLE PLAN |  |
|----------------------|--------------------------------------|---|--|
| •                    | Local Calls                          | Y   |  |
| •                    | National Long Distance               | Y   |  |
| •                    | Nationwide Text                      | Y   |  |
| •                    | Free 411                             | Y   |  |
| •                    | 3G/4G/LTE Data per Month*            | 250 MB  |  |
| •                    | Voice Minutes per Month              | 1200  |  |
| •                    | Text Messages per Month              | Unlimited**                                       |  |
| •                    | Data Enabled Device Included?        | Ν   |  |
| •                    | Carry Over Minutes Month to Month    | Ν   |  |
| •                    | Voicemail                            | Y   |  |
| •                    | Caller ID                            | Y   |  |
| •                    | Call Waiting                         | Y   |  |
| •                    | Call Forwarding                      | Y   |  |
| •                    | 3-way Calling                        | Y   |  |
| •                    | Minimum Term of Service              | Ν   |  |
| •                    | Required Credit Check and/or Deposit | Ν   |  |
| •                    | Monthly Recurring Charges            | \$5 co-pay for 30 days                            |  |
| •                    | Activation Fees                      | N   |  |

|   | FEATURE/ DESCRIPTION                 | 1200 VOICE & UNLIMITED TEXT<br>1 GB BUNDLE PLAN |
|---|--------------------------------------|---|
| • | Local Calls                          | Y   |
| • | National Long Distance               | Y   |
| • | Nationwide Text                      | Y   |
| • | Free 411                             | Y   |
| • | 3G/4G/LTE Data per Month*            | 1 GB  |
| • | Voice Minutes per Month              | 1200  |
| • | Text Messages per Month              | Unlimited**                                     |
| • | Data Enabled Device Included?        | Ν   |
| ٠ | Carry Over Minutes Month to Month    | Ν   |
| • | Voicemail                            | Y   |
| • | Caller ID                            | Y   |
| • | Call Waiting                         | Y   |
| • | Call Forwarding                      | Y   |
| • | 3-way Calling                        | Y   |
| • | Minimum Term of Service              | Ν   |
| • | Required Credit Check and/or Deposit | Ν   |
| • | Monthly Recurring Charges            | \$10 co-pay for 30 days                         |
| • | Activation Fees                      | N   |

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| FEATURE/ DESCRIPTION                 | UNLIMITED TALK & TEXT<br>& 4.5 GB BROADBAND PLAN |
|--------------------------------------|--|
| Local Calls                          | Y  |
| National Long Distance               | Y  |
| Nationwide Text                      | Y  |
| • Free 411                           | Y  |
| 3G/4G/LTE Data per Month*            | 4.5 GB   |
| Voice Minutes per Month              | Unlimited**                                      |
| Text Messages per Month              | Unlimited**                                      |
| Data Enabled Device Included?        | N  |
| Carry Over Minutes Month to Month    | N  |
| • Voicemail                          | Y  |
| Caller ID                            | Y  |
| Call Waiting                         | Y  |
| Call Forwarding                      | Y  |
| • 3-way Calling                      | Y  |
| Minimum Term of Service              | N  |
| Required Credit Check and/or Deposit | N  |
| Monthly Recurring Charges            | \$25 co-pay for 30 days                          |
| Activation Fees                      | Ŷ  |

|   | FEATURE/ DESCRIPTION                 | UNLIMITED TALK & TEXT<br>& 5 GB BROADBAND PLAN |
|---|--------------------------------------|--|
| • | Local Calls                          | Y  |
| • | National Long Distance               | Y  |
| • | Nationwide Text                      | Y  |
| • | Free 411                             | Y  |
| • | 3G/4G/LTE Data per Month*            | 5 GB   |
| • | Voice Minutes per Month              | Unlimited**                                    |
| • | Text Messages per Month              | Unlimited**                                    |
| • | Data Enabled Device Included?        | Ν  |
| • | Carry Over Minutes Month to Month    | Ν  |
| • | Voicemail                            | Ŷ  |
| • | Caller ID                            | Ŷ  |
| • | Call Waiting                         | Ŷ  |
| • | Call Forwarding                      | Ŷ  |
| • | 3-way Calling                        | Y  |
| • | Minimum Term of Service              | Ν  |
| • | Required Credit Check and/or Deposit | Ν  |
| • | Monthly Recurring Charges            | \$26 co-pay for 30 days                        |
| • | Activation Fees                      | N  |

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| FEATURE/ DESCRIPTION |                                      | UNLIMITED TALK & TEXT<br>& 6 GB BROADBAND PLAN |
|----------------------|--------------------------------------|--|
| •                    | Local Calls                          | Y  |
| •                    | National Long Distance               | Y  |
| •                    | Nationwide Text                      | Y  |
| •                    | Free 411                             | Y  |
| •                    | 3G/4G/LTE Data per Month*            | 6 GB   |
| •                    | Voice Minutes per Month              | Unlimited**                                    |
| •                    | Text Messages per Month              | Unlimited**                                    |
| •                    | Data Enabled Device Included?        | Ν  |
| •                    | Carry Over Minutes Month to Month    | Ν  |
| •                    | Voicemail                            | Y  |
| •                    | Caller ID                            | Y  |
| •                    | Call Waiting                         | Y  |
| •                    | Call Forwarding                      | Y  |
| •                    | 3-way Calling                        | Y  |
| •                    | Minimum Term of Service              | Ν  |
| •                    | Required Credit Check and/or Deposit | Ν  |
| •                    | Monthly Recurring Charges            | \$30 co-pay for 30 days                        |
| •                    | Activation Fees                      | Ν  |

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### **AirFair Top Up Options**

The following AirFair top-ups are available to all enTouch Oregon Lifeline subscribers. In addition, if a subscriber no longer qualifies for Lifeline benefit and wants to keep their phone, phone number, and service with enTouch, they can change from a Lifeline profile to a non-Lifeline profile and purchase airtime with the AirFair top up card options.

| Price   | Talk/Text | Data  | Days |
|---------|-----------|-------|------|
| \$5.00  | 0         | 500MB | 30   |
| \$10.00 | 0         | 1 GB  | 30   |

<sup>†</sup> All usage, including Unlimited, is for private use and subject to the company's Acceptable Use Policy and Terms of Service, which prohibits certain uses which result in abnormally high numbers of calls or generate excessive levels of Internet traffic.

## Boomerang Wireless, LLC d/b/a enTouch Wireless Tribal Lifeline Plan Offerings for Oregon

|   | FEATURE/ DESCRIPTION                 | TRIBAL UNLIMITED TALK & TEXT<br>& 4.5 GB FREE PLAN |
|---|--------------------------------------|--|
| • | Local Calls                          | Y  |
| • | National Long Distance               | Y  |
| • | Nationwide Text                      | Y  |
| • | Free 411                             | Y  |
| • | 3G/4G/LTE Data per Month**           | 4.5 GB   |
| • | Voice Minutes per Month              | Unlimited***                                       |
| ٠ | Text Messages per Month              | Unlimited***                                       |
| • | Data Enabled Device Included?        | Entry-level Smart Phone****                        |
| • | Carry Over Minutes Month to Month    | Ν  |
| • | Voicemail                            | Y  |
| • | Caller ID                            | Y  |
| • | Call Waiting                         | Y  |
| • | Call Forwarding                      | Y  |
| • | 3-way Calling                        | Y  |
| • | Minimum Term of Service              | Ν  |
| • | Required Credit Check and/or Deposit | Ν  |
| • | Monthly Recurring Charges            | Ν  |
| • | Activation Fees                      | Ν  |

| FEATURE/ DESCRIPTION |                                      | TRIBAL UNLIMITED TALK & TEXT<br>& 5 GB PLAN |
|----------------------|--------------------------------------|---|
| •                    | Local Calls                          | Y   |
| •                    | National Long Distance               | Y   |
| •                    | Nationwide Text                      | Y   |
| •                    | Free 411                             | Y   |
| •                    | 3G/4G/LTE Data per Month**           | 5 GB  |
| •                    | Voice Minutes per Month              | Unlimited***                                |
| •                    | Text Messages per Month              | Unlimited***                                |
| •                    | Data Enabled Device Included?        | Entry-level Smart Phone****                 |
| •                    | Carry Over Minutes Month to Month    | Ν   |
| •                    | Voicemail                            | Y   |
| •                    | Caller ID                            | Y   |
| •                    | Call Waiting                         | Y   |
| •                    | Call Forwarding                      | Y   |
| •                    | 3-way Calling                        | Y   |
| •                    | Minimum Term of Service              | Ν   |
| •                    | Required Credit Check and/or Deposit | Ν   |
| •                    | Monthly Recurring Charges            | \$1 co-pay for 30 days                      |
| ٠                    | Activation Fees                      | Ň   |

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\*\*\*\*A free entry level smart phone is available to eligible subscribers who have not received a free phone in the most recent 12 month period.

| FEATURE/ DESCRIPTION |                                      | TRIBAL UNLIMITED TALK & TEXT<br>& 6 GB PLAN |  |
|----------------------|--------------------------------------|---|--|
| •                    | Local Calls                          | Y   |  |
| •                    | National Long Distance               | Y   |  |
| •                    | Nationwide Text                      | Y   |  |
| •                    | Free 411                             | Y   |  |
| •                    | 3G/4G/LTE Data per Month**           | 6 GB  |  |
| •                    | Voice Minutes per Month              | Unlimited***                                |  |
| •                    | Text Messages per Month              | Unlimited***                                |  |
| •                    | Data Enabled Device Included?        | Entry-level Smart Phone****                 |  |
| •                    | Carry Over Minutes Month to Month    | Ν   |  |
| •                    | Voicemail                            | Y   |  |
| •                    | Caller ID                            | Y   |  |
| •                    | Call Waiting                         | Y   |  |
| •                    | Call Forwarding                      | Y   |  |
| •                    | 3-way Calling                        | Y   |  |
| •                    | Minimum Term of Service              | Ν   |  |
| •                    | Required Credit Check and/or Deposit | Ν   |  |
| •                    | Monthly Recurring Charges            | \$5 co-pay for 30 days                      |  |
| •                    | Activation Fees                      | N   |  |

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\*\*\*\*A free entry level smart phone is available to eligible subscribers who have not received a free phone in the most recent 12 month period.

### **AirFair Top Up Options**

The following AirFair top-ups are available to all enTouch Oregon Lifeline subscribers. In addition, if a subscriber no longer qualifies for Lifeline benefit and wants to keep their phone, phone number, and service with enTouch, they can change from a Lifeline profile to a non-Lifeline profile and purchase airtime with the AirFair top up card options.

| Price   | Talk/Text              | Data  | Days |
|---------|------------------------|-------|------|
| \$5.00  | Unlimited <sup>†</sup> | 500MB | 30   |
| \$10.00 | Unlimited <sup>†</sup> | 1 GB  | 30   |

<sup>†</sup> All usage, including Unlimited, is for private use and subject to the company's Acceptable Use Policy and Terms of Service, which prohibits certain uses which result in abnormally high numbers of calls or generate excessive levels of Internet traffic.