

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 a request filed by AT&T Services, Inc. (AT&T) on behalf of its affiliate Cricket Communications, Inc. (Cricket) to relinquish its eligible telecommunications carrier (ETC) designations in the District of Columbia, New York, North Carolina, Tennessee and Virginia.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 Cricket as an ETC on June 13, 2012.⁴ Pursuant to section 214(e) of the Act, Cricket filed notice of its intent to relinquish its ETC designations in the District of Columbia, New York, North Carolina, Tennessee, and Virginia.⁵ In its filing, Cricket provides a list (by state and by wire center) of the incumbent local exchange carrier (ILEC) ETCs as well as a list (by state) of the competitive ETCs providing service in Cricket’s service area.⁶ Cricket indicates

¹ See AT&T Services, Inc. on behalf of its affiliate Cricket Communications, Inc., Notice of Relinquishment of Eligible Telecommunications Carrier Designations, WC Docket No. 09-197 (filed Oct. 14, 2014) (Cricket Relinquishment Notice). Specifically, Cricket seeks to relinquish its ETC designations in the District of Columbia (study area code (SAC) 579006) effective February 29, 2015; New York (SAC 159025) effective February 28, 2015; North Carolina (SAC 239027) effective June 30, 2015; Tennessee (SAC 299024); effective July 31, 2015; and Virginia (SAC 199017) effective April 30, 2015. AT&T states that it will sunset Cricket’s CDMA network and migrate Cricket’s remaining CDMA-based customers off of Cricket’s CDMA network, and for administrative efficiency and an orderly migration, Cricket is staggering the effective dates of the requested relinquishment. See Cricket Relinquishment Notice at 2.

² 47 U.S.C. § 214(e)(6).

³ 47 U.S.C. § 214(e)(4).

⁴ See Cricket Relinquishment Notice at 1; *Telecommunications Carriers Eligible for Universal Service Support; i-wireless, LLC Amended Petition for Designation as an Eligible Telecommunications Carrier; Amended Petition of Cricket Communications, Inc. for Designation as an Eligible Telecommunications Carrier*, WC Docket No. 09-197, Order, 27 FCC Rcd 6263 (2012).

⁵ See Cricket Relinquishment Notice at 1.

⁶ *Id.* at 2, Attach.

that it will continue to offer service as a non-ETC in these areas.⁷ Cricket also indicates that it will provide 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, Cricket states that it will not impose an early termination fee on any Lifeline customer who opts to leave Cricket in order to obtain Lifeline discounted service from another provider.⁹ Based on these circumstances, including our finding that Cricket has demonstrated that various carriers designated as ETCs in the areas in which it seeks to relinquish its designation will continue to serve Cricket's Lifeline subscribers, we conclude that it is appropriate to grant Cricket'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 AT&T Services, Inc./Cricket Communications, Inc. ARE RELINQUISHED, effective February 28, 2015 in the District of Columbia (SAC 579006) and New York (SAC 159025), effective June 30, 2015 in North Carolina (SAC 239027) effective July 31, 2015 in Tennessee (SAC 299024), and effective April 30, 2015 in Virginia (SAC 199017).¹¹

5. IT IS FURTHER ORDERED that, Cricket 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

⁷ *Id.* at 2. Cricket states that it will offer an unlimited talk and text plan for \$25 a month to all consumers, including low-income consumers. *Id.*

⁸ *Id.* at 3.

⁹ *Id.*

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

¹¹ The Universal Service Administrative Company shall discontinue the eligibility of the SACs assigned to Cricket in the District of Columbia, New York, North Carolina, Tennessee, and Virginia according to the effective dates established in this order.