



**Federal Communications Commission
Washington, D.C. 20554**

December 5, 2008

DA 08-2669

Scott Barash
Universal Service Administrative Company
2000 L Street, NW
Suite 200
Washington, DC 20036

Dear Mr. Barash:

As you know, the Commission conditionally granted TracFone forbearance from the requirement that ETCs provide services over their own facilities, and granted TracFone ETC designation for the limited purpose of receiving low-income universal service support under the Lifeline support mechanism.¹ The Commission's grant of forbearance was conditioned on the requirement that TracFone obtain a certification from each PSAP where it provides Lifeline service confirming that TracFone provides its customers with access to basic and enhanced 911 service.² To comply with this condition, TracFone is required to obtain PSAP certification in those areas where it offers Lifeline service.

To be clear, TracFone is not required to obtain certification from every PSAP within a state prior to receiving Lifeline support in any part of that state. Rather, TracFone is required to obtain certification from each PSAP in those areas where it offers Lifeline service prior to receiving Lifeline support in those areas of the state. Therefore, TracFone should be required to demonstrate that it has obtained PSAP certification for all areas within which it provides Lifeline service, including the area(s) in which it sells such service and all area(s) within which it bills a customer or has a registered customer address. TracFone should, however, demonstrate that it plans to obtain certifications from PSAPs throughout the rest of its licensed service areas within a state within a reasonable period of time.

USAC should implement this condition consistent with the Commission's orders, as explained above. Please let me know if you require further information or have any questions.

Sincerely,

Dana R. Shaffer
Chief
Wireline Competition Bureau

¹ *Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i)*, CC Docket No. 96-45, Order, 20 FCC Rcd 15095 (2005) (*TracFone Forbearance Order*); *Federal-State Joint Board on Universal Service, TracFone Wireless, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the State of New York et al.*, CC Docket No. 96-45, Order, 23 FCC Rcd 6206 (2008) (*TracFone ETC Designation Order*) (designating TracFone as an ETC for Lifeline support only in New York, Virginia, Connecticut, Massachusetts, Alabama, North Carolina, Tennessee, Delaware, New Hampshire, Pennsylvania, and the District of Columbia).

² *TracFone Forbearance Order*, 20 FCC Rcd at 15102, para. 16; *see also TracFone ETC Designation Order*, 23 FCC Rcd at 6215, para. 22 (declining TracFone's request to modify the forbearance condition requiring TracFone to obtain the required certification from each PSAP).