

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

In the Matter of the Petition of TracFone)	
Wireless, Inc. for Designation as an Eligible)	
Telecommunications Carrier in the State of)	Case No. TA-2009-0327
Missouri for the Limited Purpose of Offering)	
Lifeline Service to Qualified Households)	

**MOTION TO PROVIDE LIFELINE SERVICE
THROUGH ADDITIONAL BRANDS**

COMES NOW TracFone Wireless, Inc. ("TracFone"), by and through its undersigned counsel, and respectfully requests an order from the Public Service Commission of the State of Missouri ("Commission") granting TracFone's Motion to Provide Lifeline Service Through Additional Brands ("Motion") aside from and in addition to SafeLink Wireless®. For its Motion, TracFone states as follows:

I. Background

1. TracFone is a Delaware corporation. Its principal offices are located at 9700 N.W. 112th Avenue, Miami, Florida, 33178. On March 9, 2009, TracFone initially applied for designation as an eligible telecommunications carrier ("ETC") in Missouri in the above-captioned case. TracFone amended its petition for ETC designation on April 27, 2009 in order to demonstrate general compliance with Missouri regulation 4 CSR 240-3.570. See Amendment to Petition of TracFone Wireless, Inc. for Designation as Eligible Telecommunications Carrier in the State of Missouri. TracFone filed a second amended petition for ETC designation on April 29, 2009 in order to confirm its intent to file any changes to its consumer code for wireless service in compliance with specific Missouri regulation 4 CSR 240-3.570(2)(B). See Second Amendment to petition of TracFone Wireless, Inc. for Designation as an Eligible

Telecommunications Carrier in the State of Missouri. TracFone's application for ETC designation was granted on August 26, 2009.

2. TracFone provides Lifeline service under its SafeLink Wireless® branding. However, because its ETC designation was granted to TracFone, not to a fictitious name, TracFone filed a Notice of Fictitious Name on December 11, 2012. In that filing, TracFone notified the Commission that on October 14, 2009, it registered the fictitious name "SafeLink Wireless" with the Missouri Secretary of State and that it does business in Missouri under that fictitious name. The Commission issued its Order Recognizing Fictitious Name in Case Nos. TA-2009-0327 and RA-2013-0333 on January 12, 2013. In that order, the Commission recognized the fictitious name of "SafeLink Wireless" for TracFone and stated that "TracFone Wireless, Inc., d/b/a SafeLink Wireless shall use only the name SafeLink Wireless on all marketing materials, customer Lifeline application forms, and any other materials pertaining to its provision of service under the Lifeline program in Missouri." Order Recognizing Fictitious Name at ordering ¶2.

3. On July 23, 2013, the Staff of the Missouri Public Service Commission ("Staff") moved to open Case No. TO-2014-0020 for the purpose of submitting a Stipulation and Agreement reached through negotiation with TracFone regarding several Lifeline-related issues. The Stipulation and Agreement was filed contemporaneously with Staff's Motion to Open Case on July 23, 2013. Consistent with the Commission's Order Recognizing Fictitious Name issued in the instant docket, the Stipulation and Agreement *inter alia* states that "[t]he Company will not offer or provide Lifeline service in Missouri under any name other than its Commission-approved ETC designated." See Case No. TO-2014-0020, Stipulation and Agreement (Jul. 23,

2013), at ¶9. The Commission issued its Order Approving Stipulation and Agreement in Case No. TO-2014-0020 on August 14, 2013.

II. Motion

4. Since the time its initial ETC designation was granted in 2009 and SafeLink Wireless® branding was approved for the provision of TracFone's Lifeline service in 2013, TracFone has explored opportunities to provide Lifeline service through brands aside from and in addition to SafeLink Wireless®. Because of the nature of TracFone's business as a prepaid wireless telecommunications provider, TracFone has the opportunity to market its telecommunications services, including Lifeline, through a variety of service providers, some of whom have their own telecommunications branding through which they would like to contract with TracFone. This means that TracFone has the opportunity to offer its telecommunications service, including Lifeline service, through brands other than SafeLink Wireless®. One such opportunity, for example, is for TracFone to provide Lifeline service for Walmart Family Mobile.

5. Due to the Commission's January 12, 2013 Order Recognizing Fictitious Name in Case Nos. TA-2009-0327 and RA-2013-0333, and the Commission's August 14, 2013 Order Approving Stipulation and Agreement in Case No. TO-2014-0020, TracFone is limited to providing Lifeline service exclusively through its SafeLink Wireless® brand. Therefore, in order to avail itself of current and future business opportunities to contract with other service providers, TracFone hereby moves the Commission for an order allowing it to provide Lifeline service through additional brands, and not exclusively through SafeLink Wireless®, as is currently required.

6. TracFone's request herein has no impact on the commitments made in its initial application for designation as an ETC, including amendments, or on any of the conditions to which TracFone is subject since its ETC designation was approved. Further, this request does not affect TracFone's provision of Lifeline service; rather, only the name or names under which it seeks to provide such service.

7. To the extent TracFone opts to offer Lifeline service under a brand other than SafeLink Wireless®, TracFone commits to provide notice to the Commission.

WHEREFORE, TracFone requests an order from the Commission granting its Motion to Provide Lifeline Service Through Additional Brands allowing it to provide Lifeline Service through brands other than SafeLink Wireless®.

Respectfully submitted,

/s/ Susan B. Cunningham

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Counsel for TracFone Wireless, Inc.

July 13, 2018

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the above and foregoing was served electronically on this 13th day of July, 2018, on counsel of record.

/s/ Susan B. Cunningham

Susan B. Cunningham