

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Communications Division
Carrier Oversight & Programs Branch**

**RESOLUTION T- 17543
DECEMBER 1, 2016**

R E S O L U T I O N

Resolution T-17543. This Resolution approves the request of AmeriMex Communications Corporation (U-4458-C), an Eligible Telecommunications Carrier, to expand its federal Lifeline service area throughout California and to be exempt from the ZIP+4 requirement.

Summary

By this Resolution, the California Public Utilities Commission approves the request of AmeriMex Communications Corporation (U-4458-C), a wireless Eligible Telecommunications Carrier operating in California as "*SafetyNet*," to expand its federal Lifeline service area throughout California and to exempt it from the ZIP+4 requirement.

Background

On September 11, 2013, AmeriMex Communications Corporation (AmeriMex) filed Advice Letter (AL) 2 requesting that the California Public Utilities Commission (CPUC or Commission) designate it as an Eligible Telecommunications Carrier (ETC) to provide federal wireless Lifeline services to eligible households in California within the service area of the Uniform Regulatory Framework (URF) carriers and excluding the Small Local Exchange Carrier (Small LEC)¹ service areas. In Resolution T-17455 (December 4, 2014), the Commission granted AmeriMex ETC designation and required AmeriMex to coordinate with the Small LECs to use their ZIP+4 data to prevent households in the Small LEC territories from receiving federal Lifeline wireless services from AmeriMex.²

On July 2, 2015, the Communications Division (CD) approved AmeriMex's AL 4, granting the company authority to participate in the California LifeLine Program as a wireless provider throughout the state.

¹ The Small LEC group is composed of Calaveras Telephone Co. (U-1004-C), Cal-Ore Telephone Co. (U-1006-C), Ducor Telephone Co. (U-1007-C), Foresthill Telephone Co. (U-1009-C), Happy Valley Telephone Co. (U-1010-C), Hornitos Telephone Co. (U-1011-C), Kerman Telephone Co. (U-1012-C), Pinnacles Telephone Co. (U-1013-C), Ponderosa Telephone Co. (U-1014-C), Sierra Telephone Co. (U-1016-C), Siskiyou Telephone Co. (U-1017-C), Volcano Telephone Co. (U-1019-C), Winterhaven Telephone Co. (U-1021-C), and Frontier Communications West Coast (U-1020-C). These telephone companies generally operate in rural areas and are regulated under rate-of-return regulation.

² See Resolution T-17455, Ordering Paragraphs 9 and 10.

On August 30, 2016, AmeriMex filed AL 12 requesting authority to expand its federal Lifeline service area to offer its currently effective and approved federal Lifeline offerings throughout California where its underlying carriers, Sprint, Verizon, and T-Mobile, offer service. In addition, AmeriMex seeks exemption from Ordering Paragraphs 9 and 10 of Resolution T-17455 that require the ZIP+4 usage, consistent with the Commission's previous approvals of similar requests from other wireless ETCs to operate in Small LEC service territories.

Notice/Protests

AmeriMex served AL 12 via email to all parties on the ETC service list and the California LifeLine Program proceeding list on August 30, 2016, and it appeared in the Commission's Daily Calendar on September 1, 2016. The Commission did not receive protests to this AL filing.

Discussion

The Commission issued Wireless Identification Registration number U-4458-C to AmeriMex on July 30, 2013, as a Commercial Mobile Radiotelephone Services carrier allowing it to operate as a wireless reseller in California. AmeriMex is a wireless service provider, doing business as "*SafetyNet*," that offers federal Lifeline and California LifeLine discounted wireless services. As a reseller, the company procures wholesale network services of underlying carriers, Sprint, Verizon, and T-Mobile. Its principal offices are located at 2323 Curlew Road, Suite 7B, Dunedin, FL, 34698.

The Federal Communications Commission (FCC) in 2012 approved wireless resellers as ETCs to participate in the federal Lifeline program and authorized select state commissions, such as the CPUC, to designate wireless ETCs. In prior Resolutions granting ETC authority, the CPUC had included Ordering Paragraphs that required that wireless ETCs work with Small LECs to obtain ZIP+4 lists of customers to avoid duplicate subscription of Small LEC Lifeline customers. However, Cricket Wireless filed an advice letter in 2013 requesting to expand its service area based on its underlying carriers' existing service areas that included retail customers in the Small LEC areas.³ The Commission granted Cricket's request and, since 2015, the Commission has approved subsequent filings by other wireless ETC resellers to expand their service areas to include the Small LEC territories, such as this one from AmeriMex.⁴ However, since the ZIP+4 requirement was implemented on an individual carrier basis and adopted in Ordering Paragraphs of these Resolutions authorizing ETC authority, carrier requests to remove the ZIP+4 requirement must be approved through a Commission Resolution.

Because granting AmeriMex's federal service area expansion and exemption from the ZIP+4 requirement is consistent with the Commission's previous approvals of other

³ See Resolution T-17266 (*Cricket*).

⁴ See Resolutions T-17462 (*Telrite*), T-17481 (*Air Voice*), T-17467 (*TracFone*), and T-17509 (*Budget PrePay*).

wireless ETCs that requested serving eligible Lifeline customers throughout California where their underlying carriers offer retail service, CD finds AmeriMex's proposal to be in the public interest as it will increase the choices for consumers to participate in the federal Lifeline program. Approving AmeriMex's request will also allow it to align its service area for federal Lifeline with its California LifeLine service, which already includes the entire state.⁵ Further, AmeriMex is in compliance with universal service surcharges and CPUC Annual User Fee filing requests. Therefore, CD recommends approving AmeriMex's request to expand its federal ETC-designated Lifeline service area throughout California, including the Small LEC service territories.

Safety Considerations:

While wireless mobile phone service and E-911 and/or 911 connections have limitations, approval of AmeriMex's request will expand its service area to a greater number of consumers resulting in improved access to public safety services. The Commission reminds AmeriMex of its consumer disclosure responsibilities regarding wireless location accuracy.

Obligations as an ETC and a California LifeLine Provider:

This Resolution extends all the requirements corresponding to its previously authorized participation in the ETC and California LifeLine programs to these requests of new service territory including, but not limited to: filing copies of FCC and Universal Service Administrative Company annual reports with the CD Director; complying with all processes, transmission requirements, eligibility rules, and validation checks administered by the California LifeLine Administrator; submitting marketing materials for CD staff review and approval; requesting service plan changes via the advice letter process; sending outage reports to CD staff; complying with consumer protections and 911 safety requirements; and, submitting its CPUC Annual User Fees and universal service public purpose program surcharges on a timely basis.

Conclusions and Recommendations:

The Commission concurs with CD's recommendation and approves AmeriMex's requests: 1) to expand its ETC-designated service area throughout California including the Small LEC service areas where its underlying carriers, Sprint, Verizon, and T-Mobile, serve retail customers and 2) to exempt AmeriMex from the ZIP+4 requirement.

AmeriMex should file a Tier 2 Advice Letter to request approval for any future changes including, but not limited to: 1) its terms and conditions; 2) its approved federal ETC and California LifeLine wireless service plans; 3) its underlying carrier(s); and, 4) its designated service areas. To offer Lifeline service on tribal lands that qualifies for Enhanced Tribal land support, AmeriMex should file a Tier 2 advice letter demonstrating compliance with 47 C.F.R. Section 54.202(c) and the California LifeLine Program's rules.

⁵ AmeriMex did not request authority to serve Tribal lands at this time.

COMMENTS

In compliance with P.U. Code § 311(g), the Commission emailed a notice letter on October 28, 2016, informing all parties on the ETC service list and the California LifeLine proceeding service list of the availability of this Resolution for public comment at the Commission's website www.cpuc.ca.gov. The notice letter also informed parties that the Commission will post the final conformed Resolution adopted and it will be available at this same website.

CD did not receive comments on this Resolution.

FINDINGS AND CONCLUSIONS

1. AmeriMex Communications Corporation (U-4458-C), doing business as "*SafetyNet*," is a wireless Eligible Telecommunications Carrier that offers federal Lifeline and California LifeLine discounted wireless services and procures wholesale network services of underlying carriers, Sprint, Verizon, and T-Mobile.
2. On August 30, 2016, AmeriMex Communications Corporation filed Advice Letter 12 requesting authority to expand its federal Eligible Telecommunications Carrier service area throughout California and exemption from the ZIP+4 requirement granted in Ordering Paragraphs 9 and 10 in Resolution T-17455.
3. Communications Division finds it in the public interest to approve AmeriMex Communications Corporation's request to expand its Eligible Telecommunications Carrier service area throughout California where its underlying carriers offer retail service, including in the Small LECs' territories, and to exempt AmeriMex Communications Corporation from the ZIP+4 requirement.
4. This Resolution extends all the requirements corresponding to its previously authorized participation in the ETC and California LifeLine programs to these requests of new service territory including, but not limited to: filing copies of Federal Communications Commission and Universal Service Administrative Company annual reports with the Communications Division Director; complying with all processes, transmission requirements, eligibility rules, and validation checks administered by the California LifeLine Administrator; submitting marketing materials for Communications Division staff review and approval; requesting service plan changes via the advice letter process; sending outage reports to Communications Division staff; complying with consumer protections and 911 safety requirements; and, submitting its CPUC Annual User Fees and universal service public purpose program surcharges on a timely basis.

5. AmeriMex Communications Corporation should file a Tier 2 Advice Letter to request approval for any future changes including, but not limited to: 1) its terms and conditions; 2) its approved federal Eligible Telecommunications Carrier and California LifeLine wireless service plans; 3) its underlying carrier(s); and, 4) its designated service areas. To offer federal Lifeline service on Tribal lands that qualifies for Enhanced Tribal support, AmeriMex Communications Corporation should file a Tier 2 advice letter demonstrating compliance with 47 Code of Federal Regulations Section 54.202(c) and California LifeLine Program rules.
6. On October 28, 2016, the Commission emailed a draft of this Resolution to the Eligible Telecommunications Carrier service list and the California LifeLine Program proceeding service list for public comments.
7. Communications Division did not receive comments on this Resolution.

THEREFORE, IT IS ORDERED that:

1. The Commission approves the request of AmeriMex Communications Corporation (U-4458-C), doing business as "*SafetyNet*," to expand its Eligible Telecommunications Carrier service area throughout California where its underlying carriers, Sprint, Verizon, and T-Mobile, provide retail service and to be exempt from the ZIP+4 requirement.
2. AmeriMex Communications Corporation's shall continue to be obligated to all previously approved Commission requirements including, but not limited to: filing copies of Federal Communications Commission and Universal Service Administrative Company annual reports with the Communications Division Director; complying with all processes, transmission requirements, eligibility rules, and validation checks administered by the California LifeLine Administrator; submitting marketing materials for Communications Division staff review and approval; requesting service plan changes via the advice letter process; sending outage reports to Communications Division staff; complying with consumer protections and 911 safety requirements; and, submitting its California Public Utilities Commission Annual User Fees and universal service public purpose program surcharges on a timely basis.
3. AmeriMex Communications Corporation shall use a Tier 2 Advice Letter to request approval for any future changes including, but not limited to: 1) its terms and conditions; 2) its approved federal Eligible Telecommunications Carrier and California LifeLine wireless service plans; 3) its underlying carrier(s); and, 4) its designated service areas. To offer Lifeline service on Tribal lands that qualifies for Enhanced Tribal land support, AmeriMex Communications Corporation, shall use a Tier 2 advice letter demonstrating compliance with 47 Code of Federal Regulations Section 54.202(c) and the California LifeLine Program's rules.

This Resolution is effective today.

I certify that the foregoing Resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on December 1, 2016, the following Commissioners voting favorably thereon:

/s/Timothy J. Sullivan

TIMOTHY J. SULLIVAN
Executive Director

MICHAEL PICKER
President
MICHEL PETER FLORIO
CATHERINE J.K. SANDOVAL
CARLA J. PETERMAN
LIANE M. RANDOLPH
Commissioners

Resolution T- 17543
CD/ABA

APPENDIX A

Attachment A
Resolution T-17543
AmeriMex Communications Corporation

**Proposed Service Area for Federal Lifeline Wireless
ETC Service throughout California**



(END OF APPENDIX A)