

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

In the Matter of)
Requests for Review of Decisions of the Universal)
Service Administrator by)
Assist Wireless, Inc., et al.) WC Docket No. 11-42
Lifeline Universal Service Support Mechanism) WC Docket No. 03-109

ORDER

Adopted: October 1, 2018

Released: October 1, 2018

By the Chief, Wireline Competition Bureau:

1. In this Order, the Wireline Competition Bureau (Bureau) addresses a request for correction of its earlier decision1 denying review of decisions made by the Universal Service Administrative Company (USAC) concerning duplicative support from the Lifeline program. On June 6, 2018, counsel for one of the companies seeking review of the USAC decisions filed a letter requesting removal of the company’s appeals from the Bureau’s IDV Appeal Order because those appeals previously had been withdrawn.2 Based on our review, we reverse in part.

2. In the IDV Appeal Order, the Bureau inadvertently erred in denying the appeals submitted by Easy Wireless, Global Connection, Inc., i-Wireless, LLC, and Telrite Corporation. In December 2017, these four providers each entered into consent decrees with the Commission in which they withdrew their requests for review that were among the appeals that the Bureau denied in its May 2018 order.3 When the Bureau issued the denial order, these four parties did not have pending appeals for the Bureau to consider, and the Bureau’s inclusion of these appeals in the IDV Appeal Order was thus in error. Accordingly, the Bureau now reverses that order in part to remove the Easy Wireless, Global Connection, Inc., i-Wireless, LLC, and Telrite Corporation appeals.

1 Requests for Review of Decisions of the Universal Service Administrator et al., Order, WC Docket Nos. 11-42, 03-109, DA 18-464, at paras. 1, 7 and Appendix (WCB May 7, 2018) (IDV Appeal Order, denying 14 requests for review of USAC decisions).

2 Letter from John J. Heitmann, Counsel for Telrite Corporation d/b/a Life Wireless, to Ajit Pai, Chairman Federal Communications Commission, WC Docket Nos. WC 11-42, 03-109 (June 6, 2018). As discussed below, the IDV Appeal Order erroneously denied appeals that had previously been withdrawn. Although the Telrite letter requested that the Commission issue an erratum to correct this error, we will treat the letter as a timely filed petition for reconsideration of this aspect of the order. As noted, the same error raised in the Telrite letter also affected three other companies whose appeals had also been withdrawn.

3 See Telrite Corporation d/b/a Life Wireless, Order and Consent Decree, 32 FCC Rcd 10974, 10979-10980, 10986, para. 11 and Attachment 1 (2017); Easy Telephone Services d/b/a/ Easy Wireless, Order and Consent Decree, 32 FCC Rcd 10932, 10937-38, 10944, para. 11 and Attachment 1 (2017); Global Connection Inc. of America d/b/a Stand Up Wireless, Order and Consent Decree, 32 FCC Rcd 10946, 10951-52, 10958, para. 11 and Attachment 1 (2017); i-Wireless LLC, Order and Consent Decree, 32 FCC Rcd 10960, 10965-66, 10972, para. 11 and Attachment 1 (2017).

3. Accordingly, IT IS ORDERED that, pursuant to the authority contained in sections 1.106(j) and (k) of the Commission's rules, 47 CFR § 1.106(j) and (k), the Bureau's May 7, 2018, Order denying 14 requests seeking review of USAC's decision concerning duplicative support is REVERSED IN PART to the extent provided herein, and as indicated in the attached Revised Appendix.

4. IT IS FURTHER ORDERED that pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

REVISED APPENDIX

Petitioner	Month of IDV Review	Relevant State(s)	USAC Finding Issued	Request for Review date
Assist Wireless, LLC	Mar. 2013	Oklahoma	Nov. 1, 2013	Dec. 31, 2013
Assist Wireless, LLC	Apr. 2013	Oklahoma	Dec. 30, 2013	Feb. 28, 2014
Boomerang Wireless, LLC	Mar. 2013	Iowa	Dec. 30, 2013	Jan. 7, 2014
	Apr. 2013	Oklahoma	Dec. 30, 2013	Jan. 7, 2014
Head Start Telecom, Inc.	Mar. 2013	Oklahoma	Nov. 1, 2013	Dec. 30, 2013
Head Start Telecom, Inc.	Apr. 2013	Oklahoma	Dec. 30, 2013	Feb. 28, 2014
Nexus Communications, Inc.	Feb. 2013	New Jersey	Nov. 1, 2013	Feb. 28, 2014
	Mar. 2013	Georgia, Louisiana	Nov. 1, 2013	Feb. 28, 2014
	Mar. 2013	Ohio	Dec. 30, 2013	Feb. 28, 2014
	Apr. 2013	Illinois, Mississippi, Kansas	Dec. 30, 2013	Feb. 28, 2014
	Apr. 2013	Michigan	Dec. 30, 2013	Feb. 28, 2014
True Wireless, LLC	June-Nov. 2013	Arkansas, Maryland, Oklahoma	Dec. 31, 2013	Mar. 4, 2014