

July 13, 2012

VIA OVERNIGHT DELIVERY AND EMAIL

Public Utility Commission of Oregon
ATTN: Filing Center
550 Capitol Street NE, Suite 215
Salem, OR 97301

Re: Docket Number UM 1589
2012 Annual ETC Recertification Report

Dear Sir or Madam:

Attached please find an original and two copies of the 2012 Annual ETC Recertification Report of TracFone Wireless Inc. ("TracFone"). Please note that TracFone was designated as an ETC on May 2, 2012. It has not launched its Oregon Lifeline service yet. It has no Lifeline customers at this time, and has not begun advertising Lifeline service.

If you have any questions, please feel free to contact me at (305) 715-3613, or sathanson@tracfone.com.

Sincerely,



Stephen Athanson
Regulatory Counsel

Enc.

DOCKET NO. UM 1589

**Required Cover Sheet for Submission of
2012 Annual ETC Recertification Reports
Filing Deadline: Monday, July 16, 2012**

Name of Eligible Telecommunications Carrier: TracFone Wireless Inc.

Filing date: July 13, 2012

Is this: Original submission? X

OR

Revised submission? _____ If revised, please identify which reports
are being revised _____

Person to contact for questions:

Name Stephen Athanson

Phone number (305) 315-3613

E-mail address sathanson@tracfone.com

Filing instructions: Please file reports under Docket No. UM 1589. File reports electronically via the PUC Filing Center. You may email reports to PUC.FilingCenter@state.or.us or see the PUC website for further instructions if you need to upload rather than send via email. If selected portions of reports, e.g., network improvement plans, are to receive confidential treatment, those portions should not be filed electronically.

Also send one original and 2 hard copies to the PUC Filing Center. Hard copies of confidential material should be filed in accordance with confidential designation requirements described in OAR 860-011-0080. Regular delivery methods may be used to send all hard copy documents; overnight or express delivery is not necessary. Send documents to the Filing Center using one of the two following addresses, depending on the delivery carrier used:

For US mail: Public Utility Commission of Oregon
Attn: Filing Center
PO Box 2148
Salem, OR 97308-2148

For other carriers: Public Utility Commission of Oregon
Attn: Filing Center
550 Capitol St. NE #215
Salem, OR 97308-2148

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Report Completion Reminders: Before submitting, please be certain you have completed **all** parts of each question and have included all attachments. If any responses are "0", fill in the line with a "0" rather than leave it blank.

Give yourself time to do the report and submit it before the due date. Fewer mistakes are made this way and if there are problems, they can be corrected prior to the due date.

Advertising documentation has been a problem area in the past. Please be certain you have complied with all requirements of the reports and with the notes below.

Please send copies of advertisements that pertain to voice services (not DSL, broadband, or data) and to Low Income Program services that your company offers.

Advertisements must include rates for the services. While some of the ads can relate to voice services that are bundled or packaged with other services, you must also submit evidence of advertisements for stand-alone basic service offerings and rates. Low Income Program ads should include those services specifically relating to the Lifeline/OTAP service offerings.

Completely respond to the requirements regarding advertising. The reports ask for dates, distribution methods and target geographical populations. Complete that information in the response portion of the question. Simply attaching the advertisement and the bill is not acceptable. Your report will be rejected if these questions are not fully completed.

"Advertising" that is only found in the phone directory, bill stuffers and/or on the company's website is not acceptable. Lifeline/OTAP advertisements should be in places where those who might need the services are likely to see or hear about them. Outside of the local newspaper and radio or TV spots, some examples of where to place such advertising might include the library, post office, grocery stores, and social service offices.

If you have any questions on these reports, please call Celeste Hari at 503-378-6628 or Kay Marinos at 503-378-6730.

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2012 Annual Recertification Reports for ETCs in Oregon

Docket No. UM 1589

Report Formats to Satisfy Requirements of Order No. 06-292 for 2012

Report #1 Supported Services Offerings

- 1.1. Basic Local Usage Service Offerings – **All ETCs**
- 1.2. Comparable Local Usage Plan – **CETCs only**
- 1.3. Supported Services Not Provided – **CETCs only**
- 1.4. Equal Access Acknowledgement – **CETCs only**

Report #2 Unfulfilled Service Requests

- 2.1. Unfulfilled Service Requests/Held Orders – **All ETCs**
- 2.2. Service Request Processing – **CETCs only**

Report #3 Evidence of Advertising for Basic Supported Services - **All ETCs**

Report #4 Low-income Services – **All ETCs**

- 4.1. Number of Lifeline Customers
- 4.2. Advertising of Low-income Program Service Offerings

Report #5 Outage Report – **All ETCs**

Report #6 Trouble Report – **All ETCs**

Report #7 Network Improvement Plan – **CETCs only**

Report #8 Special Commitments/Requirements – **CETCs only**

Report #9 Certifications – **All ETCs**

- 9.1. IAS or ICLS Certification Copy – **All ETCs Receiving IAS or ICLS**
- 9.2. Certification of Use of Universal Service Funds – **All ETCs Receiving High-Cost Support**
- 9.3. Certification of Emergency Functionality and Compliance with Service Quality/Consumer Protection Measures – **All ETCs**

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Report #1 – Supported Services Offerings

1.1. Basic Local Usage Service Offerings – All ETCs

Choose either A. or B. below, as applicable:

- A. Basic local usage service offerings are filed under tariff with the Oregon PUC. The specific tariff references (**with company name, tariff number, section and page numbers**) for the basic local usage offerings and corresponding rates are:
- B. Basic local usage service offerings are **not** filed under tariff with the Oregon PUC. Submit the following information for each basic service offering that includes local usage allowances (unlimited or limited): 1) plan’s name, 2) advertised public description, 3) number of local minutes included, 4) calling area included, and 5) rates and charges. Include basic offerings for both residence and business services.

1.2. Comparable Local Usage Plan – CETCs only

The carrier certifies that it offers at least one basic local usage plan that is comparable to those offered by the ILECs in its designated service area: yes no

Identify which of the plans in 1.1.B above are “comparable” to the ILEC local usage offerings, and explain the basis for the comparability. TracFone certifies that it offers a local usage plan “comparable” to those of the incumbent LECs serving relevant service areas. However, TracFone notes that “comparable” does not mean “identical.” There are significant differences between wireline and wireless service offerings. Unlike traditional wireline offerings, TracFone does not offer unlimited local service at flat rates. Instead, its service may be used by customers for all manner of calls – local, long distance, intrastate, and interstate, as well as international calls to more than 60 destinations. There are no separate toll charges and no roaming charges. In addition, TracFone customers receive at no additional charge such vertical service features as call waiting and caller ID. Typically, incumbent wireline LECs charge additional fees for such service features. Given these intrinsic differences between wireline and wireless services, TracFone’s SafeLink Wireless service is comparable with that provided by wireline incumbent LECs.

1.3. Supported Services Not Provided – CETCs only

Identify any supported services that were not available at designation, but were to be provided as a condition of ETC designation (e.g., toll restriction for qualifying low-income consumers, E911): None

Are these services provided currently? yes no

If no, explain why not: _____

1.4. Equal Access Acknowledgement – CETCs only

The carrier acknowledges that it may be required to provide equal access if it is the only remaining ETC in an area: yes no

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Report #2 – Unfulfilled Service Requests

2.1. Unfulfilled Service Requests/Held Orders – All ETCs

Choose either A. or B. below, as applicable:

- A. ___ Service quality reports for “primary held orders over 30 days” were filed with the Oregon PUC for calendar year 2011. No additional submission is required for recertification purposes.
- B. X Service quality reports for “primary held orders over 30 days” were **not** filed with the Oregon PUC for calendar year 2011. In this case, choose **one** of the following alternatives for reporting:
1. ___ The number of customer requests for supported services that were not fulfilled during calendar year 2011: 0.
If greater than zero, include an attachment noting for each such request, the location (address) of the request and a description of attempts to provide service.
 2. ___ The number of “primary held orders over 30 days” (as defined in Section 860-034-0390 of the Oregon Commission rules) for calendar year 2011: _____.
If greater than zero, include attachment noting for each such held order, the reason the order was held and the original commitment date.

2.2. Service Request Processing - CETCs only

Submit a description of how the carrier ensures that every request for service that cannot be immediately fulfilled is recorded and processed under the 6-step process set forth in 47 CFR Section 54.202(a)(1)(i).

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Report #3 – Evidence of Advertising for Basic Supported Services (excluding low-income/lifeline) – All ETCs

Describe how basic supported services were advertised during calendar year 2011 throughout the designated service area. List the types of media used, advertising frequencies and geographic coverage. Attach examples of actual advertisements, noting dates, specific distribution methods, and target geographical populations, sufficient to demonstrate that basic supported services and rates were advertised **throughout** the designated service area in 2011.

TracFone offers Lifeline service under its SafeLink brand, which is a Lifeline only product. TracFone was not designated as an ETC in Oregon until May 2, 2012, and has not yet begun offering SafeLink in Oregon. Therefore it has not yet begun advertising the Basic Supported Services which will form the basis of its Lifeline offering.

Note that TracFone currently provides service under the brand names TracFone, Net10 and StraightTalk. These are not Lifeline products.

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Report #4 – Low-income Services – All ETCs

4.1. Number of Lifeline Customers – All ETCs

The total number of customers receiving Lifeline discounts during the month of December 2011 in the designated service area: 0 .

CETCs only - also list counts by ILEC service area as follows:

<u>ILEC Svc Area</u>	<u>No. of Lifeline customers</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

4.2. Advertising of Low-Income Program Service Offerings – All ETCs

Submit copies of all advertisements (for all media) for Lifeline, LinkUp, and OTAP service offerings that were run during calendar year 2011, noting media (newspaper name, radio station, bill inserts, internet postings, etc.), run/distribution dates, and geographic coverage area.

TracFone was not designated as an ETC in Oregon until May 2, 2012, and has not yet begun offering Lifeline service in Oregon. Therefore it has not yet begun advertising.

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Report #5 – Outage Report – All ETCs

Choose either A. or B. below, as applicable:

A. _____ Carrier was required to report service outages (as defined in Oregon PUC Rules at Sections 860-034-0390(9) for small telecom utilities, 860-023-0055(9) for large telecom utilities, and 860-032-0012(9) for competitive telecom providers) to the Oregon PUC during year 2011. No additional submission is required for recertification purposes.

B. X Carrier was *not* required to report service outages (as defined in Oregon PUC Rules at Sections 860-034-0390(9) for small telecom utilities, 860-023-0055(9) for large telecom utilities, and 860-032-0012(9) for competitive telecom providers) to the Oregon PUC during year 2011. Select #1 (wireline carriers) or #2 (wireless carriers) below.

1. _____ The number of service outages, as defined in Oregon PUC rules, that occurred during calendar year 2011 was 0.

If the number was greater than zero, attach a report that lists for each such outage the following: the date and time of onset, a brief description of the outage and its resolution, the particular services affected, the geographic areas affected, steps taken to prevent a similar future occurrence, and the number of customers affected.

2. _____ The number of service outages, as defined in FCC rules at 47 CFR Section 54.209(a)(2), that occurred during calendar year 2011 was _____. (Note: Section 54.209(a)(2) became Section 54.313(a)(2) as a result of the FCC's November 2011 USF/ICC Reformation Order, FCC 11-161.)

If the number was greater than zero, attach a report that lists for each such outage the following: the date and time of onset, a brief description of the outage and its resolution, the particular services affected, the geographic areas affected, steps taken to prevent a similar future occurrence, and the number of customers affected.

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Report #6 – Trouble Report – All ETCs

Choose **either A. or B.** below, as appropriate:

A. ____ Trouble reports were filed with the Oregon PUC for calendar year 2011 per Oregon PUC service quality rules. No additional submission is required for recertification purposes.

B. X Trouble reports were **not** filed with the Oregon PUC during calendar year 2011. In this case, choose **one** of the following alternatives for reporting:

1. ____ The average monthly number of customer trouble reports received per 100 wireless handsets for supported services during calendar year 2011, for each company switch.

<u>Trouble Type</u>	<u>Switch A (location)</u>	<u>Switch B (location)</u>
No service	_____	_____
Network busy	_____	_____
Interruption of service	_____	_____
Poor reception	_____	_____

2. X The average monthly number of customer trouble reports, as defined in Section 860-034-0390 (5) of the Oregon PUC rules, per 100 access lines, received during calendar year 2011: 0 per month, per 100 working access lines.

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Report #7 – Network Improvement Plan – CETCs Only

Per Docket No. UM 1217, Order No. 06-292, competitive ETCs (CETCs) must file network improvement plans annually for recertification purposes. Appendix A of the order details the information that must be included in such plans. Only CETCs must file these plans for annual recertification purposes; ILECs are not required to file such plans. CETCs that receive *only* low-income program support (no high-cost or access-related support) do not have to file network improvement plans. CETCs are strongly encouraged to use the template in the attached Excel worksheets for their network improvement plans. This template incorporates all the items of information required by the order.

TracFone has been designated for low-income support only. Therefore it is not required to provide a Network Improvement Plan

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Report #8 – Special Commitments/Requirements – CETCs only

Did the Oregon PUC impose any special commitments or requirements at initial designation or during the previous annual recertification process? yes ____ no X

If yes, identify the commitments or requirements and explain if, and how, they have been met.

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Report #9 – Certifications - All ETCs

9.1. IAS or ICLS Certification Copy – All ETCs Receiving ICLS

All ETCs that will receive ICLS support during 2012 must submit a copy of the certification for the use of ICLS support that was sent to USAC and the FCC in June 2012. The FCC eliminated the similar requirement for IAS certifications support this year; therefore, no copies of FCC certifications for IAS are to be submitted with this report.

9.2. Certification of Use of Universal Service Funds – All ETCs receiving High-Cost Support

To continue receiving federal high-cost support, ETCs must submit a notarized affidavit signed by a responsible company official certifying that the carrier has used, and will use, the high cost support funds only for the intended purposes. Use of the sample affidavit form displayed on the following page is recommended.

9.3. Certification of Emergency Functionality and Compliance with Service Quality and Consumer Protection Measures – All ETCs

Each ETC must submit a notarized affidavit signed by a responsible company official certifying that the carrier: 1) is able to remain functional in an emergency, and 2) is complying with all service quality and consumer protection measures in either the applicable Oregon Commission rules (for wireline carriers), the CTIA Consumer Code (for wireless carriers), or some other specific set of standards. All ETCs must submit this affidavit. A copy of an acceptable affidavit form follows the affidavit for high cost support.

(Revised 6-11-12)

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AFFIDAVIT CERTIFYING USE OF UNIVERSAL SERVICE FUNDS

I, Stephen Athanson, being of lawful age and duly sworn, on my oath, state that I am the Regulatory Counsel of TracFone Wireless Inc. ("Company") and that I am authorized to execute this Affidavit on behalf of the Company, and the facts set forth in this Affidavit are true to the best of my knowledge, information and belief.

Pursuant to the rules of the Federal Communications Commission, 47 C.F.R. § 54.314, there must be annual certification that funds received under the federal Universal Service Fund programs have been and will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended. The Company hereby certifies to the Public Utility Commission of Oregon that pursuant to 47 C.F.R. § 54.7, and for purposes of the certification required under 47 C.F.R. § 54.314, the company has in the preceding calendar year, and will in the coming calendar year, use all federal high-cost support provided to it only for the provision, maintenance and upgrading of facilities and services for which the support is intended.

DATED this 13th day of July, 2012.

TracFone Wireless Inc.

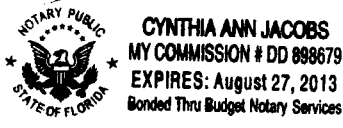
By: [Signature] (Name)

Its: Regulatory Counsel (Title)

SUBSCRIBED AND SWORN to before me this 13th day of July, 2012.

[Signature]
Notary public in and for the State of Florida

My Commission Expires: August 27, 2013



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AFFIDAVIT CERTIFYING EMERGENCY FUNCTIONALITY AND COMPLIANCE WITH SERVICE QUALITY AND CONSUMER PROTECTION MEASURES

I, Stephen Athanson, being of lawful age and duly sworn, on my oath, state that I am the Regulatory Counsel of TracFone Wireless Inc. ("Company") and that I am authorized to execute this Affidavit on behalf of the Company, and the facts set forth in this Affidavit are true to the best of my knowledge, information and belief.

The Company hereby certifies to the Public Utility Commission of Oregon, pursuant to the requirements of Commission Order No. 06-292, that it:

- 1) is able to remain functional in emergencies, and,
- 2) complies with service quality and consumer protection measures in

(check one):


applicable Oregon Commission rules, or

the CTIA Consumer Code for Wireless Carriers, or

other (describe and explain conformance with requirements of Order No. 06-292): _____

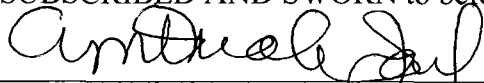
DATED this 13th day of July, 2012.

TracFone Wireless Inc.

By:  (Name)

Its: Regulatory Counsel (Title)

SUBSCRIBED AND SWORN to before me this 13th day of July, 2012.


Notary public in and for the State of Florida

My Commission Expires: August 27, 2013



CYNTHIA ANN JACOBS
MY COMMISSION # DD 898679
EXPIRES: August 27, 2013
Bonded Thru Budget Notary Services