

**BEFORE THE PUBLIC UTILITY COMMISSION**

**OF OREGON**

UM 1509

In the Matter of

i-wireless, LLC,

Application for Designation as an  
Eligible Telecommunications Carrier in  
Oregon for the Purpose of Offering  
Lifeline Service to Qualified Households.

ORDER

DISPOSITION: MOTION TO AMEND ORDER NO. 15-300 GRANTED; ORDER  
NO. 15-300 AMENDED

**I. DISCUSSION**

**A. Background and Procedural Background**

The Oregon Telephone Assistance Program (OTAP) aids low-income customers pursuant to Sections 2 and 6, chapter 290, Oregon Laws 1987, as amended. It is the state counterpart to the Federal Communications Commission's (FCC's) Lifeline program, collectively known as Oregon Lifeline, having the purpose to ensure adequate, affordable residential telecommunication service to all citizens and to support broadband internet access service.

On September 29, 2015, in Order No. 15-300, we designated i-wireless, LLC, d/b/a Access Wireless (i-wireless) as an Eligible Telecommunications Carrier (ETC) and as an Eligible Telecommunications Provider (ETP), enabling it to receive Oregon Lifeline support. The order adopted a stipulation resolving the ETC/ETP application of i-wireless among the following parties: i-wireless, Staff of the Public Utility Commission of Oregon, and the Oregon Citizens' Utility Board (CUB).

On July 1, 2022, these parties jointly filed a motion to amend Order No. 15-300 (Joint Motion). No objections were filed to the Joint Motion.

**B. Joint Motion**

Responding to changes to Oregon and federal administrative rules for the Oregon Lifeline program, the Joint Motion seeks approval of corresponding changes to the original stipulation adopted in Order No. 15-300, Appendix A.

**1. *Removal of Required Data Element in Quarterly Report Under Paragraph 12***

The Joint Motion asks to modify Paragraph 12 of the original stipulation adopted in Order No. 15-300, Appendix A, by removing the text identified by strike-through, as follows:

12. i-wireless's ETC and ETP designated service area will be comprised of the zip code areas set forth in Exhibit A to this Stipulation, and illustrated in the map in Exhibit B to this Stipulation. The designated service area excludes any Tribal Lands that lie within the areas of the zip codes listed, i-wireless will provide its prepaid wireless service throughout its designated area in Oregon by purchasing services on a wholesale basis from Sprint-Mobile, i-wireless represents that Sprint-Mobile has substantial if not complete coverage throughout each of these zip code areas. ~~As i-wireless will be unable to improve service to customers where its underlying carrier does not provide acceptable levels of wireless reception, i-wireless agrees to report quarterly on the number of customers within the designated service area that are declined service or cancel service because of poor or no reception. The report must include addresses for those customers so that the data may be analyzed to determine areas of insufficient service.~~

The parties agree there is no need for i-wireless to report this data element on a quarterly basis because Staff already has the relevant information through direct customer contact.

**2. *Revised Exhibit F Quarterly Report Form***

The Joint Motion asks to adopt the attached Exhibit F (Quarterly Report Form), substituting it for Exhibit F approved under Order No. 15-300. The revised form is updated to remove the information deleted from Paragraph 12.

### 3. *Amendments Related to Handset Requirements*

The Joint Motion asks to modify the requirement that i-wireless provide Oregon customers with the option for a free handset and to allow i-wireless discretion to offer a free handset except in specified circumstances, as provided in the revised Paragraph 40 and additional Paragraphs 40.1, 40.2, and 40.3.

40. ~~Upon designation,~~ i-wireless may will provide applicants approved for i-wireless[']s Oregon Lifeline service with the option to receive a free handset. However, when i-wireless provides OTAP supported service consistent with paragraphs 40.1, 40.2, and 40.3 below, and receives compensation from the State of Oregon pursuant to OAR 860-033-0045, i-wireless will make available the option to apply online for Oregon Lifeline service and, upon notice of applicant approval from the Commission, i-wireless will send the successful applicant a free handset. All handsets offered will have immediate E911 functionality. The cost of the free handset is borne by i-wireless. No portion of the handset costs is subsidized either by the federal Universal Service Fund or the RSPF. ~~i-wireless will provide one free phone per year that is reported lost or stolen as long as the customer is an active i-wireless subscriber approved for Lifeline service.~~ i-wireless will provide one free phone to replace a handset that an applicant approved for Lifeline service received from i-wireless if the applicant reports the handset as defective within sixty (60) days of receipt and troubleshooting by the Company does not resolve the defect.

40.1 For the twelve-month period from July 1, 2022 to July 1, 2023 (“Initial 12-month period”), i-wireless shall offer the OTAP-supported service for Lifeline-only service plans and may seek compensation from the State of Oregon as provided in OAR Chapter 860, Division 33 for the OTAP-supported service for Lifeline-only service plans. During this Initial 12-month period, when i-wireless receives compensation from the State of Oregon pursuant to OAR 860-033-0045, i-wireless will provide applicants approved for Oregon Lifeline-only service with the option to receive a free handset. During the Initial 12-month period, i-wireless will accept online applications for service in Oregon without requiring the applicant to provide handset information, such as an IMEI number. i-wireless may request compensation for the State of Oregon monthly support amount of \$10.00 per customer under OAR 860-033-0045 during

this time, provided it meets the minimum service standards of OAR 860-033-0035(1)(c). The requirement to offer unlimited data in OAR 860-033-0035 (1)(c) shall be waived during the Initial 12-month period provided i-wireless provides a monthly 5 GB of data and unlimited talk and text to a customer. The parties support this waiver as appropriate and in the public interest.

40.2 In the event i-wireless decides, at its discretion, during the Initial 12-month period, not to offer the OTAP-supported service for Lifeline-only service plans and will not seek compensation from the State of Oregon pursuant to OAR 860-033-0045 for reasons including but not limited to a federal Minimum Service Standards increase or for economic reasons that impact costs in such a way that makes it impracticable to continue to offer a free handset, the Company will provide 60 days' advance written notice to the Stipulating Parties that identifies the reason(s) for the decision.

40.3 Following the Initial 12-month period, the Stipulating Parties may confer and agree to extend the terms of paragraphs 40.1 and 40.2 for an additional period of time if the extension will be in the best interests of customers, the Commission and the Company.

The parties support the changes due to certain state and federal regulatory developments since Order No. 15-300 was entered, as well as changing market conditions.

## **II. RESOLUTION**

Based on the Joint Motion's identification and discussion of changes in state and federal regulations, as well as changing market conditions, we agree with the proposed amendments to Order No. 15-300. We grant the Joint Motion, and modify Order No. 15-300, Appendix A, paragraphs 12 and 40, Exhibit F, and add additional paragraphs 40.1, 40.2, and 40.3, as set forth above.


## **III. ORDER**

IT IS ORDERED that:

1. The motion to amend filed by i-wireless, Staff of the Public Utility Commission of Oregon, and the Oregon Citizens' Utility Board is granted.

2. Order No. 15-300, Appendix A, Paragraph 12 is modified with text stricken as specified above.
3. Order No. 15-300, Appendix A, Exhibit F (Quarterly Report Form) is modified by replacement of that form by the new form adopted herein and attached as Appendix A, Revised Exhibit F to this order.
4. Order No. 15-300, Appendix A, Paragraph 40 is modified with text stricken as specified above, and Paragraphs 40.1, 40.2, and 40.3 as specified above are added.
5. The remainder of Order No. 15-300 remains unchanged.

Made, entered, and effective Feb 21 2023.



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**Megan W. Decker**  
Chair



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**Letha Tawney**  
Commissioner



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**Mark Thompson**  
Commissioner



A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

REVISED  
Exhibit F Quarterly Report

	Month A	Month B	Month C
<b><u>Non-Usage</u></b>			
Total No. of Subscribers De-Enrolled			
Total No. of Subscribers that Demonstrated Usage During Grace Period			
<b><u>USAC Information</u></b>			
Total Number of Oregon Lifeline Subscribers Claimed for Reimbursement			
Total Amount Received			
<b><u>Phone or SIM Card</u></b>			
Total No. of Subscribers Reporting they did not receive free phone or SIM Card			
Total No. of Subscribers Reporting Issue with Phone or SIM Card			
Total No. of Replacement Phone or SIM Cards Sent			
<b><u>Usage Characteristics</u></b>			
Total No. of Active Subscribers			
Total No. of Subscribers that Depleted All Free Voice Minutes			
Total No. of Subscribers that Depleted All Free Data			
Average Amount of Free Voice Minutes Used by the Subscriber			
Average Amount of Free Data Used by the Subscriber			
<b><u>Add-Ons (Voice)</u></b>			
Total No. of Subscribers That Purchased Additional Voice Minutes			
Average Amount of Voice Minutes Purchased by the Subscriber			
Maximum Amount of Voice Minutes Purchased by a Subscriber			
Minimum Amount of Voice Minutes Purchased by a Subscriber			
<b><u>Add-Ons (Data)</u></b>			
Total No. of Subscribers That Purchased Additional Data			
Average Amount of Data Purchased by the Subscriber			
Maximum Amount of Data Purchased by a Subscriber			
Minimum Amount of Data Purchased by a Subscriber			