

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

**IN THE MATTER OF THE APPLICATION OF            )**  
**TAG MOBILE, LLC FOR DESIGNATION AS AN    )** CASE NO. \_\_\_\_\_  
**ELIGIBLE TELECOMMUNICATIONS CARRIER    )**

**APPLICATION FOR DESIGNATION AS AN ELIGIBLE  
TELECOMMUNICATIONS CARRIER**

Comes now TAG Mobile, LLC f/k/a dPi Mobile, LLC (“TAG Mobile” or “Company” or “Applicant”), pursuant to Section 214(e)(2) of the Telecommunications Act of 1934, as amended (the “Act”),<sup>1</sup> Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),<sup>2</sup> and the rules and regulations of the Missouri Public Service Commission, including 4 CSR 240-3.570, and hereby applies to the Commission for designation as an Eligible Telecommunications Carrier (“ETC”) throughout the Southwestern Bell Telephone Company, L.P. d/b/a AT&T Missouri (“AT&T”) exchanges solely for the purpose of receiving federal Universal Service Fund (“USF”) low-income support for Lifeline services.

In support of its Application, TAG Mobile states the following:

**I. Background.**

1. The name and address of the Applicant is TAG Mobile, LLC, 1330 Capital Parkway, Carrollton, Texas 75006. The telephone number of the Applicant is (972) 337-5050. TAG Mobile is a Texas limited liability company and is in good standing with the Secretary of State of Missouri’s office. Attached as **Exhibit A** is a certificate from the Secretary of State of Missouri authorizing TAG Mobile to do business in the State of Missouri. TAG Mobile has filed an amendment with the Missouri Secretary of State, changing the name of the limited liability

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<sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>2</sup> 47 C.F.R. §§ 54.101-54.207.

company to be used in Missouri from dPi Mobile, LLC to TAG Mobile, LLC. A copy of that amendment is attached hereto as **Exhibit B**. Upon the Secretary of State of Missouri's filing of this document, TAG Mobile will furnish the filed and effective document prior to the Commission's granting of the authority TAG Mobile seeks per 4 CSR 240-2.060(2).

2. dPi Teleconnect, LLC ("dPi") was granted a Certificate to Provide Basic Local and Exchange Access Telecommunications Service in the State of Missouri in Case No. TA-2000-44 by Order effective November 29, 1999. dPi was granted ETC status as a wireline carrier by the Commission for the receipt of federal USF support in certain specified AT&T exchanges in Case No. CO-2010-0054 by Order effective June 9, 2010.

3. On June 2, 2010, the Commission granted dPi ETC status for the purpose of receiving low-income and disabled customer support in the AT&T service areas, and waived any regulations applicable to high cost support, in Case No. CO-2010-0054. On October 8, 2010, dPi filed an application in which it sought to amend its status to include the provision of wireless services. On January 19, 2011, also in Case No. CO-2010-0054, the Commission granted an amendment to the ETC status of dPi for the purpose of providing wireless service in the exchanges served by AT&T for which dPi has already been granted ETC status (the Commission amended its Order on January 29, 2011 to replace Ordered Paragraph 3 with the Commercial Mobile Radio Service requirement found in 4 CSR 240-3.570(3)(D)).

4. dPi is the only Missouri designated ETC provider in the Amvensys Capital Group, LLC family of companies. All customers currently receiving Lifeline service in Missouri are customers of dPi. TAG Mobile provides services to dPi with respect to the administration and maintenance of dPi's wireless Lifeline customers in Missouri pursuant to the Shared Services Agreement between dPi and TAG (f/k/a dPi Mobile, LLC), dated January 1, 2011.

5. On February 7, 2012, officers from both dPi and TAG Mobile (including its undersigned counsel, Mark Johnson) met with representatives of the Commission's Staff Counsel, Utility Operations Division, and Telecommunications Department to discuss the Company's history, organization, and plans for operation in Missouri. After making a presentation to the Commission personnel, the representatives of dPi and TAG Mobile responded to questions concerning the Company and its intentions for Missouri.

6. dPi seeks to maintain its wireline ETC status and to transfer its wireless ETC customers to TAG Mobile upon the Commission's designation of TAG Mobile as an ETC. To achieve this result, TAG Mobile hereby files this Application for Designation as an Eligible Telecommunications Carrier. dPi concurrently files its Notice that, upon the Commission's grant of ETC status to TAG Mobile, it intends to provide only wireline ETC service in Case No. CO-2010-0054.

7. TAG Mobile seeks ETC designation throughout the Southwestern Bell Telephone Company, L.P. d/b/a AT&T Missouri service territories, as set forth in the list of exchanges attached hereto as **Exhibit C** (the "Designated Service Area"), for the purpose of receiving federal universal service support. TAG Mobile is seeking only low income support, and is not requesting high cost support. As demonstrated below, TAG Mobile satisfies all of the statutory and regulatory requirements for designation as an ETC in the Designated Service Area. Furthermore, designation of TAG Mobile as an ETC in the Designated Service Area will serve the public interest.

8. In its provision of wireless services, TAG Mobile will rely on a combination of resold services which it will obtain from underlying wireless providers that currently operate owned networks, and TAG Mobile-owned facilities. However, TAG will rely on the blanket

forbearance included in the FCC's Lifeline and Link Up Reform Order<sup>3</sup> with respect to meeting the FCC's Section 214(e)(1)(A) test that requires an ETC to provide services, at least in part, through a "combination of its own facilities and resale of another carrier's services." TAG Mobile has filed its Compliance Plan with the FCC, attached hereto as **Exhibit D**, to comply with the blanket forbearance included in the Lifeline Reform Order.

9. Please direct copies of all correspondence, pleadings, and orders in this proceeding to the following:

Mark P. Johnson MBN 30740  
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10. TAG Mobile is not seeking high-cost support. TAG Mobile also requests that, should at some point in the future Missouri law be revised so as to allow wireless carriers to receive support from the Missouri Universal Service Fund, TAG Mobile will then also become eligible to receive such support by Commission approval of this Application.

11. TAG Mobile has no pending action or final unsatisfied judgment or decision against it from any state or federal agency or court which involves customer service or rates, which judgment or decision occurred within the three years preceding the date of this Application.

12. TAG Mobile has no overdue annual report or fee assessment.

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<sup>3</sup> In the Matter of Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42, Report and Order and Further Notice of Proposed Rulemaking at ¶¶ 275-82, FCC 12-11 (rel. Feb. 6, 2012) ("Lifeline Reform Order").

## II. TAG Mobile's Wireless Services.

13. In its provision of wireless services, TAG Mobile will rely on a combination of resold services which it will obtain from underlying wireless providers that currently operate owned networks, and TAG Mobile-owned facilities. As noted above, however, TAG will rely on the blanket forbearance included in the Lifeline Reform Order with respect to meeting the FCC's Section 214(e)(1)(A) test that requires an ETC to provide services, at least in part, through a "combination of its own facilities and resale of another carrier's services."

14. TAG Mobile will provide wireless/mobile service consistent with the definition of "mobile service" set forth in 47 U.S.C. Section 153(27).

15. TAG Mobile not only commits to provide service throughout the proposed service area pursuant to Section 54.202(a)(1) of the FCC Rules, but also commits to provide service in a timely manner pursuant to Section 54.202(a)(1)(B) of the FCC Rules and commits to remain functional in emergencies pursuant to 4 CSR 240-3.570(2)(A)4 and Section 54.202(a)(2) of the FCC Rules.

16. As TAG Mobile is not seeking high-cost support for its wireless service, certain provisions of the Missouri regulations concerning ETC applications are inapplicable, and TAG Mobile hereby seeks waiver of those regulations. The provisions whose waiver is sought include 4 CSR 240-3.570(2)(A)1-3 (requiring filings regarding the intended use of high-cost support), (2)(C) (plans for handling unusual construction or installation charges), and (3)(C)2 and 3 (network build out and construction). These issues are relevant in a high-cost ETC application, but not in a Low Income Only ETC application. In its USF/ICC Clarification Order, the FCC clarified that "[t]his requirement to file a new five-year build-out plan only applies to ETCs that

receive high-cost support.”<sup>4</sup> No public utility will be affected by these waivers. The Commission may waive regulations based upon good cause. Good cause exists to waive the stated requirements as TAG Mobile’s application is limited to seeking only federal low-income universal service support. As these provisions are applicable only for carriers seeking high-cost support, they simply do not apply to TAG Mobile.

17. Furthermore, as TAG Mobile’s services are prepaid, certain provisions of the Missouri regulations concerning billing requirements are inapplicable, and TAG Mobile hereby seeks waiver of those regulations. The provisions whose waiver is sought include 4 CSR 240-3.570(3)(A) (requiring development of a clear bill design) and that portion of 4 CSR 240-3.570(3)(B) that requires an ETC applicant to provide customer service contact information on billing statements. No public utility will be affected by these waivers. The Commission may waive regulations based upon good cause. Good cause exists to waive the stated requirements as TAG Mobile’s services are prepaid and, therefore, it does not issue bills.

18. Pursuant to 4 CSR 240-3.570(3)(D), within thirty (30) days of receiving Commission approval of this Application, TAG Mobile will make an informational filing which describes the terms and conditions of the wireless offerings for which it will seek USF support, and will amend that filing from time to time, as its service offerings evolve.

19. Pursuant to 4 CSR 240-3.570(3)(F), TAG Mobile will, within ten (10) days of a change in the company-designated contacts, either notify the manager of the Telecommunications Department, in writing or by electronic mail, or will update the commission’s electronic filing system. The notification or update will include the name(s),

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<sup>4</sup> In the Matter of Connect America Fund, Order at ¶ 8, DA 12-147 (rel. Feb. 3, 2012) (“USF/ICC Clarification Order”).

address(es) and/or telephone number(s) of the designated individual(s). The contact name(s) provided pursuant to 4 CSR 240-3.570(3)(F) will be the individual(s) primarily responsible for: customer service; repair and maintenance; answering complaints; authorizing and/or furnishing refunds to customer; and informational or tariff filing issues.

### **III. Relevant Legal Environment.**

20. Section 214(e)(1) of the 1996 Act and Section 54.201(d) of the FCC Rules provide that carriers designated as ETCs shall, throughout their service area, (a) offer the services that are supported by federal universal service support mechanisms, and (b) advertise the availability of such services and the charges using media of general distribution.

21. Section 214(e)(2) of the 1996 Act provides that ETC designations shall be made for a “service area” designated by the state commission. The proposed service area includes exchanges in which AT&T is the incumbent LEC (and for which dPi is already designated as an ETC by this Commission for wireline and wireless purposes). In areas served by a non-rural company such as AT&T, the state commission may establish an ETC service area for a competitor without federal concurrence.<sup>5</sup> Accordingly, TAG Mobile requests ETC designation for wireless service in the non-rural wire centers listed in the Designated Service Area attached hereto.

22. TAG Mobile will offer voice telephony service as part of its wireless service offerings in Missouri in compliance with 47 C.F.R. §§ 54.101(a). The services supported by federal universal service support mechanisms recently were amended by the FCC. In the USF/ICC Transformation Order and FNRPM, the FCC eliminated its former list of nine supported services and amended section 54.101(a) of its rules to specify that “voice telephony

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<sup>5</sup> 47 U.S.C. § 214(e)(5).

service” is supported by the federal universal service mechanisms.<sup>6</sup> The amended Section 54.101(a) and its list of supported services reads as follows:

§ 54.101 Supported services for rural, insular and high cost areas.

(a) Services designated for support. Voice telephony service shall be supported by federal universal service support mechanisms. The functionalities of eligible voice telephony services include voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier’s service area has implemented 911 or enhanced 911 systems; and toll limitation for qualifying low-income consumers (as described in subpart E of this part).

23. TAG Mobile obtains services through CMRS service providers that allow it to supplement the services provided through TAG Mobile-owned facilities. Through these arrangements, TAG Mobile is able to offer all of the services and functionalities detailed in 4 CSR 240-3.570(3)(C)1 of the Commission’s Rules, throughout the requested service area. An explanation of TAG Mobile’s capabilities with regard to each supported service is as follows:

- A. DTMF SIGNALING. TAG Mobile provides dual tone multi-frequency (“DTMF”) signaling to facilitate the transportation of signaling throughout its network. For wireline telecommunications, DTMF signaling is the technology that shortens call set-up time and makes “touchtone” dialing possible by facilitating the transportation of signaling through the network. TAG Mobile will provide its CMRS customers with wireless signaling that is the functional equivalent of DTMF signaling, in accordance with the FCC’s requirements. TAG Mobile therefore will meet the requirement to provide DTMF signaling or its functional equivalent.
- B. SINGLE PARTY SERVICE. “Single-party service” means that only one party will be served by a subscriber loop or access line in contrast to a multi-party line.<sup>7</sup> TAG Mobile provides single party service, as that term is defined in 47 C.F.R. Section 54.101.

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<sup>6</sup> Connect America Fund et al., WC Dkt. No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011) (“USF/ICC Transformation Order and FNRPM”).

<sup>7</sup> See Federal-State Joint Board on Universal Service, First Report and Order, 12 FCC Rcd 8776, 8810 (1997) (“First Report and Order”).



- C. ACCESS TO EMERGENCY SERVICES. TAG Mobile provides 911 access to emergency services throughout its service area.
- D. EMERGENCY TELEPHONE NUMBER SERVICES. TAG Mobile provides emergency telephone number services capable of automatic number identification, automatic location identification and call routing facilities to facilitate public safety response; e.g., Enhanced 911 Service, where the local government agency serving the end-user has implemented enhanced 911 systems.
- E. ACCESS TO INTEREXCHANGE SERVICES. TAG Mobile has interconnection arrangements with interexchange carriers, which enable it to provide its customers access to interexchange services. Customers may also “dial around” to reach their interexchange carrier of choice.
- F. ACCESS TO TELECOMMUNICATIONS RELAY SERVICES. TAG Mobile provides access to telecommunications relay service by dialing 711.
- G. ACCESS TO DIRECTORY ASSISTANCE. Subscribers to TAG Mobile’s services are able to dial “411” or “555-1212” to reach directory assistance from their mobile phones.
- H. ACCESS TO OPERATOR SERVICES. TAG Mobile will provide customer access to operator services.
- I. TOLL LIMITATION. TAG Mobile can provide toll limitation to wireless customers by utilizing its toll blocking capabilities, enabling TAG Mobile to provide toll blocking service for Lifeline customers.

24. However, TAG Mobile points out that the list of supported services in Subpart 1 of 4 CSR 240-3.570(3)(C) is taken from the FCC’s rules at 47 C.F.R. § 54.101(a). TAG Mobile notes again that the services supported by federal universal service support mechanisms were recently amended by the FCC in the USF/ICC Transformation Order and FNRPM, in which the FCC eliminated its former list of nine supported services and amended section 54.101(a) of its rules to specify that “voice telephony service” is supported by the federal universal service mechanisms. The FCC also recently updated the definition of Lifeline in its Lifeline Reform Order to be consistent with its newly revised supported services, allowing carriers to provide service using new technologies that will result in additional options and benefits to Lifeline customers.

25. TAG Mobile commits to comply with the service provisioning requirements as amended by the FCC. However, to the extent the Commission maintains the requirement that ETCs provide the list of supported services in Subpart 1 of 4 CSR 240-3.570(3)(C), TAG Mobile will comply.

26. Pursuant to 47 C.F.R. § 54.201, TAG Mobile will advertise the availability of supported services, throughout its ETC-licensed service area, by media of general distribution. The methods of advertising utilized may include television, radio, newspaper, magazine, direct mailings, public exhibits and displays, bill inserts, and telephone directory advertising. In addition, TAG Mobile will advertise the availability of Lifeline benefits throughout its service area by including mention of such benefits in advertising and continued outreach efforts to members of the community likely to qualify for Lifeline benefits. TAG Mobile thus commits to publicize Lifeline pursuant to Section 54.405(b) of the FCC Rules and 4 CSR 240-3.570(2)(A)6. The FCC also adopted specific requirements for Lifeline advertising in its Lifeline Reform Order with which TAG Mobile will comply.<sup>8</sup>

27. Under the FCC Rules, an ETC applicant must demonstrate its ability to remain functional in emergency situations.<sup>9</sup> Since TAG Mobile is providing service to its customers through the use of facilities obtained from other carriers, this arrangement allows TAG Mobile to provide to its customers the same ability to remain functional in emergency situations as currently provided by the carriers to their own customers, including access to a reasonable amount of back-up power to ensure functionality without an external power source, rerouting of traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations.

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<sup>8</sup> Lifeline Reform Order at ¶¶ 275-82.

<sup>9</sup> 47 C.F.R. § 54.202(a)(2).

#### **IV. Rate Plans and Lifeline.**

28. TAG Mobile offers rate plans which provide customers with local and domestic long distance usage and will offer qualifying Missouri consumers a Lifeline service offering that will utilize all the federal USF Lifeline support available for the benefit its customers if the Commission grants the relief sought herein, allowing TAG Mobile to provide ETC-designated wireless service. TAG Mobile notes that, in its USF/ICC Clarification Order, the FCC eliminated the requirement to offer local usage comparable to the ILEC offerings.<sup>10</sup> Nevertheless, to the extent the Commission maintains this requirement, TAG Mobile will comply.

29. Upon approval of TAG Mobile's ETC designation, based upon the amount of federal USF Lifeline support TAG Mobile anticipates it will receive, TAG Mobile will provide to eligible Missouri consumers 100 (one hundred) minutes of free airtime per month. TAG Mobile's Wireless Lifeline plan will also include a free handset, delivered at no charge, to qualifying customers. Furthermore, TAG Mobile's Wireless Lifeline plan will include the following Custom Calling features:

- (1) Caller ID;
- (2) Call Waiting;
- (3) Call Forwarding;
- (4) 3-Way Calling;
- (5) Voicemail.

In the event that all airtime has been used, Lifeline customers will have the capability of purchasing additional airtime replenishment cards in \$7.00, \$20.00, and \$30.00 denominations. Airtime replenishment cards will be made available at retail outlets frequented by low income customers throughout the Designated Service Area.

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<sup>10</sup> USF/ICC Clarification Order at ¶ 8.

30. TAG Mobile's service offerings are unique in that qualified consumers will have the ability to acquire a wireless service that includes a free handset, local and long distance calling, and several features, all without the requisite credit check, deposit, and contract requirements of the more traditional wireline and wireless service providers. Because TAG Mobile's service is provided with no credit check, deposit requirement, minimum service periods, or early termination fees the service will be an attractive and affordable alternative to qualified low-income consumers without regard to age, residency, or credit worthiness.

31. As specified in 4 CSR 240-3.570(2)(A)7, TAG Mobile agrees that it will provide all Lifeline discounts consistent with 47 C.F.R. 54.401, 47 C.F.R. 54.403, and 47 C.F.R. 54.411. TAG Mobile understands that Missouri USF funds are not available to wireless carriers. Therefore, TAG Mobile will seek the uniform flat rate reimbursement of \$9.25 as described in the Lifeline Reform Order from the federal USF.

32. In short, TAG Mobile's Lifeline Service Plan offers qualified Lifeline customers a combination of wireless access and quality service at rates that are just, reasonable, and affordable. Furthermore, TAG Mobile is in compliance with Section 54.401(c) of the FCC Rules, requiring that it not collect a deposit from a Lifeline subscriber if the consumer voluntarily elects toll limitation service, and with Section 54.401(e) of the FCC Rules, requiring that it not charge a Lifeline subscriber a monthly number portability charge.

33. These rate plans will be outlined and disclosed to the Commission in the informational filing which TAG Mobile will make consistent with 4 CSR 240-3.570(3)(D). In addition, any minimum local usage requirement established by the FCC will be applicable to all designated ETCs, and TAG Mobile will comply with any and all minimum local usage requirements adopted by the FCC.

34. Pursuant to 4 CSR 240-3.570(3)(B), TAG Mobile will provide customer service contact information online, in marketing materials, in welcome materials sent with handsets, as well as on other Company documents. As noted above in paragraph 17, TAG Mobile seeks waiver of that part of this rule that requires it to provide customer service contact information. As TAG Mobile's services are prepaid, it does not issue bills. TAG Mobile acknowledges that this requirement also applies to ETCs that use a third party billing agent.

35. Pursuant to 4 CSR 240-3.570(3)(E), TAG Mobile will maintain a record of customer complaints that have been received by the company in a manner that includes, at a minimum: the end-user name; the account number; a description of the complaint; the date the complaint was filed; the resolution; and the amount of refund or credit, if any. TAG Mobile also will maintain record of complaints from consumers in the Missouri service area in which ETC designation was granted that have been submitted to or filed with the FCC for which the company has knowledge in a manner that includes, at a minimum: a description of the complaint; the date the complaint was filed; the date the complaint was resolved; the resolution of the complaint and the amount of refund or credit, if any.

36. TAG Mobile commits to remit 911 revenues to local authorities. The Company commits to pay in a timely manner all applicable federal, state and local regulatory fees, including but not limited to universal service and E-911 fees.<sup>11</sup>

#### **V. Granting TAG Mobile's Application Would Serve The Public Interest.**

37. Congress requires that the Commission grant competitive ETC applications in non-rural areas.<sup>12</sup> No specific public interest test is mentioned, as is the case for areas served by

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<sup>11</sup> See 'TracFone Wireless, Inc. Petition to Rescind State 911/E911 Condition', FCC Docket No. 96-45 (May 3, 2010).

<sup>12</sup> See 47 U.S.C. 214(e)(2).

rural telephone companies.<sup>13</sup> Thus, the Act provides that the Commission “shall” designate TAG Mobile as an ETC upon finding that the company meets the supported services outlined above and that it agrees to advertise the supported services throughout the Designated Service Area. Notwithstanding, the designation of TAG Mobile as an ETC will serve the public interest, as demonstrated in the following paragraphs, pursuant to Section 54.202(c) of the FCC Rules and 4 CSR 240-3.570(2)(A)5.

A. Increased Consumer Choice and Service Quality.

38. Designation of TAG Mobile will promote competition and facilitate the provision of advanced communications services to low-income residents of Missouri. Missourians of modest means have by and large not benefited from the improvements other Missourians have seen in their telecommunications services. This is particularly true in the area of wireless service. Incumbent local exchange carriers and large national wireless carriers have not pursued the low-income market with the same level of zeal with which they have sought more affluent customers. On the other hand, the low-income market is TAG Mobile’s focus, and it is committed to provide reliable and reasonably priced service to that market in Missouri.

39. Granting the relief sought in this Application would make Lifeline discounts available to many more Missourians. This is particularly true in the wireless field, where, to TAG Mobile’s knowledge, there are a limited number of wireless providers offering USF-subsidized service and even fewer offering the same with absolutely no monthly recurring charge to the end user. As such, the service for which TAG Mobile seeks ETC status is unique.

40. Although TAG Mobile is seeking ETC designation in areas that are typically served by wireline carriers, inclusion of its wireless service will provide a valuable alternative to

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<sup>13</sup> See id.

the existing telecommunications services currently available in these areas and will promote competition and facilitate the provision of advanced communications services to low-income residents of Missouri.

41. Inclusion of TAG Mobile's wireless service will provide the incumbent LECs serving the same area an incentive to improve their existing networks and service offerings in order to remain competitive, which will result in improved consumer services and will also benefit consumers by allowing TAG Mobile to offer the services designated for support at rates that are "just, reasonable, and affordable."<sup>14</sup>

42. Other benefits of inclusion of TAG Mobile's wireless service include larger local calling areas (as compared to traditional wireline carriers), the convenience and security afforded by mobile telephone service, the opportunity for customers to control cost by receiving a preset amount of monthly airtime at no charge, the ability to purchase additional usage in the event that included usage has been exhausted, 9-1-1 service and, where available, E9-1-1 service in accordance with current FCC requirements. The inclusion of toll calling as a part of TAG Mobile's wireless offering, along with the fact that service is provided without a monthly recurring charge, will allow consumers to avoid the risk of becoming burdened with large and unexpected charges for toll calling and unexpected overage charges.

43. Pursuant to 4 CSR 240-3.570(2)(A)9, TAG Mobile acknowledges it will provide equal access pursuant to 4 CSR 240-32.100(3) and (4) if all other ETCs in the Designated Service Area relinquish their designations pursuant to section 214(e) of the Telecommunications Act of 1996. The FCC's ETC Order does not impose a general equal access requirement on ETC applicants at this time, but instead suggests the applicants acknowledge that an ETC applicant

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<sup>14</sup> 47 U.S.C. § 254(b)(1).

may be required to provide equal access to long distance carriers in their designated service area in the event that no other ETC is providing equal access within the service area. TAG Mobile acknowledges this potential and will abide by the requirement should it occur in the future.

44. TAG Mobile notes again that, in its USF/ICC Clarification Order, the FCC eliminated the requirement to offer local usage comparable to the ILEC offerings.<sup>15</sup> Nevertheless, to the extent the Commission maintains the comparable usage plan requirement in 4 CSR 3.570(2)(A)10, TAG Mobile will comply.

B. Increased Competition and Convenience.

45. The FCC has long acknowledged the benefits to consumers of being able to choose from a variety of telecommunications providers and the resulting variety of telecommunications services they provide.<sup>16</sup> This is of particular interest in cases where wireless providers, such as TAG Mobile, seek to provide service as an alternative to those of the traditional ILEC.

46. The Lifeline service, offered by TAG Mobile, also provides important benefits especially needed by low-income Missouri residents in this time of economic downturn. The availability of a mobile telephone service will be critical to the efforts of the unemployed as they search for other employment opportunities. Without a regular paycheck, wireless telephone service would become a luxury beyond the means of many of those persons. Furthermore, qualified Lifeline customers view the portability and convenience of wireless service not as a luxury, but as a necessity. Mobile service allows children to reach their parents, wherever they may be, allows a person seeking employment the ability to be contacted by potential employers, and provides end users with the ability to contact emergency service providers, regardless of

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<sup>15</sup> USF/ICC Clarification Order at ¶ 8

<sup>16</sup> See e.g., Specialized Common Carrier Services, 29 FCC 2d 870 (1971).



location. TAG Mobile's Lifeline program will enable thousands of residents to obtain wireless service otherwise unavailable to them.

47. Added together, TAG Mobile expects these additional competitive advantages to create an atmosphere that will cause many qualified consumers to select its wireless Lifeline service in lieu of the more traditional wireline or wireless services.

C. Health And Safety Benefits.

48. TAG Mobile believes that there are significant areas within its proposed ETC service area in which its target market, low-income subscribers, are underserved by wireless telephone facilities. The mobility of TAG Mobile's prepaid wireless service will assist low-income consumers who often must drive significant distances to places of employment, stores, schools, and other critical community locations and it will provide timely access to emergency services as and when needed.

**VI. TAG Mobile's Relationships With Other Companies.**

49. A list of company management, officers and directors or any person exerting managerial control is attached hereto as **HIGHLY CONFIDENTIAL Exhibit E**. The organizational chart attached hereto as **HIGHLY CONFIDENTIAL Exhibit F** identifies the companies affiliated with TAG Mobile. This chart includes any company that performs administrative or sales functions for the Company and indicates whether the affiliated company has ever received funds from the federal universal service fund or any state universal service fund. Amvensys Capital Group, LLC owns 100% of the membership interest of TAG Mobile.

50. The FCC or state regulatory agency has taken no disciplinary action in which the company or any person listed in Exhibit E has been found to have violated any law, regulation or tariff provision, or settled a matter in which an assertion of such a violation was made.

## **VII. Granting This Petition Will Impose A Negligible Burden On The FUSF.**

51. TAG Mobile's designation will not burden the USF. TAG Mobile is not seeking high-cost benefits, which have been capped recently. TAG Mobile's wireless service will not pose any adverse effect in the growth in the high cost portions of the USF, nor will it create or contribute to an erosion of high cost funding from any rural or non-rural telephone company. TAG Mobile is only seeking low-income benefits, in the form of Lifeline benefits, and as such TAG Mobile will impose a burden on the FUSF which can be characterized as at worst negligible. It is in fact a non-factor in the Commission's analysis.

52. The FCC reaffirmed this position when it recently stated that "the potential growth of the fund associated with high-cost support distributed to competitive ETCs" is not relevant to carriers seeking support associated with the low-income program.<sup>17</sup> The FCC also recognized that the total effect of additional low-income-only ETC designations would have a minimal impact on the fund when it stated that "any increase in the size of the fund would be minimal and would be outweighed by the benefit of increasing eligible participation in the Lifeline programs, furthering the statutory goal of providing access to low-income consumers."<sup>18</sup>

53. It is also vital to recognize that in the case of Lifeline, an ETC receives USF support *only* for the customers it obtains. In the scenario where a competitive ETC obtains a Lifeline customer from another ETC, only the "capturing" ETC provides Lifeline discounts and as a result, only the "capturing" ETC receives support reimbursement.

## **VIII. TAG Mobile Has Internal Controls in Place to Prevent Subscribers from Receiving More Than One Lifeline Discount.**

54. Consistent with Sections 54.409-410 of the FCC Rules and 4 CSR 240-31.050, TAG Mobile will require customers to certify at the time of service activation and annually

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<sup>17</sup> TracFone Forbearance Order at ¶ 17.

<sup>18</sup> Id.

thereafter that they: (1) are the head of household; (2) participate in one of the state approved means tested programs; (3) will be receiving Lifeline-supported services only from TAG Mobile; (4) do not currently receive Lifeline support; and (5) will notify TAG Mobile if in the event that they no longer participate in the qualifying program. TAG Mobile will utilize any and all databases available to ensure accurate customer information. It also checks its database to ensure that the customer is not an existing TAG Mobile Lifeline customer.

55. As mentioned above, the FCC recently released the Lifeline Reform Order, which adopts and proposes (in its Further Notice of Proposed Rulemaking) new rules relating to verification and certification, including the implementation of the National Lifeline Accountability Database by the end of 2013 to allow carriers to affirmatively determine if an applicant already receives service via the low income program. TAG Mobile commits to comply with this and all other applicable requirements in administering its Lifeline service.

56. TAG Mobile also commits to comply with Missouri verification procedures. TAG Mobile's enrollment form will clearly indicate that the applicant must return the signed enrollment form with supporting documentation to the address provided, and the Company will review proof of eligibility documentation. TAG Mobile's current Missouri Lifeline Application form is attached hereto as **Exhibit G** and complies with the provisions of 4 CSR 240-31.050(3)(D). A copy of TAG Mobile's proposed Missouri Lifeline Application form is attached hereto as **Exhibit H**. Verification of continued eligibility will be accomplished as prescribed in the FCC's Lifeline Reform Order.

57. If no usage appears on a TAG Mobile Lifeline customer's account during any continuous 60-day period, TAG Mobile will promptly notify the customer that the customer is no longer eligible for TAG Mobile Lifeline service subject to a 30-day grace period. During the 30-

day grace period, the customer's account will remain active, but TAG Mobile will engage in outreach efforts to determine whether the customer desires to remain on the Company's Lifeline service. If the customer's account does not show any customer-specific activity during the grace period (such as making or receiving a voice call, receiving or sending a text message, downloading data or adding money to the account), TAG Mobile will promptly deactivate Lifeline services and cease to seek reimbursement from the USF for that customer. For more detailed information on TAG Mobile's non-usage plan, see **Exhibit I**.

#### **IX. Competitive Response.**

58. One of the principal goals of the 1996 Act was to "promote competition and reduce regulation in order to secure lower prices and high-quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies."<sup>19</sup> Competition for customers increases facilities and spurs development of advanced communications as carriers vie for a consumer's business. TAG Mobile's introduction of wireless service focused on low-income customers is motivated by a competitive desire to tap an under-served market.

59. TAG Mobile submits that, if it is designated as an ETC and is able to compete for local exchange customers, it will spur a competitive response from affected ILECs as they seek to retain and attract customers. Such a response could include: improved service quality and customer service; new investments in telecommunications plant; more rapid deployment of high-speed data (DSL) service; wider local calling areas; bundled service offerings; and lower prices overall.

60. Further, Congress has mandated that universal service provisions be

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<sup>19</sup> See 1996 Act (preamble).

“competitively neutral” and “necessary to preserve and advance universal service.” 47 U.S.C. § 253(b). TAG Mobile will provide its wireline and wireless consumers with wider local calling areas, mobile communications, a variety of service offerings, high-quality service, and competitive rates. By offering customers new choices, the incumbent LECs will have an incentive to introduce new, innovative, or advanced service offerings.

61. The consumer benefits of designating competitive ETCs are already evident in Missouri. However, the dearth of low-income wireless alternatives demonstrates that those benefits have not yet been seen by low-income customers. With the changes proposed in this Application, TAG Mobile seeks to provide those benefits to wireless customers in the exchanges for which it seeks wireless ETC designation.

**X. TAG Mobile Will Follow the CTIA Consumer Code for Wireless Service and Will Satisfy Consumer Privacy Standards.**

62. As specified in 4 CSR 240-3.570(2)(B) and Section 54.202(a)(3) of the FCC’s Rules, in its provision of wireless service which is ETC-designated, TAG Mobile will follow the provisions of the Consumer Code for Wireless Service which was adopted by the Cellular Telecommunications and Internet Association (“CTIA”). TAG Mobile commits to satisfy consumer protection and quality of service standards found in this code of conduct. A copy of the current CTIA Consumer Code for Wireless Service is attached hereto as **Exhibit J**.

63. As specified in 4 CSR 240-3.570(2)(A)8, TAG Mobile agrees that it will satisfy the consumer privacy standards set forth in 47 C.F.R. Part 64 Subpart U.

**XI. TAG Mobile Provides Affordable Service.**

64. The services which TAG Mobile provides are largely reduced in price to the customer by Lifeline benefits. TAG Mobile understands that ETC designation carries with it the

obligation to provide Lifeline services, 47 C.F.R. 54.405(a), but of course that is precisely the market which TAG Mobile serves. Lifeline supported services are the focus of TAG Mobile's market, not a sidelight or services which TAG Mobile promises to offer in order to obtain ETC designation.

65. For all of the above reasons, the public interest would be served by the designation of TAG Mobile as a competitive wireless ETC throughout its requested service area in Missouri.

WHEREFORE, pursuant to Section 214(e)(2) of the Act, TAG Mobile, LLC respectfully requests that the Commission enter an Order (1) designating it as an ETC in Missouri in a manner consistent with this Application, and (2) waiving the rules and regulations specified herein.

Respectfully submitted,

/s/ Lisa A. Gilbreath  
Mark P. Johnson      MBN 30740  
Lisa A. Gilbreath      MBN 62271  
SNR Denton US LLP  
4520 Main Street, Suite 1100  
Kansas City, Missouri 64111  
(816) 460-2545  
(816) 460-531-7545 (FAX)  
mark.johnson@snrdenton.com  
lisa.gilbreath@snrdenton.com

Stanley Q. Smith  
JONES, WALKER, WAECHTER,  
POITEVENT, CARRE'RE & DENE'GRE  
L.L.P.  
190 E Capitol Street, Suite 800  
Jackson, MS 39201  
Telephone: (601) 949-4863  
Facsimile: (601) 949-4804

*Attorneys for TAG Mobile, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 14th day of March, 2012, served a true copy of the foregoing pleading upon the following parties, listed below, in accordance with Commission Rules:

Office of the Public Counsel  
Post Office Box 7800  
Jefferson City, MO 65102

General Counsel  
Missouri Public Service Commission  
Post Office Box 360  
Jefferson City, MO 65102

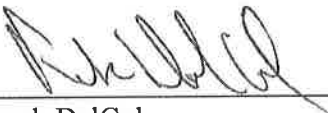
/s/Lisa A. Gilbreath  
Lisa A. Gilbreath

**DECLARATION OF TAG MOBILE**

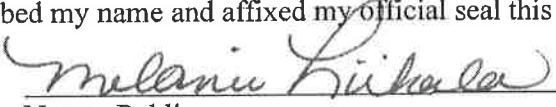
STATE OF TEXAS            )  
  )ss.  
COUNTY OF DALLAS        )

I, Frank DelCol, being duly sworn upon oath and of lawful age, depose and say that I am the President & CEO for TAG Mobile, LLC; that I am authorized to make this verification on behalf of TAG Mobile LLC; that I have prepared this Declaration in support of the Application of TAG Mobile for Designation as a Wireless Eligible Telecommunications Carrier; and that the foregoing Application is true and accurate to the best of my knowledge and belief.

Further affiant sayeth not.

  
\_\_\_\_\_  
Frank DelCol

In witness whereof I have hereunto subscribed my name and affixed my official seal this 12<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:





## **INDEX TO EXHIBITS**

- Exhibit A – Certificate of Authority
- Exhibit B – Amendment of a Foreign Limited Liability Company
- Exhibit C – ETC Service Area
- Exhibit D – FCC Compliance Plan
- Exhibit E – **\*\*HC\*\*** List of Company Management
- Exhibit F – **\*\*HC\*\*** Organizational Chart
- Exhibit G – Missouri Lifeline Application Form (Current)
- Exhibit H – Missouri Lifeline Application Form (Proposed)
- Exhibit I – Non-Usage Plan
- Exhibit J – CTIA Certification and Consumer Code for Wireless Service

**Exhibit A**

**Certificate of Authority**

# State of Missouri



Robin Carnahan  
Secretary of State

## CERTIFICATE OF REGISTRATION FOREIGN LIMITED LIABILITY COMPANY

WHEREAS,

*TAG Mobile, LLC*  
*FL1137604*

Using in Missouri the name

*dPi Mobile, LLC*

and existing under the laws of the State of Texas has filed with this state its Application for Registration and whereas this Application for Registration conforms to the Missouri Limited Company Act.

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, by virtue of authority vested in me by law, do hereby certify and declare that on the 25th day of April, 2011, the above Foreign Limited Liability Company is duly authorized to transact business in the State of Missouri and is entitled to any rights granted Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto  
set my hand and cause to be affixed the  
GREAT SEAL of the State of Missouri.  
Done at the City of Jefferson, this  
25th day of April, 2011.

*Robin Carnahan*

Secretary of State





**State of Missouri**  
Robln Carnahan, Secretary of State

Corporations Division  
PO Box 778 / 600 W. Main St., Rm. 322  
Jefferson City, MO 65102

File Number:  
FL1137604  
Date Filed: 04/25/2011  
Robin Carnahan  
Secretary of State

**Application for Registration of a Foreign  
Limited Liability Company**  
*(Submit with filing fee of \$105.00)*

- The name of the foreign limited liability company is TAG Mobile, LLC
- The name under which the foreign limited liability company will conduct business in Missouri is (must contain "limited company, "limited liability company", "LC", "LLC", "L.C.", or "L.L.C.") (must be filled out if different from line (1)):  
dPi Mobile, LLC
- The foreign limited liability company was formed under the laws of Texas on the date of 03/09/2010.  
*(state or jurisdiction)*  
*(month/day/year)*
- The purpose of the foreign limited liability company or the general character of the business it proposes to transact in this state is:  
The provision of wireless telecom services.
- The name and address of the limited liability company's registered agent in Missouri is (this line **must** be completed and include a street address):  
CSC - Lawyers Incorporating Service Company, 221 Bolivar Street, Jefferson City, MO 65101  
*Name* *Address (PO Box may only be used in conjunction with a physical street address)* *City/State/Zip*
- The address of the registered office in the jurisdiction organized. If none required, then the principal office address of the foreign limited liability company is:  
1330 Capital Parkway, Carrollton, TX 75006  
*Name* *Address (PO Box may only be used in conjunction with a physical street address)* *City/State/Zip*
- This application must include a current certificate of good standing/existence from the secretary of state or other similar official in the state of domicile. Such document should be dated within 60 calendar days from filing.

*(Please see next page)*

Name and address to return filed document:

Name: Melanie King c/o TAG Mobile, LLC

Address: 1330 Capital Parkway

City, State, and Zip Code: Carrollton, TX 75006

State of Missouri  
Creation - LLC/LP 3 Page(s)

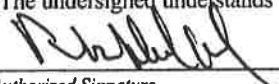


T1111502090

P- T1110416593

In Affirmation thereof, the facts stated above are true and correct.

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

  
Authorized Signature \_\_\_\_\_ Frank Del Col, President & CEO \_\_\_\_\_ 04/21/2011 \_\_\_\_\_  
Printed Name Date

\_\_\_\_\_  
Authorized Signature Printed Name Date

\_\_\_\_\_  
Authorized Signature Printed Name Date

Corporations Section  
P.O.Box 13697  
Austin, Texas 78711-3697



Hope Andrade  
Secretary of State

## Office of the Secretary of State

### Certificate of Fact

The undersigned, as Secretary of State of Texas, does hereby certify that the document, Certificate of Formation for TAG Mobile, LLC (file number 801240128), a Domestic Limited Liability Company (LLC), was filed in this office on March 08, 2010.

It is further certified that the entity status in Texas is in existence.

Delayed Effective date: March 09, 2010

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in Austin, Texas on March 28, 2011.



A handwritten signature in cursive script, appearing to read "Hope Andrade".

Hope Andrade  
Secretary of State

Phone: (512) 463-5555  
Prepared by: SOS-WEB

Come visit us on the internet at <http://www.sos.state.tx.us/>  
Fax: (512) 463-5709  
TID: 10264

Dial: 7-1-1 for Relay Services  
Document: 361430330004

**Exhibit B**

**Amendment of a Foreign Limited Liability Company**



**State of Missouri**  
 Robin Carnahan, Secretary of State

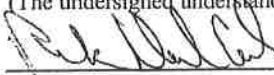
Corporations Division  
 PO Box 778 / 600 W. Main St., Rm. 322  
 Jefferson City, MO 65102

**Amendment of a  
 Foreign Limited Liability Company**  
 (Submit with filing fee of \$25.00)

- The name of the foreign limited liability company as currently registered in Missouri: dPi Mobile, LLC  
 Missouri Charter #: FL1137604
- The name of the limited liability company in the parent state before change: TAG Mobile, LLC
- The foreign limited liability company was formed under the laws of Texas on the date of 3/9/2010  
State of jurisdiction  
month/day/year
- The foreign limited liability company's certificate of registration is hereby amended as follows (complete all that apply):
  - Changing the name of the limited liability company in the parent state:  
 From \_\_\_\_\_ To \_\_\_\_\_
  - Changing the name of the limited liability company to be used in Missouri:  
 From dPi Mobile, LLC To TAG Mobile, LLC
  - Changing the limited liability company's state of registration:  
 From \_\_\_\_\_ To \_\_\_\_\_
  - Any other matter:
- The effective date of this document is the date it is filed by the Secretary of State of Missouri unless a future date is otherwise indicated: \_\_\_\_\_  
month/day/year
- The amendment shall include a certificate of existence or document of similar import duly authenticated by the Secretary of State or other official having custody of the records in the state or country under whose laws it is registered. Such document should be dated within sixty calendar days from the filing for acceptance.

In Affirmation thereof, the facts stated above are true and correct:

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

  
 Authorized Signature of Member or Manager

Frank Del Col  
 Printed Name

3-8-2012  
 Date

Name and address to return filed document:  
 Name: Melanie King c/o TAG Mobile, LLC  
 Address: 1330 Capital Parkway  
 City, State, and Zip Code: Carrollton, TX 75006



**Exhibit C**

**ETC Service Area**

**LIST OF EXCHANGES FOR WHICH WIRELESS ETC STATUS IS SOUGHT**

**AT&T Service Areas:**

Adrian  
Advance  
Agency  
Altenburg-Frohna  
Antonia  
Archie  
Argyle  
Armstrong  
Ash Grove  
Beaufort  
Bell City  
Benton  
Billings  
Bismarck  
Bloomfield  
Bloomsdale  
Bowling Green  
Brookfield  
Campbell  
Cardwell  
Carl Junction  
Carrollton  
Caruthersville  
Center  
Chaffee  
Charleston  
Clarksville  
Clever  
Climax Springs  
Deering  
DeKalb  
Delta  
Downing  
East Prairie  
Edina  
Elsberry  
Essex  
Farley  
Fayette  
Fisk

Gideon  
Glasgow  
Grain Valley  
Gray Summit  
Hayti  
Herculaneum-Pevely  
Higbee  
Hillsboro  
Holcomb  
Hornersville  
Jasper  
Kansas City  
Lamar  
LaMonte  
Lancaster  
Leadwood  
Lilbourne  
Linn  
Lockwood  
Louisiana  
Macks Creek  
Malden  
Marble Hill  
Marceline  
Marionville  
Marston  
Meta  
Montgomery City  
Mourehouse  
New Franklin  
New Madrid  
Oak Ridge  
Old Appleton  
Oran  
Patton  
Paynesville  
Pierce City  
Pocohontas-New Wells  
Portage Des Sioux  
Portageville

Risco  
Rushville  
St. Marys  
San Antonio  
Scott City  
Senath  
Slater  
Smithville  
Springfield  
St. Louis  
Stanberry  
Trenton  
Tuscumbia  
Versailles  
Vienna  
Walnut Grove  
Wardell  
Ware  
Wellsville  
Westphalia  
Wyatt

**Frankford  
Freeburg**

**Puxico  
Quin  
Richwoods**

**AT&T Service Areas (Continued):**

**Bonne Terre  
Boonville  
Camdenton  
Cape Girardeau  
Carthage  
Cedar Hill  
Chesterfield  
Chillicothe  
DeSoto  
Dexter  
Eldon  
Eureka  
Excelsior Springs  
Farmington  
Fenton  
Festus-Crystal City  
Flat River  
Fredericktown**

**Fulton  
Gravois Mills  
Greenwood  
Hannibal  
Harvester  
High Ridge  
Imperial  
Jackson  
Joplin  
Kennett  
Kirksville  
Knob Noster  
Lake Ozark-Osage Beach  
Manchester  
Marshall  
Maxville  
Mexico  
Monett  
Moberly  
Neosho  
Nevada  
Pacific  
Perryville  
Pond  
Poplar Bluff  
Richmond  
St. Charles**

**St. Clair**  
**St. Joseph**  
**Sedalia**  
**Sikeston**  
**Union**  
**Valley Park**  
**Washington**  
**Webb City**

**Exhibit D**

**FCC Compliance Plan**

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	
Telecommunications Carriers Eligible to Receive Universal Service Support	WC Docket No. 09-197
Lifeline and Link Up Reform and Modernization	WC Docket No. 11-42
TAG Mobile, LLC	
Petition for Limited Designation as an Eligible Telecommunications Carrier	

**TAG MOBILE, LLC COMPLIANCE PLAN**

TAG Mobile, LLC (“TAG” or the “Company”),<sup>1</sup> through its undersigned counsel, hereby respectfully submits and requests expeditious approval of its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.<sup>2</sup>

TAG commends the Commission’s commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline

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<sup>1</sup> TAG hereby also reports its corporate and trade names, identifiers, and its holding company, operating companies and affiliates in Exhibit A attached hereto.

<sup>2</sup> See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report And Order and Further Notice Of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012) (“*Lifeline Reform Order*”). The Company herein submits the information required by the Compliance Plan Public Notice. See *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197, 11-42, Public Notice, DA 12-314 (rel. Feb. 29, 2012).

customers. TAG will comply with 911 requirements as described below and it is submitting this Compliance Plan in order to qualify for blanket forbearance from the facilities requirement of section 214(e)(1)(A) of the Communications Act and participate as an eligible telecommunications carrier (“ETC”) in the Lifeline program.<sup>3</sup>

TAG will comply fully with all conditions set forth in the *Lifeline Reform Order*, as well as with the Commission’s Lifeline rules and policies more generally.<sup>4</sup> This Compliance Plan describes the specific measures that TAG intends to implement to achieve these objectives. Specifically, this Compliance Plan: (1) describes the specific measures that TAG will take to implement the obligations contained in the *Lifeline Reform Order*, including the procedures TAG follows in enrolling a subscriber in Lifeline and submitting for reimbursement for that subscriber from the low income fund, materials related to initial and ongoing certifications and sample marketing materials; and (2) provides a detailed description of how TAG offers Lifeline services, the geographic areas in which it offers services, and a detailed description of TAG’s Lifeline service plan offerings.

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<sup>3</sup> See *Lifeline Reform Order*, ¶ 368. Although TAG qualifies for and seeks to avail itself of the Commission’s grant of forbearance from the facilities requirement of section 214(e)(1)(A) for purposes of the federal Lifeline program, the Company reserves the right to demonstrate to a state public utilities commission that it provides service using its own facilities in a state for purposes of state universal service funding under state program rules and requirements.

<sup>4</sup> In addition, this Compliance Plan is consistent with the compliance plan filed by Cricket Communications, Inc. See Notice of *Ex Parte* Communication of Cricket Communications, Inc., WC Docket No. 09-197 (Sept. 23, 2011) (“Cricket Compliance Plan”). The Wireline Competition Bureau approved the Cricket Compliance Plan on February 7, 2012. See *Telecommunications Carriers Eligible for Universal Service Support, Cricket Communications, Inc. Petition for Forbearance*, WC Docket No. 09-197, Order, DA 12-158 (Feb. 7, 2012).



## ACCESS TO 911 AND E911 SERVICES<sup>5</sup>

Pursuant to the *Lifeline Reform Order*, forbearance is conditioned upon TAG: (1) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; and (2) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.<sup>6</sup> TAG will comply with these conditions starting on the effective date of the *Lifeline Reform Order*.

TAG will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission and consumers are hereby assured that all TAG customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from TAG handsets, even if the account associated with the handset has no minutes remaining.

TAG's existing practices currently provide access to 911 and E911 services for all customers. TAG uses Sprint and Verizon Wireless as its underlying network providers/carriers. Sprint and Verizon Wireless route 911 calls from TAG's customers in the same manner as 911 calls from Sprint and Verizon Wireless' own retail customers. To the extent that Sprint and Verizon Wireless are certified in a given PSAP territory, this 911 capability will function the same for TAG. TAG also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the

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<sup>5</sup> See Compliance Plan Public Notice at 3.

<sup>6</sup> See *Lifeline Reform Order*, ¶ 373.

account associated with the handset is active or suspended. Finally, TAG transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

**E911-Compliant Handsets.** TAG will ensure that all handsets used in connection with its Lifeline service offering will be E911-compliant. In point of fact, TAG's phones have always been and will continue to be 911 and E911-compliant. TAG uses phones purchased from various entities, and all phones undergo a thorough quality inspection by TAG prior to being distributed to customers. All TAG handsets are required to meet TAG's minimum handset specifications, which ensure that the handset models used meet all 911 and E911 requirements. As a result, any existing TAG customer that qualifies for and subsequently elects Lifeline service will already have a 911/E911-compliant handset provided by TAG. Additionally, any new customer that qualifies for and enrolls in TAG's Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

#### COMPLIANCE PLAN

#### **I. PROCEDURES TO ENROLL A SUBSCRIBER IN LIFELINE<sup>7</sup>**

##### **A. Policy**

TAG will comply with the uniform eligibility criteria established in new section 54.409 of the Commission's rules (when it becomes effective on June 1, 2012), as well as any additional certification and verification requirements for Lifeline eligibility in states where TAG is designated as an ETC.

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<sup>7</sup> See Compliance Plan Public Notice at 3.

Therefore, all subscribers will be required to demonstrate eligibility based at least on: (1) household income at or below 135% of the Federal Poverty Guidelines for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in new sections 54.409(a)(2) or 54.409(a)(3) of the Commission's rules. In addition, through the certification requirements described below, TAG will confirm that the subscriber is not already receiving a Lifeline service and no one else in the subscriber's household is subscribed to a Lifeline service.

#### **B. Eligibility Determination**

If TAG cannot determine a prospective subscriber's eligibility for Lifeline by accessing income databases or program eligibility databases, TAG's employees or agents ("Company personnel") will review documentation establishing eligibility pursuant to the Lifeline rules.<sup>8</sup> All Company personnel who interact with current or prospective customers will be trained to assist Lifeline applicants in determining whether they are eligible to participate based on the federal and state-specific income-based and/or program-based criteria. These Company personnel will be trained to answer questions about Lifeline eligibility, and will review required documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements using state-specific checklists.<sup>9</sup>

Proof of Eligibility. Company personnel will be trained on acceptable documentation required to establish income-based and program-based eligibility.<sup>10</sup>

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<sup>8</sup> See *Lifeline Reform Order*, ¶ 100; section 54.410(b)(1)(i)(B), 54.410(c)(1)(i)(B); Cricket Compliance Plan at 4.

<sup>9</sup> See Cricket Compliance Plan at 6.

<sup>10</sup> See *Lifeline Reform Order*, ¶ 101.

Acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice letter of participation in a qualifying state, federal or Tribal program; (3) program participation documents (*e.g.*, the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.<sup>11</sup>

Acceptable documentation of income eligibility includes the prior year's state, federal, or Tribal tax return; current income statement from an employer or paycheck stub; a Social Security statement of benefits; a Veterans Administration statement of benefits; a retirement/pension statement of benefits; an Unemployment/Workmen's Compensation statement of benefits; federal or Tribal notice letter of participation in General Assistance; or a divorce decree, child support award, or other official document containing income information for at least three months time.<sup>12</sup>

Company personnel will examine this documentation for each Lifeline applicant, and will record the type of documentation used to satisfy the income- or program-based criteria.<sup>13</sup> TAG will not retain a copy of this documentation.<sup>14</sup> Where Company personnel conclude that proffered documentation is insufficient to establish such eligibility, TAG will deny the associated application and inform the applicant of the

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<sup>11</sup> *Id.* and section 54.410(c)(1)(i)(B).

<sup>12</sup> *See Lifeline Reform Order*, ¶101; section 54.410.(b)(1)(i)(B).

<sup>13</sup> *See Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(iii), 54.410(c)(1)(iii).

<sup>14</sup> *See Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(ii), 54.410(c)(1)(ii).

reason for such rejection.<sup>15</sup> In the event that Company personnel cannot ascertain whether documentation of a specific type is sufficient to establish an applicant's eligibility, the matter will be escalated to the appropriately qualified supervisory personnel at TAG's corporate headquarters in Carrollton, Texas.<sup>16</sup>

De-Enrollment for Ineligibility. If TAG has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, TAG will notify the subscriber of impending termination in writing and in compliance with any state dispute resolution procedures applicable to Lifeline termination, and give the subscriber 30 days to demonstrate continued eligibility.<sup>17</sup> A demonstration of eligibility must comply with the annual verification procedures below and found in new rule section 54.410(f), including the submission of a completed and signed certification form.

### **C. Subscriber Certifications for Enrollment**

TAG will implement certification policies and procedures that enable consumers to demonstrate their eligibility for Lifeline assistance to Company personnel as detailed in the *Lifeline Reform Order*, together with any additional state certification requirements.<sup>18</sup> TAG shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that these procedures will prevent TAG's customers from engaging in such abuse of the program, inadvertently or intentionally.<sup>19</sup> Every applicant will be required to complete an

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<sup>15</sup> See Cricket Compliance Plan at 6.

<sup>16</sup> See *id.*

<sup>17</sup> See *Lifeline Reform Order*, ¶ 143; section 54.405(e)(1).

<sup>18</sup> *Lifeline Reform Order*, ¶ 61; section 54.410(a).

<sup>19</sup> See Cricket Compliance Plan at 3.

application/certification form containing disclosures, and collecting certain information and certifications as discussed below.<sup>20</sup> Applicants that do not complete the form in person will be required to submit a completed and signed application/certification to TAG by mail, facsimile, electronic mail or other electronic transmission, inclusive of the required proof of eligibility. Any evidentiary documentation submitted with the application/certification is used strictly to verify a consumer's eligibility to participate in the Lifeline program. Upon approval of the customer's application/certification, such proof of eligibility is either returned to the customer or destroyed, and is not retained by TAG, as previously stated in section I.B above. In addition, Company personnel will verbally explain the certifications to consumers when they are enrolling in person or over the phone.<sup>21</sup>

Disclosures. TAG's application/certification forms will include the following disclosures: (1) Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the applicant's de-enrollment from the program; and (6) Lifeline is a non-

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<sup>20</sup> See Model Application/Certification Forms, included as Exhibit B. See Compliance Plan Public Notice at 3.

<sup>21</sup> See *Lifeline Reform Order*, ¶ 123.

transferable benefit and the applicant may not transfer his or her benefit to any other person.<sup>22</sup>

Application/certification forms will also state that: (1) the service for which the consumer is applying is a Lifeline service, (2) Lifeline is a government assistance program, and (3) only eligible consumers may enroll in the program.<sup>23</sup>

In addition, TAG will notify the applicant that the Lifeline service must be personally activated by the applicant/subscriber and the service will be deactivated and the subscriber de-enrolled if the subscriber does not use the service for 60 days.<sup>24</sup>

Information Collection. TAG will also collect the following information from the applicant in the application/certification form: (1) the applicant's full name;<sup>25</sup> (2) the applicant's full residential address (P.O. Box is not sufficient<sup>26</sup>); (3) whether the applicant's residential address is permanent or temporary; (4) the applicant's billing address, if different from the applicant's residential address; (5) the applicant's date of birth; (6) the last four digits of the applicant's Social Security number (or the applicant's Tribal identification number, if the subscriber is a member of a Tribal nation and does not have a Social Security number); (7) if the applicant is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the applicant, his or her dependents, or his or her household receives benefits;<sup>27</sup>

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<sup>22</sup> See *Lifeline Reform Order*, ¶ 121; section 54.410(d)(1).

<sup>23</sup> See section 54.405(c).

<sup>24</sup> See *Lifeline Reform Order*, ¶ 257.

<sup>25</sup> See Cricket Compliance Plan at 4.

<sup>26</sup> See *Lifeline Reform Order*, ¶ 87.

<sup>27</sup> See Cricket Compliance Plan at 4.

and (8) if the applicant is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.<sup>28</sup>

Applicant Certification. Consistent with new rule section 54.410(d)(3), TAG will require the applicant to certify, under penalty of perjury, in writing or by electronic signature or interactive voice response recording,<sup>29</sup> the following: (1) the applicant meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the applicant will notify TAG within 30 days if for any reason he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the applicant is receiving more than one Lifeline benefit, or another member of the applicant's household is receiving a Lifeline benefit; (3) if the applicant is seeking to qualify for Lifeline as an eligible resident of Tribal lands, that he or she lives on Tribal lands; (4) if the applicant moves to a new address, that he or she will provide that new address to TAG within 30 days; (5) if the applicant provided a temporary residential address to TAG, the applicant will be required to verify his or her temporary residential address every 90 days; (6) the applicant's household will receive only one Lifeline service and, to the best of the applicant's knowledge, the applicant's household is not already receiving a Lifeline service;<sup>30</sup> (7) the information contained in the applicant's application/certification form is true and correct to the best of the applicant's knowledge;<sup>31</sup> (8) the applicant acknowledges that providing false or fraudulent

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<sup>28</sup> See section 54.410(d)(2). See Cricket Compliance Plan at 4.

<sup>29</sup> See *Lifeline Reform Order*. ¶¶ 168-69; section 54.419.

<sup>30</sup> See Cricket Compliance Plan at 4.

<sup>31</sup> See *id.* at 5.



information to receive Lifeline benefits is punishable by law; and (9) the applicant acknowledges that the applicant may be required to re-certify his or her continued eligibility for Lifeline at any time, and the applicant's failure to re-certify as to the applicant's continued eligibility will result in de-enrollment and the termination of the applicant's Lifeline benefits pursuant to the de-enrollment policy included below and in the Commission's rules.

In addition, the applicant will be required to authorize TAG to access any records required to verify the applicant's statements on the application/certification form and to confirm the applicant's eligibility for the Lifeline credit.<sup>32</sup> The applicant must also authorize TAG to release any records required for the administration of the Lifeline credit program, including to USAC to be used in a Lifeline program database.<sup>33</sup>

#### **D. Annual Verification Procedures**

TAG will annually re-certify all subscribers by querying the appropriate eligibility databases or obtaining a signed certification from each subscriber consistent with the certification requirements above and new section 54.410(d) of the Commission's rules. This certification will include a confirmation that the applicant's household will receive only one Lifeline service and, to the best of the subscriber's knowledge, the subscriber's household is receiving no more than one Lifeline service.<sup>34</sup> TAG will notify each

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<sup>32</sup> *See id.*

<sup>33</sup> *See* Section 54.404(b)(9). The application/certification form will also describe the information that will be transmitted, that the information is being transmitted to USAC to ensure the proper administration of the Lifeline program and that failure to provide consent will result in the applicant being denied the Lifeline service. *See id.* *See also* Cricket Compliance Plan at 5.

<sup>34</sup> *See Lifeline Reform Order*, ¶ 120 and Cricket Compliance Plan at 8.

participating Lifeline customer annually that he or she must confirm his or her continued eligibility in accordance with the applicable requirements.<sup>35</sup> Further, the verification materials will inform the subscriber that he or she is being contacted to re-certify his or her continuing eligibility for Lifeline service and if the subscriber fails to respond, he or she will be de-enrolled from the program.<sup>36</sup>

2012 Verification. TAG will re-certify the eligibility of each of its existing subscribers as of June 1, 2012 on a rolling basis by the end of 2012 and report the results to USAC by January 31, 2013.<sup>37</sup> TAG will contact its subscribers via text message to their Lifeline supported telephone, or by mail, phone, email or other Internet communication. The notice will explain the actions the customer must take to retain their Lifeline benefits, when such Lifeline benefits may be terminated, and how to contact TAG in response to the re-certification requirement.

Verification De-Enrollment. TAG will de-enroll subscribers that do not respond to the annual verification or fail to provide the required certification.<sup>38</sup> TAG will give subscribers 30 days to respond to the initial annual verification inquiry. If the subscriber does not respond, TAG will send a separate written notice explaining that failure to respond within 30 days will result in the subscriber's de-enrollment from the Lifeline program. If the subscriber does not respond within 30 days from the date of the written notice, TAG will de-enroll the subscriber within five business days.

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<sup>35</sup> See Cricket Compliance Plan at 8.

<sup>36</sup> See *Lifeline Reform Order*, ¶ 145.

<sup>37</sup> See *id.*, ¶ 130.

<sup>38</sup> See *id.*, ¶ 142; section 54.54.405(e)(4).

### **E. Activation and Non-Usage**

TAG will not consider a Lifeline subscriber activated, and will not seek reimbursement for Lifeline service for that subscriber, until the subscriber activates TAG's Lifeline service by affirmatively acknowledging that they are the applicant and that they have applied for and wish to receive Lifeline service from TAG.<sup>39</sup> In addition, after service activation, TAG will provide a de-enrollment notice to subscribers that have not used their service for 60 days. After 60 days of non-use, TAG will provide notice to the subscriber that failure to use the Lifeline service or provide other confirmation directly to TAG that the subscriber wishes to retain their Lifeline service within 30-days from the date of the de-enrollment notice will result in de-enrollment from the Lifeline program.<sup>40</sup> Subscribers can "use" the service by: (1) completing an outbound call; (2) purchasing minutes from TAG to add to the subscriber's plan; (3) answering an incoming call from a party other than TAG; or (4) responding to a direct contact from TAG confirming that the subscriber wants to continue receiving the service.<sup>41</sup>

If the subscriber does not respond to the notice as provided above, the subscriber will be de-enrolled from the Lifeline program and TAG will not request further Lifeline

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<sup>39</sup> TAG's activation process requires customers to contact the TAG Customer Welcome Center to activate their service upon receipt of their handset. New activations are routed to a dedicated activation hotline where TAG's specially trained Customer Support Agents validate the information contained in the subscriber's application, receive affirmative acknowledgment that the individual activating the phone is the applicant and that they have applied for and wish to receive Lifeline service from TAG, and then activate the Lifeline Service.

<sup>40</sup> *See Lifeline Reform Order*, ¶ 257; section 54.405(e)(3). *See Cricket Compliance Plan at 2* (stating that it did not need to implement a non-usage policy because it offered only plans with unlimited local and long distance calling).

<sup>41</sup> *See Lifeline Reform Order*, ¶ 261; section 54.407(c)(2).

reimbursement for the subscriber. TAG will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.<sup>42</sup>

**F. Additional Measures to Prevent Waste, Fraud and Abuse**

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicates, TAG will implement measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. These measures entail additional emphasis in written disclosures as well as live due diligence.<sup>43</sup>

In addition to checking the National Lifeline Accountability Database contemplated in the *Lifeline Reform Order* (the “Database”) when it becomes available, Company personnel will emphasize the “one Lifeline phone per household” restriction in their direct sales contacts with potential customers.<sup>44</sup> Training materials will include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction.<sup>45</sup> All Company personnel interacting with existing and potential Lifeline customers will undergo training regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan.

National Lifeline Accountability Database. When the Database becomes available, TAG will comply with the requirements of new rule section 54.404. TAG will query the Database to determine whether an applicant is currently receiving Lifeline

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<sup>42</sup> See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

<sup>43</sup> See Cricket Compliance Plan at 9.

<sup>44</sup> See *id.*, at 6, 9.

<sup>45</sup> See *id.*

service from another ETC and whether anyone else living at the applicant's residential address is currently receiving Lifeline service.<sup>46</sup>

One-Per-Household. TAG will implement the requirements of the *Lifeline Reform Order* to ensure that it provides only one Lifeline benefit per household<sup>47</sup> through the use of its application/certification forms discussed above, internal database checks and its marketing materials discussed below. Upon receiving an application for Lifeline service, TAG will search its own internal records to ensure that it does not already provide Lifeline-supported service to someone at the same residential address.<sup>48</sup> If so, and the applicant lives at an address with multiple households, TAG will require the applicant to complete and submit a written USAC document containing the following: (1) an explanation of the Commission's one-per-household rule; (2) a check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households; (3) a space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant's household and share in the

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<sup>46</sup> See *Lifeline Reform Order*, ¶ 203. Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. See *id.*, ¶¶ 189-195; section 54.404(b)(6). Further, Company will update each subscriber's information in the National Database within ten business days of any change, except for de-enrollment, which will be transmitted within one business day. See section 54.404(b)(8),(10).

<sup>47</sup> A "household" is any individual or group of individuals who are living together at the same address as one economic unit. A household may include related and unrelated persons. An "economic unit" consists of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. See *Lifeline Reform Order*, ¶ 74; section 54.400(h).

<sup>48</sup> See *id.*, ¶ 78 and Cricket Compliance Plan at 7.

household's expenses or benefit from the applicant's income, pursuant to the Commission's definition; and (4) the penalty for a consumer's failure to make the required one-per-household certification (*i.e.*, de-enrollment).<sup>49</sup> Further, if an applicant provides a temporary address on his or her application/certification form collected as described above, TAG will verify with the applicant/subscriber every 90 days that the address provided in the application/certification remains valid.<sup>50</sup>

Finally, Company personnel will inform each Lifeline applicant that he or she may be receiving Lifeline support under another name, facilitate the applicant's understanding of what constitutes "Lifeline-supported services," and assist in determining whether he or she is already benefiting from Lifeline support, by informing the consumer that not all Lifeline services are currently marketed under the name Lifeline.

Marketing Materials. Within the deadline provided in the *Lifeline Reform Order*, TAG will include the following information regarding its Lifeline service on all marketing materials describing the service: (1) it is a Lifeline service,<sup>51</sup> (2) Lifeline is a government assistance program, (3) Lifeline service is non-transferable, (4) only eligible consumers may enroll in the Lifeline program, (5) the Lifeline program is limited to one discount per household; (6) what documentation is necessary for enrollment; (7) TAG's name (the ETC); and (8) a statement informing consumers that willfully making a false statement in order to obtain the Lifeline benefit can be punished by fine, imprisonment or being barred from the program.<sup>52</sup> These statements will be included in all print, audio

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<sup>49</sup> See *Lifeline Reform Order*, ¶ 78.

<sup>50</sup> See *id.*, ¶ 89.

<sup>51</sup> See Cricket Compliance Plan at 4.

<sup>52</sup> See *Lifeline Reform Order*, ¶ 275; section 54.405(c).

video and web materials (including social networking media) used to describe or enroll customers in TAG's Lifeline service offering, as well as TAG's application/certification forms and annual re-certification forms.<sup>53</sup> This specifically includes the Company's website (www.tagmobile.com) and any outdoor signage.<sup>54</sup> Samples of TAG's marketing materials are included as Exhibit C.

#### **G. Company Reimbursements From the Fund**

To ensure that TAG does not seek reimbursement from the Fund without a subscriber's consent, TAG will certify, as part of each reimbursement request, that it is in compliance with all of the Commission's Lifeline rules and, to the extent required, has obtained valid application/certification and verification forms from each of the subscribers for whom it is seeking reimbursement.<sup>55</sup> Further, the Company will transition the submission of its FCC Forms 497 to the eighth day of each month in order to be reimbursed the same month, and inform USAC, to the extent necessary, to transition its reimbursement process to actual claims rather than projected claims over the course of more than one month.<sup>56</sup> In addition, TAG will keep accurate records as directed by USAC<sup>57</sup> and as required by new section 54.417 of the Commission's rules.

#### **H. Annual Company Certifications**

TAG will submit an annual certification to USAC, signed by a Company officer under penalty of perjury, that TAG: (1) has policies and procedures in place to review

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<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup> *See Lifeline Reform Order*, ¶ 128; section 54.407(d).

<sup>56</sup> *See Lifeline Reform Order*, ¶¶ 302-306.

<sup>57</sup> *See id.*

consumers' proof of eligibility documentation and ensure that its Lifeline subscribers are eligible to receive Lifeline services;<sup>58</sup> (2) is in compliance with all federal Lifeline certification procedures;<sup>59</sup> and (3) has obtained a valid application/certification form for each subscriber for whom TAG seeks Lifeline reimbursement.<sup>60</sup>

In addition, TAG will provide the results of its annual re-certifications/verifications to the Commission, USAC, the applicable state commission and the relevant Tribal governments (for subscribers residing on Tribal lands) on an annual basis.<sup>61</sup> Further, as discussed above, TAG will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.<sup>62</sup>

TAG will also annually report to the Commission, USAC, and relevant state commissions and the relevant authority in a U.S. territory or Tribal government as appropriate,<sup>63</sup> the Company name, names of TAG's holding company, operating companies and affiliates, and any branding (such as a "dba" or brand designation) as well as relevant universal service identifiers for each entity by Study Area Code.<sup>64</sup> TAG will report annually information regarding the terms and conditions of its Lifeline plans for voice telephony service offered specifically for low income consumers during the previous year, including the number of minutes provided and whether there are additional

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<sup>58</sup> See *Lifeline Reform Order*, ¶ 126; section 54.416(a)(1).

<sup>59</sup> See *Lifeline Reform Order*, ¶ 127; section 54.416(a)(2).

<sup>60</sup> See section 54.416(a)(3).

<sup>61</sup> See *Lifeline Reform Order*, ¶¶ 132,148; section 54.416(b).

<sup>62</sup> See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

<sup>63</sup> See *Lifeline Reform Order*, section 54.422(c).

<sup>64</sup> See *Lifeline Reform Order*, ¶¶ 296, 390; section 54.422(a).



charges to the consumer for service, including minutes of use and/or toll calls.<sup>65</sup> Finally, TAG will annually provide detailed information regarding service outages in the previous year, the number of complaints received and certification of compliance with applicable service quality standards and consumer protection rules, as well as a certification that TAG is able to function in emergency situations.<sup>66</sup>

### **I. Cooperation with State and Federal Regulators**

TAG has cooperated and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse. More specifically, TAG will:

- Make available state-specific subscriber data, including the names and addresses of its Lifeline subscribers, to USAC and to each state public utilities commission where TAG operates for the purpose of determining whether an existing Lifeline subscriber receives Lifeline service from another carrier;<sup>67</sup>
- Assist the Commission, USAC, state commissions, and other ETCs in resolving instances of duplicative enrollment by Lifeline subscribers, including by providing to USAC and/or any state commission, upon request, the necessary information to detect and resolve duplicative Lifeline claims;
- Promptly investigate any notification that it receives from the Commission, USAC, or a state commission to the effect that one of its customers already receives Lifeline service from another carrier; and
- Immediately de-enroll any subscriber whom TAG has a reasonable basis to believe<sup>68</sup> is receiving Lifeline-supported service from another ETC or is no longer eligible to participate in the Lifeline program – whether or not

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<sup>65</sup> See *Lifeline Reform Order*, ¶ 390; section 54.422(b)(5).

<sup>66</sup> See *Lifeline Reform Order*, ¶ 389; section 54.422(b)(1)-(4).

<sup>67</sup> TAG anticipates that the need to provide such information will sunset following the implementation of the Database.

<sup>68</sup> See section 54.405(e)(1).

such information is provided by the Commission, USAC, or a state commission.<sup>69</sup>

## II. Description of Lifeline Service Offerings<sup>70</sup>

TAG will offer its Lifeline service in the states where it is designated as an ETC<sup>71</sup> and throughout the coverage area of its underlying providers, Sprint and Verizon Wireless. TAG's Lifeline offering will provide customers with at least 100 anytime voice minutes per month, and text messaging at a rate of 3 texts per voice minute, at no charge.<sup>72</sup> Lifeline customers can purchase additional bundles of minutes, referred to in TAG's general terms and conditions as Replenishment plans. TAG's Replenishment plans are available in either 7 day or 30 day increments, and include text messaging and data service. Standard Replenishment plan pricing and terms are as follows:

7 Day Plan – 100 minutes, up to 200 text messages & 5MB data<sup>73</sup> for \$7.00  
30 Day Plan 1 – 500 minutes, up to 1000 text messages & 20MB data for \$20.00  
30 Day Plan 2 – 1000 minutes, up to 1200 text messages & 30MB data for \$30.00

These Replenishment plans, or “top-up” minutes, are available for purchase at TAG's retail locations and on its website. Where text messaging is not included in a plan as a separate component, it is available with all TAG voice plans at the rate of three (3) texts, either sent or received, to one (1) minute of airtime usage. Additional information

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<sup>69</sup> See Cricket Compliance Plan at 10.

<sup>70</sup> See Compliance Plan Public Notice at 3.

<sup>71</sup> TAG is currently designated as an ETC in Arkansas, Kentucky, Louisiana, Maryland, Oklahoma, and West Virginia.

<sup>72</sup> TAG's Lifeline offering in Kentucky provides customers with 200 anytime voice minutes per month, and text messaging at a rate of 3 texts per voice minute. TAG's Lifeline offering in Oklahoma is not yet set and is subject to further discussions with staff.

<sup>73</sup> Available on phones with data capabilities.

regarding TAG's plans, rates and services can be found on its website at [www.tagmobile.com](http://www.tagmobile.com).

In addition to free voice services, TAG's Lifeline plan will include a free handset and custom calling features at no charge, including Caller ID, Call Waiting, Call Forwarding, 3-Way Calling, and Voicemail. All plans include domestic long-distance at no extra per minute charge. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes.

### **III. Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation<sup>74</sup>**

Financial and Technical Capabilities. Revised Commission rule 54.202(a)(4), 47 C.F.R. 54.202(a)(4), requires carriers petitioning for ETC designation to demonstrate financial and technical capability to comply with the Commission's Lifeline service requirements.<sup>75</sup> The Compliance Plan Public Notice requires that carriers' compliance plan include this demonstration. Among the factors the Commission will consider are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate; whether the carrier receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding in any state.

TAG has been providing telecommunications service since March of 2010 and it has been providing Lifeline service since October of 2010. As discussed in Section II *supra*, TAG receives revenue from a number of sources which are completely

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<sup>74</sup> See Compliance Plan Public Notice at 3.

<sup>75</sup> See *Lifeline Reform Order*, ¶¶ 387-388 (revising Commission rule 54.202(a)(4)).

independent from the revenue it receives in the form of Lifeline reimbursements. TAG's revenue stream includes, in addition to its Lifeline service offerings, income from the sale of replenishment airtime minutes, the sale of prepaid wireless service to non-Lifeline consumers, the sale of wholesale airtime to smaller and/or regional wireless service providers, and the sale of various other ancillary services, including but not limited to Wireless Land Line Replacement service, data services, and text only service packages. Consequently, TAG has not and will not be relying exclusively on Lifeline reimbursement for its operating revenues. TAG receives revenues from these wholesale and non-Lifeline retail offerings, and also has access to other financial resources including from its parent company. The Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state.

Service Requirements Applicable to TAG's Support. The Compliance Plan Public Notice requires carriers to include "certifications required under newly amended section 54.202 of the Commission's rules."<sup>76</sup> TAG certifies that it will comply with the service requirements applicable to the support it receives.<sup>77</sup> TAG provides all of the telecommunications services supported by the Lifeline program and will make the services available to all qualified consumers throughout the states in which it is designated as an ETC. TAG's services include voice telephony services that provide voice grade access to the public switched network or its functional equivalent. TAG's service offerings provide its customers with a set number of minutes of use for local service at no charge to the customer. TAG's current Lifeline offerings include the

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<sup>76</sup> Compliance Plan Public Notice at 3.

<sup>77</sup> 47 C.F.R. § 54.202(a)(1).

packages described in Section II *supra* that can be used for both local and domestic toll service.

TAG also will provide access to emergency services provided by local government or public safety officials, including 911 and E911 where available, and will comply with any Commission requirements regarding E911-compatible handsets. As discussed above, TAG will comply with the Commission's forbearance grant conditions relating to the provision of 911 and E911 services and handsets.

Finally, TAG will not provide toll limitation service ("TLS"), which allows low income consumers to avoid unexpected toll charges. However, since TAG is a prepaid service provider, customers cannot be disconnected for failure to pay toll charges, nor are there additional charges for exceeding their pre set minutes. Further, TAG, like most wireless carriers, does not differentiate domestic long distance toll usage from local usage and all usage is paid for in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS.<sup>78</sup>

#### **IV. Conclusion**

TAG submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Lifeline Reform Order*, the Compliance Plan Public Notice and the Lifeline rules. Accordingly, TAG respectfully requests that the Commission expeditiously approve its Compliance Plan.

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<sup>78</sup> See *Lifeline Reform Order*, ¶ 230.

Respectfully submitted,



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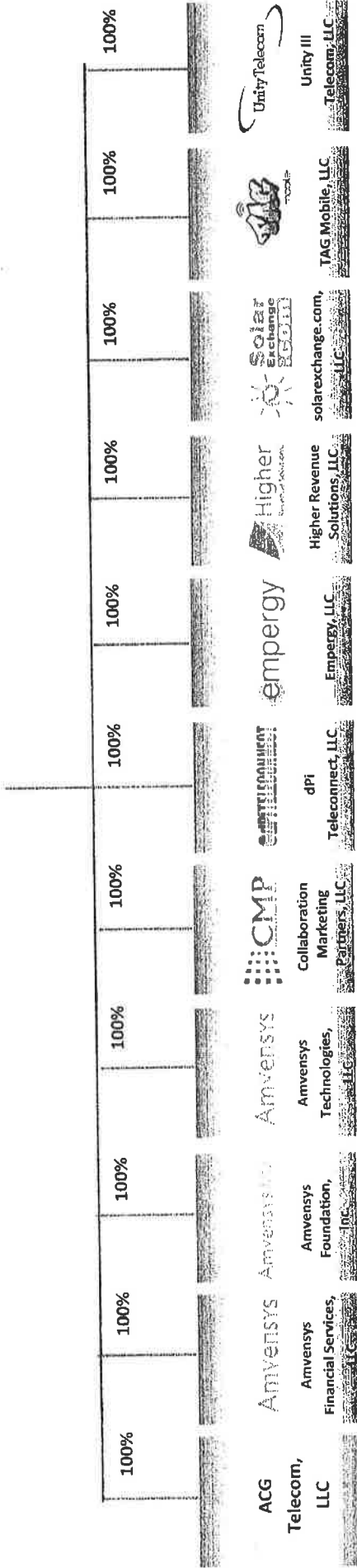
*Counsel to TAG Mobile, LLC*

March 6, 2012

# **EXHIBIT A**

# Legal Structure

## Amvensys Capital Group



Amvensys Capital Group, LLC (ACG) is the parent company of TAG Mobile, LLC. All subsidiaries of ACG are sister companies of each other. Only four ACG subsidiaries offer telecommunications services: (1) dPi Teleconnect – a designated ETC providing prepaid wireline phone service, dial-up Internet and Lifeline supported wireline phone service, (2) TAG Mobile – a designated ETC providing prepaid wireless service and Lifeline wireless service, (3) Unity Telecom – Commercial wireline, VoIP, DSL and Hosted PBX services, and (4) IntelliVerse – VoIP, IVR and Hosted PBX services.



# **EXHIBIT B**



mobile

**FREE Cell Phone with free minutes every 30-days for a year!**

**TAG Mobile Lifeline minute plans include:**

- nationwide coverage via Sprint or Verizon networks
- minutes good for local and domestic long distance calls
- calls to 911 available even when your phone has no minutes left
- text messaging
- voicemail
- no charge calls to 211

**Do you qualify for this FREE program?**

You may qualify for a FREE PHONE and FREE SERVICE, with no activation fee if you participate in any one of the following programs:

- Supplemental Security Income (SSI)
- Federal Public Housing (Section 8)
- Low-Income Home Energy Assistance
- Temporary Assistance to Needy Families (TANF)
- Food Stamps
- Medicaid
- National School Lunch Program

This is a Lifeline service limited to one discount per household. Lifeline is a government assistance program and is non-transferrable. Proof of eligibility, such as an eligible program card or statement of benefits, is required and only eligible consumers may enroll. Consumers who willfully make a false statement in order to obtain a Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

**Questions? Contact Customer Service at 1-866-959-4918**

**Need More Minutes Each Month?**

Price	Minutes Packages	Expiration
\$7.00	100 Minutes & up to 200 texts	7 days
\$20.00	500 Minutes & up to 1000 texts	30 days
\$30.00	1000 Minutes & up to 1200 texts	30 days

**Terms and Conditions:**

Provision of a free phone and a preset amount of free monthly minutes of use are provided by TAG as part of the Universal Service Low Income support mechanism commonly referred to as the Lifeline program. Lifeline benefits are federal benefits limited to a single line of service per household. You may not receive multiple Lifeline discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both. Note that not all Lifeline services are currently marketed under the name Lifeline. If you do not qualify for Lifeline supported services, you may opt to purchase a phone and pay a one-time activation fee plus the cost of one of TAG's pre-paid service packages per month. In most cases, TAG service will only work on cellular handsets provided by/purchased from TAG. Text messaging used with Lifeline service is decremented for mobile originating and mobile terminating messages at the rate of 3 texts, either sent or received, to 1 of your free monthly minutes. It does not cost you minutes to check your voicemail from any other phone. Unused Lifeline minutes expire at midnight EST on the 30th day of the billing cycle associated with your Lifeline account, which is determined by your service initiation date. By activating and using this service you agree to indemnify and hold harmless TAG Mobile, LLC and its affiliates for any damages that arise from the use of the service. The wireless service described herein is provided on either the Sprint or Verizon Wireless Networks and is resold under the TAG Mobile Brand. TAG Mobile is a registered trademark. For complete terms and conditions visit our website: [www.tagmobile.com](http://www.tagmobile.com).

# FREE

## Cell Phone

Free Minutes Every Month

No Contract

No Credit Check

Sign Up Today!

# TAG<sup>TM</sup>

mobile

This is a Lifeline service limited to one discount per household. Lifeline is a government assistance program and is non-transferrable. Proof of eligibility, such as an eligible program card or statement of benefits, is required and only eligible consumers may enroll. Consumers who willfully make a false statement in order to obtain a Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.



# FREE

# CellPhone

**Free Minutes Every Month**  
**No Contract No Credit Check**

# mobile sign up Today!

[www.tagmobile.com](http://www.tagmobile.com)

This is a Lifeline service limited to one discount per household. Lifeline is a government assistance program and is non-transferable. Proof of eligibility, such as an eligible program card or statement of benefits, is required and only eligible consumers may enroll. Consumers who willfully make a false statement in order to obtain a Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

# **EXHIBIT C**

## (STATE) Wireless Lifeline Service Application



When completed mail or fax form to:  
1330 Capital Parkway  
Carrollton, TX 75006  
Fax 866-254-6320  
Customer Service: 1-866-959-4918



A complete and signed Lifeline Application and Certification Form ("Application") is required to enroll your household in TAG Mobile, LLC's ("TAG's") Lifeline program in your state. This Application is only for the purpose of verifying your eligibility for the Lifeline service program and will not be used for any other purpose. Lifeline is a government assistance program and only eligible consumers may enroll in the program. Lifeline service is a non-transferrable service and therefore may not be transferred to any other individual, including another eligible low-income consumer. All Lifeline subscribers must complete their own Application for service. Service requests will not be processed until this Application has been received and validated by TAG. Applicants must personally activate TAG's Lifeline service by calling XXX-XXX-XXXX.

Lifeline benefits are federal benefits and Applicants that make false statements in order to obtain the Lifeline benefit can be punished by fine or imprisonment, de-enrollment or can be barred from the program. Only one Lifeline service is available per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline benefits from multiple providers. A violation of the one-per-household requirement constitutes a violation of the Federal Communication Commission's rules and will result in de-enrollment from the program, and could result in criminal prosecution by the United States government. The Lifeline benefit may be applied to either one landline or one wireless number, but cannot be applied to both. Note that not all Lifeline services are currently marketed under the name Lifeline.

**Each household will be required to verify continued eligibility for Lifeline program participation on at least an annual basis.**

I (Applicant) participate in at least one of the following programs, and am able to verify my identity and participation as required:

### PLEASE CHECK ONE

- |   |   |
|---|---|
| <input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP)   | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF)           |
| <input type="checkbox"/> Section 8 Federal Public Housing Assistance (FPHA) | <input type="checkbox"/> Low Income Home Energy Assistance Plan (LIHEAP)          |
| <input type="checkbox"/> Medicaid (not Medicare)                            | <input type="checkbox"/> National School Lunch Program's free lunch program (NSL) |
| <input type="checkbox"/> Supplemental Security Income (SSI)                 | <input type="checkbox"/> Income at or below 135% of federal poverty level         |

Evidence of program eligibility is required. Where such eligibility cannot be validated through a state and/or federal database or other alternative means, it may be validated in person by a TAG Agent by providing a copy of the Applicant's state issued ID card and a copy of the program identification card or other social service agency documentation showing current participation.

I (Applicant) certify, under penalty of perjury that [check boxes]:

- I have read and understand this Application, and swear and affirm that the information contained in this Application is true and correct, to the best of my knowledge and belief. I understand that I must meet certain eligibility qualifications as described above to receive Lifeline assistance, and I further understand that providing false or fraudulent information to receive Lifeline benefits is punishable by law.
- I meet the income-based eligibility criteria for Lifeline service or am a current recipient of the above designated program(s) and will notify TAG within thirty (30) business days (1) if I am no longer participating in any of the above designated program(s); (2) if my household is receiving more than one Lifeline supported service; or (3) if for any other reason my household no longer satisfies the criteria for receiving Lifeline support. I have provided documentation of eligibility if required.
- The residence address provided below is my primary and permanent residence, and not a second home or business. I understand that if I move from the address included on this Application that I am required to notify TAG of my new address within 30 days.
- If I provided a temporary residential address to TAG, I will verify my temporary residential address every 90 days.
- I understand the notification requirements described above with respect to both program eligibility and current address information, and I further understand that I or my household may be subject to penalties if these requirements are not followed.
- I understand that I may be required to re-certify the continued eligibility of my household for participation in the Lifeline program at any time, but will be required to provide such recertification on at least an annual basis. I understand that failure to re-certify as required will result in the termination of Lifeline benefits. I further understand that I may be subject to the same penalties for providing false or fraudulent information at the time of recertification as are applicable to the initial application.
- I authorize TAG to access any records required to verify my statements on this form and to confirm my eligibility for the TAG Lifeline credit. I give permission to the duly authorized official(s) administering the above programs to provide to TAG my participation status in any of the above program(s). I give this permission on the condition that the information in this Application and any information about my participation in the above programs provided by officials be maintained by TAG as confidential customer account information.

- I authorize TAG to release any records required for the administration of the TAG Lifeline credit program (including my name, telephone number and address), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.
- My household will receive only one Lifeline benefit and, to the best of my knowledge, my household is not currently receiving a Lifeline-supported service from any other provider.
- I am entitled to complete this Application, and am not listed as a dependent on another person's tax return (unless over the age of 60).

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ D.O.B.: \_\_\_\_\_ Last 4 Digits of SSN: \_\_\_\_\_

Residence Address (*May not be a PO Box*): \_\_\_\_\_

- The address provided above is a temporary address. I will validate this address with TAG every 90 days until I obtain a permanent address.

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Mailing Address (if different than residence address): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

If Qualifying for Lifeline by Income, the Number of Individuals in My Household: \_\_\_\_\_

I, \_\_\_\_\_, hereby attest that the Applicant's ID and supporting documentation checked below were presented and verified.  
(Agent/Company Representative Name)

Agent/Company Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**In order for your TAG Lifeline account to remain active, we require that you use your TAG Lifeline supported wireless service at least once per month.**

You can use the service by completing an outbound call, purchasing minutes from TAG to add to your plan, answering an incoming call from someone other than TAG or responding to a direct contact from TAG confirming that you want to continue receiving the service.

<b>For Agent Use Only (check only 1 eligibility category and only 1 box under that category; do not copy or retain documentation):</b>	
<b>Documents Acceptable Proof for Income-Eligibility:</b> <input type="checkbox"/> The prior year's state, federal, or Tribal tax return, <input type="checkbox"/> Current income statement from an employer or paycheck stub, <input type="checkbox"/> A Social Security statement of benefits, <input type="checkbox"/> A Veterans Administration statement of benefits, <input type="checkbox"/> A retirement/pension statement of benefits, <input type="checkbox"/> An Unemployment/Workmen's Compensation statement of benefits, <input type="checkbox"/> Federal or Tribal notice letter of participation in General Assistance, or <input type="checkbox"/> A divorce decree, child support award, or other official document containing income information for at least three months time.	<b>Documents Acceptable Proof for Program-Eligibility:</b> <input type="checkbox"/> The current or prior year's statement of benefits from a qualifying state, federal or Tribal program; <input type="checkbox"/> A notice letter of participation in a qualifying state, federal or Tribal program; <input type="checkbox"/> Program participation documents (e.g., the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or <input type="checkbox"/> Another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program
<b>Applicant's Account Number</b>	<b>Corp ID/Dealer Number</b>
<b>Customer ESN</b>	<b>Customer MDN</b>

## (STATE) Wireless Lifeline Service Application



When completed mail or fax form to:  
1330 Capital Parkway  
Carrollton, TX 75006  
Fax 866-254-6320  
Customer Service: 1-866-959-4918



A complete and signed Lifeline Application and Certification Form ("Application") is required to enroll your household in TAG Mobile, LLC's ("TAG's") Lifeline program in your state. This Application is only for the purpose of verifying your eligibility for the Lifeline service program and will not be used for any other purpose. Lifeline is a government assistance program and only eligible consumers may enroll in the program. Lifeline service is a non-transferable service and therefore may not be transferred to any other individual, including another eligible low-income consumer. All Lifeline subscribers must complete their own Application for service. Service requests will not be processed until this Application has been received and validated by TAG. Applicants must personally activate TAG's Lifeline service by calling XXX-XXX-XXXX.

Lifeline benefits are federal benefits and Applicants that make false statements in order to obtain the Lifeline benefit can be punished by fine or imprisonment, de-enrollment or can be barred from the program. Only one Lifeline service is available per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline benefits from multiple providers. A violation of the one-per-household requirement constitutes a violation of the Federal Communication Commission's rules and will result in de-enrollment from the program, and could result in criminal prosecution by the United States government. The Lifeline benefit may be applied to either one landline or one wireless number, but cannot be applied to both. Note that not all Lifeline services are currently marketed under the name Lifeline.

**Each household will be required to verify continued eligibility for Lifeline program participation on at least an annual basis.**

Please indicate which Lifeline Program for which you qualify:

### Enhanced Lifeline

I (Applicant) hereby certify that I am an eligible resident of Tribal Lands, I participate in at least one of the following programs and am able to verify my identity and participation as required.

### PLEASE CHECK ONE

- |   |   |
|---|---|
| <input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP)         | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF)           |
| <input type="checkbox"/> Food Distribution Program on Indian Reservations (FDPIR) | <input type="checkbox"/> Tribally Administered TANF (TATANF)                      |
| <input type="checkbox"/> Section 8 Federal Public Housing Assistance (FPHA)       | <input type="checkbox"/> Low Income Home Energy Assistance Plan (LIHEAP)          |
| <input type="checkbox"/> Medicaid (not Medicare)                                  | <input type="checkbox"/> National School Lunch Program's free lunch program (NSL) |
| <input type="checkbox"/> Supplemental Security Income (SSI)                       | <input type="checkbox"/> Head Start (meeting income qualifying standards)         |
| <input type="checkbox"/> Bureau of Indian Affairs General Assistance (BIA)        | <input type="checkbox"/> Income at or below 135% of federal poverty level         |

### Regular Lifeline

I (Applicant) participate in at least one of the following programs, and am able to verify my identity and participation as required.

### PLEASE CHECK ONE

- |   |   |
|---|---|
| <input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP)   | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF)           |
| <input type="checkbox"/> Section 8 Federal Public Housing Assistance (FPHA) | <input type="checkbox"/> Low Income Home Energy Assistance Plan (LIHEAP)          |
| <input type="checkbox"/> Medicaid (not Medicare)                            | <input type="checkbox"/> National School Lunch Program's free lunch program (NSL) |
| <input type="checkbox"/> Supplemental Security Income (SSI)                 | <input type="checkbox"/> Income at or below 135% of federal poverty level         |

Evidence of program eligibility is required. Where such eligibility cannot be validated through a state and/or federal database or other alternative means, it may be validated in person by a TAG Agent by providing a copy of the Applicant's state issued ID card and a copy of the program identification card or other social service agency documentation showing current participation.

**I (Applicant) certify, under penalty of perjury that [check boxes]:**

- I have read and understand this Application, and swear and affirm that the information contained in this Application is true and correct, to the best of my knowledge and belief. I understand that I must meet certain eligibility qualifications as described above to receive Lifeline assistance, and I further understand that providing false or fraudulent information to receive Lifeline benefits is punishable by law.
- I meet the income-based eligibility criteria for Lifeline service or am a current recipient of the above designated program(s) and will notify TAG within thirty (30) business days (1) if I am no longer participating in any of the above designated program(s); (2) if my household is receiving more than one Lifeline supported service; or (3) if for any other reason my household no longer satisfies the criteria for receiving Lifeline support. I have provided documentation of eligibility if required.
- The residence address provided below is my primary and permanent residence, and not a second home or business. I understand that if I move from the address included on this Application that I am required to notify TAG of my new address within 30 days.
- If I provided a temporary residential address to TAG, I will verify my temporary residential address every 90 days.



- I understand the notification requirements described above with respect to both program eligibility and current address information, and I further understand that I or my household may be subject to penalties if these requirements are not followed.
- I understand that I may be required to re-certify the continued eligibility of my household for participation in the Lifeline program at any time, but will be required to provide such recertification on at least an annual basis. I understand that failure to re-certify as required will result in the termination of Lifeline benefits. I further understand that I may be subject to the same penalties for providing false or fraudulent information at the time of recertification as are applicable to the initial application.
- I authorize TAG to access any records required to verify my statements on this form and to confirm my eligibility for the TAG Lifeline credit. I give permission to the duly authorized official(s) administering the above programs to provide to TAG my participation status in any of the above program(s). I give this permission on the condition that the information in this Application and any information about my participation in the above programs provided by officials be maintained by TAG as confidential customer account information.
- I authorize TAG to release any records required for the administration of the TAG Lifeline credit program (including my name, telephone number and address), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.
- My household will receive only one Lifeline benefit and, to the best of my knowledge, my household is not currently receiving a Lifeline-supported service from any other provider.
- I am entitled to complete this Application, and am not listed as a dependent on another person's tax return (unless over the age of 60).

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ D.O.B.: \_\_\_\_\_ Last 4 Digits of SSN: \_\_\_\_\_

Residence Address (May not be a PO Box): \_\_\_\_\_

- The address provided above is a temporary address. I will validate this address with TAG every 90 days until I obtain a permanent address.

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Mailing Address (if different than residence address): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

If Qualifying for Lifeline by Income, the Number of Individuals in My Household: \_\_\_\_\_

I, \_\_\_\_\_, hereby attest that the Applicant's ID and supporting documentation checked below were presented and verified.  
(Agent/Company Representative Name)

Agent/Company Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**In order for your TAG Lifeline account to remain active, we require that you use your TAG Lifeline supported wireless service at least once per month.**

You can use the service by completing an outbound call, purchasing minutes from TAG to add to your plan, answering an incoming call from someone other than TAG or responding to a direct contact from TAG confirming that you want to continue receiving the service.

<b>For Agent Use Only (check only 1 eligibility category and only 1 box under that category; do not copy or retain documentation):</b>	
<p><b>Documents Acceptable Proof for Income-Eligibility:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The prior year's state, federal, or Tribal tax return,</li> <li><input type="checkbox"/> Current income statement from an employer or paycheck stub,</li> <li><input type="checkbox"/> A Social Security statement of benefits,</li> <li><input type="checkbox"/> A Veterans Administration statement of benefits,</li> <li><input type="checkbox"/> A retirement/pension statement of benefits,</li> <li><input type="checkbox"/> An Unemployment/Workmen's Compensation statement of benefits,</li> <li><input type="checkbox"/> Federal or Tribal notice letter of participation in General Assistance, or</li> <li><input type="checkbox"/> A divorce decree, child support award, or other official document containing income information for at least three months time.</li> </ul>	<p><b>Documents Acceptable Proof for Program-Eligibility:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> The current or prior year's statement of benefits from a qualifying state, federal or Tribal program;</li> <li><input type="checkbox"/> A notice letter of participation in a qualifying state, federal or Tribal program;</li> <li><input type="checkbox"/> Program participation documents (e.g., the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or</li> <li><input type="checkbox"/> Another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.</li> </ul>
<b>Applicant's Account Number</b>	<b>Corp ID/Dealer Number</b>
<b>Customer ESN</b>	<b>Customer MDN</b>

**Exhibit G**

**Missouri Lifeline Application Form (Current)**



### Missouri Application for Low Income Discounts

You may qualify for a discount on your monthly telephone bill if you or a dependent residing in your household receives low income benefits under certain programs. The discount varies between \$3.50 & \$13.50 depending on your local voice provider and the type of program. The programs that qualify for low income benefits are listed below.

If you or a dependent residing in your household receives benefits from one or more of the programs listed below, please check all that apply, complete the remainder of this form, and return it to TAG Mobile, LLC with documentation verifying participation in at least one program. Documentation may include a benefit card or a letter to you or a dependent residing in your household from the federal, state, or local agency that administers the qualifying program.

Lifeline benefits are limited to a single line of service per residence. You may not receive multiple Lifeline or Link Up discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both. Note that not all Lifeline services are currently marketed under the name Lifeline. Are you currently receiving a Lifeline supported service from any other provider?  Yes  No.

#### LOW INCOME PROGRAMS

- MO HealthNet (f/k/a Medicaid)
- Food Stamps
- Supplemental Security Income
- Low-Income Home Energy Assistance Program (LIHEAP)
- Federal Public Housing Assistance or Section 8
- National School Free Lunch Program
- Temporary Assistance for Needy Families

I certify under penalty or perjury that I or a dependent residing in my household currently receives benefits from at least one of the programs listed above. I agree to notify TAG Mobile, LLC immediately if I or a dependent residing in my household ceases to participate in these programs. I direct and authorize any agency administering these qualifying programs to confirm and provide verifying documents to the Missouri Public Service Commission, or any delegate thereof, of current participation in a program. I confirm local voice service discounts under the low income programs are limited to one per household.

<b>Name of Beneficiary (please print)</b>	<b>Signature of Beneficiary or Guardian/Date</b>
<b>Last 4 of SSN for Beneficiary</b>	
<b>Name listed on Local Voice Service Account (please print)</b>	<b>Signature of Local Voice Subscriber</b>
<b>Address</b>	<b>Telephone Number</b>
<b>City, State, Zip</b>	

I \_\_\_\_\_ hereby attest that the supporting program documentation was presented and verified.  
Company Representative (please print)

<b>Signature</b>	<b>Title</b>	<b>Date</b>
------------------	--------------	-------------

**Exhibit H**

**Missouri Lifeline Application Form (Proposed)**

## Missouri Wireless Lifeline Service Application



When completed mail or fax form to:  
1330 Capital Parkway  
Carrollton, TX 75006  
Fax 866-254-6320  
Customer Service: 1-866-959-4918



A complete and signed Lifeline Application and Certification Form ("Application") is required to enroll your household in TAG Mobile, LLC's ("TAG's") Lifeline program in your state. This Application is only for the purpose of verifying your eligibility for the Lifeline service program and will not be used for any other purpose. Lifeline is a government assistance program and only eligible consumers may enroll in the program. Lifeline service is a non-transferrable service and therefore may not be transferred to any other individual, including another eligible low-income consumer. All Lifeline subscribers must complete their own Application for service. Service requests will not be processed until this Application has been received and validated by TAG. Applicants must personally activate TAG's Lifeline service by calling 1-866-959-4918 and selecting Option 2 for activations.

Lifeline benefits are federal benefits and Applicants that make false statements in order to obtain the Lifeline benefit can be punished by fine or imprisonment, de-enrollment or can be barred from the program. Only one Lifeline service is available per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline benefits from multiple providers. A violation of the one-per-household requirement constitutes a violation of the Federal Communication Commission's rules and will result in de-enrollment from the program, and could result in criminal prosecution by the United States government. The Lifeline benefit may be applied to either one landline or one wireless number, but cannot be applied to both. Note that not all Lifeline services are currently marketed under the name Lifeline.

**Each household will be required to verify continued eligibility for Lifeline program participation on at least an annual basis.**

I (Applicant) participate in at least one of the following programs, and am able to verify my identity and participation as required:

### PLEASE CHECK ONE

- |  |   |
|--|---|
| <input type="checkbox"/> Supplemental Nutrition Assistance Program (SNAP)    | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF)           |
| <input type="checkbox"/> Section 8 Federal Public Housing Assistance (FPHA)  | <input type="checkbox"/> Low Income Home Energy Assistance Plan (LIHEAP)          |
| <input type="checkbox"/> MO HealthNet (f/k/a Medicaid; <u>not Medicare</u> ) | <input type="checkbox"/> National School Lunch Program's free lunch program (NSL) |
| <input type="checkbox"/> Supplemental Security Income (SSI)                  | <input type="checkbox"/> Income at or below 135% of federal poverty level         |

Evidence of program eligibility is required. Where such eligibility cannot be validated through a state and/or federal database or other alternative means, it may be validated in person by a TAG Agent by providing a copy of the Applicant's state issued ID card and a copy of the program identification card or other social service agency documentation showing current participation.

I (Applicant) certify, under penalty of perjury that [check boxes]:

- I have read and understand this Application, and swear and affirm that the information contained in this Application is true and correct, to the best of my knowledge and belief. I understand that I must meet certain eligibility qualifications as described above to receive Lifeline assistance, and I further understand that providing false or fraudulent information to receive Lifeline benefits is punishable by law.
- I meet the income-based eligibility criteria for Lifeline service or am a current recipient of the above designated program(s) and will notify TAG within thirty (30) business days (1) if I am no longer participating in any of the above designated program(s); (2) if my household is receiving more than one Lifeline supported service; or (3) if for any other reason my household no longer satisfies the criteria for receiving Lifeline support. I have provided documentation of eligibility if required.
- The residence address provided below is my primary and permanent residence, and not a second home or business. I understand that if I move from the address included on this Application that I am required to notify TAG of my new address within 30 days.
- If I provided a temporary residential address to TAG, I will verify my temporary residential address every 90 days.
- I understand the notification requirements described above with respect to both program eligibility and current address information, and I further understand that I or my household may be subject to penalties if these requirements are not followed.
- I understand that I may be required to re-certify the continued eligibility of my household for participation in the Lifeline program at any time, but will be required to provide such recertification on at least an annual basis. I understand that failure to re-certify as required will result in the termination of Lifeline benefits. I further understand that I may be subject to the same penalties for providing false or fraudulent information at the time of recertification as are applicable to the initial application.
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- I authorize TAG to release any records required for the administration of the TAG Lifeline credit program (including my name, telephone number and address), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.
- My household will receive only one Lifeline benefit and, to the best of my knowledge, my household is not currently receiving a Lifeline-supported service from any other provider.
- I am entitled to complete this Application, and am not listed as a dependent on another person's tax return (unless over the age of 60).

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_ D.O.B.: \_\_\_\_\_ Last 4 Digits of SSN: \_\_\_\_\_

Residence Address (May not be a PO Box): \_\_\_\_\_

- The address provided above is a temporary address. I will validate this address with TAG every 90 days until I obtain a permanent address.

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Mailing Address (if different than residence address): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

If Qualifying for Lifeline by Income, the Number of Individuals in My Household: \_\_\_\_\_

I, \_\_\_\_\_, hereby attest that the Applicant's ID and supporting documentation checked below were presented and verified.  
(Agent/Company Representative Name)

Agent/Company Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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You can use the service by completing an outbound call, purchasing minutes from TAG to add to your plan, answering an incoming call from someone other than TAG or responding to a direct contact from TAG confirming that you want to continue receiving the service.

<b>For Agent Use Only (check only 1 eligibility category and only 1 box under that category; do not copy or retain documentation):</b>	
<b>Documents Acceptable Proof for Income-Eligibility:</b> <input type="checkbox"/> The prior year's state, federal, or Tribal tax return, <input type="checkbox"/> Current income statement from an employer or paycheck stub, <input type="checkbox"/> A Social Security statement of benefits, <input type="checkbox"/> A Veterans Administration statement of benefits, <input type="checkbox"/> A retirement/pension statement of benefits, <input type="checkbox"/> An Unemployment/Workmen's Compensation statement of benefits, <input type="checkbox"/> Federal or Tribal notice letter of participation in General Assistance, or <input type="checkbox"/> A divorce decree, child support award, or other official document containing income information for at least three months time.	<b>Documents Acceptable Proof for Program-Eligibility:</b> <input type="checkbox"/> The current or prior year's statement of benefits from a qualifying state, federal or Tribal program; <input type="checkbox"/> A notice letter of participation in a qualifying state, federal or Tribal program; <input type="checkbox"/> Program participation documents (e.g., the consumer's Supplemental Nutrition Assistance Program (SNAP) electronic benefit transfer card or Medicaid participation card (or copy thereof)); or <input type="checkbox"/> Another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program
<b>Applicant's Account Number</b>	<b>Corp ID/Dealer Number</b>
<b>Customer ESN</b>	<b>Customer MDN</b>

**Exhibit I**

**Non-Usage Plan**

## TAG MOBILE, LLC NON-USAGE PLAN

### Definitions:

SMS – Short Message Service commonly referred as text message.

Usage – the act of making or receiving voice calls OR sending or receiving text messages (SMS) on Lifeline supported equipment.

MDN – Mobile Device Number

### Plan Details:

TAG Mobile has the ability to monitor call activity through subscriber MDN.

Should a TAG Mobile Lifeline customer's account not show usage for two consecutive months (the equivalent of 60 consecutive calendar days) the TAG Mobile customer account will be temporarily suspended from placing or receiving voice calls or SMS, except to or from TAG Mobile. At this point TAG Mobile will send the customer a notification via SMS that their service has been temporarily suspended for inactivity, and provide instructions on how to resume their Lifeline service. If the customer does not acknowledge this SMS, TAG Mobile will attempt to call the customer to relay this information. Temporarily suspended TAG Mobile accounts WILL be able to place 911 calls for emergencies and place 611 calls to customer service.

TAG Mobile customer accounts that have been temporarily suspended for inactivity will be given a 30 day grace period to resume using the Lifeline service, during which time TAG Mobile will not seek reimbursement from the Federal USF for the suspended account. However, if the customer resumes using their Lifeline service during the 30 day grace period, TAG Mobile will resume seeking reimbursement from the Federal USF. If after 30 days the TAG Mobile Lifeline customer has not resumed using their Lifeline service, the customer account will be fully disconnected and de-enrolled from the lifeline program and TAG Mobile will not seek any further reimbursement from the Federal USF for the disconnected account.

To resume using their Lifeline service prior to full disconnection, the affected customer must contact TAG Mobile Customer Service by dialing 611 on their TAG Mobile phone or by dialing toll free 1-866-959-4918 from any wireline phone or non-lifeline wireless phone to make suitable arrangements to reestablish service.

Customers who have been fully disconnected under this plan will be required to re-enroll in the Lifeline program as when they initially applied for service. Assuming that a customer remains qualified for Lifeline benefits, they will be re-enrolled in the program and will be provided the standard monthly allotments of minutes following re-enrollment. TAG Mobile will resume seeking reimbursement from the Federal USF following customer's re-enrollment.



**Exhibit J**

**CTIA Certification and Consumer Code for Wireless Service**

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# CTIA

## Consumer Code *for* Wireless Service

To provide consumers with information to help them make informed choices when selecting wireless service, to help ensure that consumers understand their wireless service and rate plans, and to continue to provide wireless service that meets consumers' needs, the CTIA and the wireless carriers that are signatories below have developed the following Consumer Code. The carriers that are signatories to this Code have voluntarily adopted the principles, disclosures, and practices here for wireless service provided to individual consumers.

### THE WIRELESS CARRIERS THAT ARE SIGNATORIES TO THIS CODE WILL:

#### ONE

#### DISCLOSE RATES AND TERMS OF SERVICE TO CONSUMERS

**F**or each rate plan offered to new consumers, wireless carriers will make available to consumers in collateral or other disclosures at point of sale and on their web sites, at least the following information, as applicable: (a) the calling area for the plan; (b) the monthly access fee or base charge; (c) the number of airtime minutes included in the plan; (d) any nights and weekend minutes included in the plan or other differing charges for different time periods and the time periods when nights and weekend minutes or other charges apply; (e) the charges for excess or additional minutes; (f) per-minute long distance charges or whether long distance is included in other rates; (g) per-minute roaming or off-network charges; (h) whether any additional taxes, fees or surcharges apply; (i) the amount or range of any such fees or surcharges that are collected and retained by the carrier; (j) whether a fixed-term contract is required and its duration; (k) any activation or initiation fee; and (l) any early termination fee that applies and the trial period during which no early termination fee will apply.

#### TWO

#### MAKE AVAILABLE MAPS SHOWING WHERE SERVICE IS GENERALLY AVAILABLE

**W**ireless carriers will make available at point of sale and on their web sites maps depicting approximate voice service coverage applicable to each of their rate plans currently offered to consumers. To enable consumers to make comparisons among carriers, these maps will be generated using generally accepted methodologies and standards to depict the carrier's outdoor coverage. All such maps will contain an appropriate legend concerning limitations and/or variations in wireless coverage and map

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usage, including any geographic limitations on the availability of any services included in the rate plan. Wireless carriers will periodically update such maps as necessary to keep them reasonably current. If necessary to show the extent of service coverage available to customers from carriers' roaming partners, carriers will request and incorporate coverage maps from roaming partners that are generated using similar industry-accepted criteria, or if such information is not available, incorporate publicly available information regarding roaming partners' coverage areas.

### T H R E E

#### **PROVIDE CONTRACT TERMS TO CUSTOMERS AND CONFIRM CHANGES IN SERVICE**

**W**hen a customer initiates service with a wireless carrier or agrees to a change in service whereby the customer is bound to a contract extension, the carrier will provide or confirm the material terms and conditions of service with the subscriber.

### F O U R

#### **ALLOW A TRIAL PERIOD FOR NEW SERVICE**

**W**hen a customer initiates service with a wireless carrier, the customer will be informed of and given a period of not less than 14 days to try out the service. The carrier will not impose an early termination fee if the customer cancels service within this period, provided that the customer complies with applicable return and/or exchange policies. Other charges, including airtime usage, may still apply.

### F I V E

#### **PROVIDE SPECIFIC DISCLOSURES IN ADVERTISING**

**I**n advertising of prices for wireless service or devices, wireless carriers will disclose material charges and conditions related to the advertised prices, including if applicable and to the extent the advertising medium reasonably allows: (a) activation or initiation fees; (b) monthly access fees or base charges; (c) any required contract term; (d) early termination fees; (e) the terms and conditions related to receiving a product or service for "free;" (f) the times of any peak and off-peak calling periods; (g) whether different or additional charges apply for calls outside of the carrier's network or outside of designated calling areas; (h) for any rate plan advertised as "nationwide," (or using similar terms), the carrier will have available substantiation for this claim; (i) whether prices or benefits apply only for a limited time or promotional period and, if so, any different fees or charges to be paid for the remainder of the contract term; (j) whether any additional taxes, fees or surcharges apply; and (k) the amount or range of any such fees or surcharges collected and retained by the carrier.

### S I X

#### **SEPARATELY IDENTIFY CARRIER CHARGES FROM TAXES ON BILLING STATEMENTS**

**O**n customers' bills, carriers will distinguish (a) monthly charges for service and features, and other charges collected and retained by the carrier, from (b) taxes, fees and other charges collected by the carrier and remitted to federal state or local governments. Carriers will not label cost recovery fees or charges as taxes.

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SEVEN

**PROVIDE CUSTOMERS THE RIGHT TO TERMINATE SERVICE  
FOR CHANGES TO CONTRACT TERMS**

Carriers will not modify the material terms of their subscribers' contracts in a manner that is materially adverse to subscribers without providing a reasonable advance notice of a proposed modification and allowing subscribers a time period of not less than 14 days to cancel their contracts with no early termination fee.

EIGHT

**PROVIDE READY ACCESS TO CUSTOMER SERVICE**

Customers will be provided a toll-free telephone number to access a carrier's customer service during normal business hours. Customer service contact information will be provided to customers online and on billing statements. Each wireless carrier will provide information about how customers can contact the carrier in writing, by toll-free telephone number, via the Internet or otherwise with any inquiries or complaints, and this information will be included, at a minimum, on all billing statements, in written responses to customer inquiries and on carriers' web sites. Each carrier will also make such contact information available, upon request, to any customer calling the carrier's customer service departments.

NINE

**PROMPTLY RESPOND TO CONSUMER INQUIRIES AND COMPLAINTS  
RECEIVED FROM GOVERNMENT AGENCIES**

Wireless carriers will respond in writing to state or federal administrative agencies within 30 days of receiving written consumer complaints from any such agency.

TEN

**ABIDE BY POLICIES FOR PROTECTION OF CUSTOMER PRIVACY**

Each wireless carrier will abide by a policy regarding the privacy of customer information in accordance with applicable federal and state laws, and will make available to the public its privacy policy concerning information collected online.