

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Telecommunications Carriers Eligible for) WC Docket No. 09-197
Universal Service Support)
)
)

ORDER

Adopted: November 25, 2014

Released: November 25, 2014

By the Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. In this order, we approve requests filed by T-Mobile USA, Inc., (T-Mobile) to relinquish its eligible telecommunications carrier (ETC) designations in Alabama, Connecticut, Delaware, New Hampshire, New York, North Carolina, Tennessee, and the District of Columbia. The relinquishments shall be effective on December 31, 2014.¹

2. Section 214(e)(6) of the Communications Act of 1934, as amended (the Act), authorizes the Federal Communications Commission to designate a carrier as an ETC when a state commission lacks jurisdiction.² Section 214(e)(4) of the Act provides that the Commission “shall permit” an ETC to relinquish its designation “in any area served by more than one” ETC so long as “the remaining [ETCs] ensure that all customers served by the relinquishing carrier will continue to be served.”³ Consistent with this statutory requirement, once the requesting ETC makes the requisite showing under section 214(e)(4), a state commission or this Commission grants the request for relinquishment.

3. The Wireline Competition Bureau designated T-Mobile as an ETC on August 16, 2012.⁴ Pursuant to section 214(e) of the Act, T-Mobile filed notice of its intent to relinquish the ETC designations that it holds in Alabama, Connecticut, Delaware, New Hampshire, New York, North Carolina, Tennessee, and the District of Columbia.⁵ In its filings, T-Mobile states that various carriers are designated as ETCs in the areas in which it seeks to relinquish its designations.⁶ T-Mobile indicates that it will continue to offer service as a non-ETC in these areas.⁷ T-Mobile also indicates that it will provide

¹ See Notice of Relinquishment of Lifeline-Only Eligible Telecommunications Carrier Designations, WC Docket No. 09-197 (filed Sep. 12, 2014); Notice of Relinquishment of Lifeline-Only Eligible Telecommunications Carrier Designations, WC Docket No. 09-197 (filed Nov. 3, 2014) (collectively, T-Mobile Relinquishment Notices).

² 47 U.S.C. §214(e)(6).

³ 47 U.S.C. § 214(e)(4).

⁴ See T-Mobile Wireless Relinquishment Notices at 1; see *In the Matter of Telecommunications Carriers Eligible for Universal Service Support Petition of T-Mobile USA, Inc. for Designation as a Low-Income Eligible Telecommunications Carrier*, WC Docket No. 96-45, Order, 27 FCC Rcd 9495 (Wireline Comp. Bur. 2012).

⁵ See T-Mobile Relinquishment Notices at 1.

⁶ *Id.* at 2, Exh. A (listing wire centers where T-Mobile is designated to provide service and which is also served by the incumbent local exchange carrier).

⁷ *Id.* at 2.

written notice to each of its current Lifeline customers, advising the customer that although the company will discontinue providing Lifeline service, Lifeline discounts may be obtained from another provider.⁸ Additionally, T-Mobile states that it will not impose an early termination fee on any Lifeline customer who changes to another service provider.⁹ Based on these circumstances, including our finding that T-Mobile has demonstrated that various carriers designated as ETCs in the areas in which it seeks to relinquish its designation will continue to serve T-Mobile's Lifeline subscribers, we conclude that it is appropriate to grant T-Mobile's request to relinquish its ETC designations.¹⁰

4. Accordingly, IT IS ORDERED that, pursuant to the authority contained in section 214(e)(4) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(e)(4), and the authority delegated in sections 0.91 and 0.291 of the Commission's Rules, 47 C.F.R. §§ 0.91, 0.291, the ETC designations of T-Mobile USA, Inc. in Alabama, Connecticut, Delaware, New Hampshire, New York, North Carolina, Tennessee, and the District of Columbia as provided herein, ARE RELINQUISHED, effective December 31, 2014.¹¹

5. IT IS FURTHER ORDERED that, T-Mobile SHALL TRANSMIT a copy of this order to each of the relevant state commissions and the Universal Service Administrative Company.

6. IT IS FURTHER ORDERED that, pursuant to section 1.102(b)(1) of the Commission's rules, 47 C.F.R. § 1.102(b)(1), this order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Ryan B. Palmer
Chief
Telecommunications Access Policy Division
Wireline Competition Bureau

⁸ *Id.* at 2-3.

⁹ *Id.* at 3.

¹⁰ *Id.* at 2, Exh. A; 47 U.S.C. § 214(e)(4).

¹¹ Effective December 31, 2014, the Universal Service Administrative Company shall discontinue the eligibility of the study area codes assigned to T-Mobile in Alabama, Connecticut, Delaware, New Hampshire, New York, North Carolina, Tennessee, and the District of Columbia.