

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF Q LINK WIRELESS,) CASE NO. QLW-T-20-01
LLC’S APPLICATION TO EXPAND ITS)
ELIGIBLE TELECOMMUNICATIONS)
CARRIER SERVICE AREA) ORDER NO. 34862
_____)

On August 21, 2020, Q LINK WIRELESS, LLC (“Company”) applied to expand its Eligible Telecommunications Carrier (“ETC”) service area to provide Lifeline service to additional qualifying Idaho households. On October 19, 2020, the Commission issued a Notice of Application and Notice of Modified Procedure setting comment and reply deadlines. Commission Staff filed comments. The Company did not file reply comments. No public comments were received.

Having reviewed the record, we approve the Company’s Application.

THE APPLICATION

The Commission designated the Company as an ETC in Order No. 32995 and set the Company’s service territory based on specified wire centers. *See* Case No. QLW-T-13-01. The Company now seeks to expand its service area. The Company’s proposed service territory is described in Exhibit 2 of the Company’s Application. The Company also seeks to participate in the Idaho Telecommunications Service Assistance Program. *See Idaho Code* §§ 56-901 to 56-905.

The Company asserted “[e]xpansion of [the Company]’s service area will increase the number of low-income individuals that can benefit from the advantages offered by the Company’s Lifeline service, ensuring they have access to wholly-supported or discounted wireless voice and broadband service, and will thus further the public interest by providing more low-income Idaho customers with low-priced and high-quality services.” Application at 5. The Company noted it “does not seek access to [Universal Service Fund] support for the purpose of providing service to high-cost areas.” *Id.* at 1.

STAFF COMMENTS

Staff recommended approval of the Company’s Application. Staff’s analysis included a review of the Company’s compliance with the federal Telecommunications Act of 1996 and Federal Communications Commission regulations and orders. Staff also verified whether the Company meets the ETC eligibility and reporting requirements established by the Commission in

Order No. 29841. Staff concluded “the Application demonstrates the Company’s commitment to fulfill the obligations of a Lifeline-only ETC in Idaho.” Staff Comments at 3.

When analyzing whether a common carrier’s ETC Application is in the public interest, Staff usually focuses on two considerations: whether the Company contributes to Idaho telecommunications funds, and whether the Company’s Application raises “cream-skimming” concerns.¹ *See* Case No. VCS-T-18-01, Staff Comments at 3. Regarding the first consideration, Staff found the Company has paid into the appropriate Idaho telecommunications programs since becoming an ETC in Idaho. Additionally, the Company asserted in its Application it will comply with any future reporting requirements deemed appropriate for competitive telecommunications providers. Regarding the second consideration, Staff noted “the Company requests ETC designation everywhere that its underlying carrier provides service.” Staff Comments at 3. As a result, Staff found there was no risk of “cream skimming.”

COMMISSION FINDINGS AND DECISION

The Commission has authority to designate a telephone company as an ETC and to identify the service territory in which the company’s ETC designation applies. 47 U.S.C. § 214(e), *Idaho Code* §§ 62-610D, 62-610E, 62-615(1). The Commission has reviewed and considered the record, including the Company’s Application and exhibits, and Staff comments.

Based on the record, we find the Company continues to comply with federal and state requirements regarding ETCs. *See* Order Nos 29841. The remaining inquiry is whether expanding the Company’s ETC service area is in the public interest. *See* 47 U.S.C. § 214(e)(2). In examining the public interest, we first consider whether the Company is contributing to the appropriate Idaho telecommunication funds. *See* Order No. 33226 at 3. Staff has confirmed the Company has paid into these funds consistently since becoming an Idaho ETC. We find the Company fulfills this first prong of our analysis. Next, we consider whether the Company attempts to engage in “cream skimming” by expanding its service area. Cream skimming occurs when competitors seek to service only the low-cost, high-revenue customers in a rural telephone company’s service area. This is not the case here. The Company is requesting ETC designation everywhere its underlying carrier provides service, not merely in low-cost areas. Therefore, the Company’s Application does

¹ “Cream skimming” occurs when a telecommunications carrier seeks ETC designation for only part of a rural telephone company’s study area, leaving less profitable customers without service.


not raise cream-skimming concerns. We find that granting the Company's Application is consistent with the public interest.

ORDER

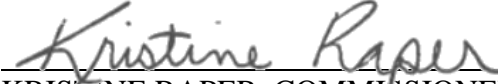
IT IS HEREBY ORDERED that Q LINK WIRELESS, LLC's Application is approved. The Company's ETC service area is expanded to include the wire centers listed in Exhibit 2 of the Company's Application. The Company is also authorized to participate in the Idaho Telecommunications Service Assistance Program.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 7th day of December 2020.



PAUL KJELLANDER, PRESIDENT

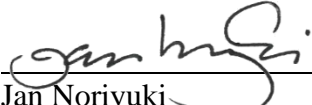


KRISTINE RAPER, COMMISSIONER



ERIC ANDERSON, COMMISSIONER

ATTEST:



Jan Noriyuki
Commission Secretary

I:\Legal\TELEPHONE\QLW-T-20-01\QLWT2001_Final_mh.docx