

ORIGINAL

Lance J.M. Steinhart, P.C.
Attorneys At Law
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005



0000173641

Also Admitted in New York
Email: info@telecomcounsel.com

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

September 28, 2016

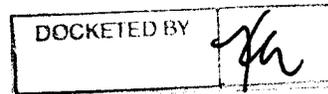
VIA OVERNIGHT DELIVERY

Docket Control Center
Arizona Corporation Commission
1200 W. Washington Street
Phoenix, Arizona 85007
(602) 542-2237

Arizona Corporation Commission

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SEP 29 2016



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AZ CORP COMMISSION
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2016 SEP 29 P 1:13

Re: IM Telecom, LLC d/b/a Infiniti Mobile; Docket No. T-20951A-16-0051
First Amendment to Petition

Dear Sir/Madam:

Enclosed please find for filing an original and thirteen (13) copies of IM Telecom, LLC d/b/a Infiniti Mobile's First Amendment to Petition for Designation as an Eligible Telecommunications Carrier in the State of Arizona on a Wireless Basis (Low-Income Only) ("Amendment").

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope. If you have any questions, or if I may provide you with any additional information, please do not hesitate to contact me at (678) 672-2838 or bpeebles@telecomcounsel.com. Thank you for your attention to this matter.

Respectfully submitted,

Burton F. Peebles, Esq.
Associate Attorney
Lance J.M. Steinhart, P.C.
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005

Attorneys for IM Telecom, LLC d/b/a Infiniti Mobile

Enclosures

cc: Trevan Morrow
Compliance Section, Arizona Corporation Commission
1200 W. Washington St. Phoenix, AZ 87005

BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of Petition of IM Telecom, LLC)
d/b/a Infiniti Mobile for Designation as an Eligible)
Telecommunications Carrier in the State of Arizona) Docket No. T-20951A-16-0051
On A Wireless Basis (Low Income Only))
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**FIRST AMENDMENT TO PETITION OF IM TELECOM, LLC
D/B/A INFINITI MOBILE FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER IN THE STATE OF ARIZONA
ON A WIRELESS BASIS (LOW INCOME ONLY)**

Lance J.M. Steinhart, Esq.
Managing Attorney
Lance J.M. Steinhart, P.C.
Attorneys at Law
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
E-Mail lsteinhart@telecomcounsel.com

And

Burton F. Peebles, Esq.
Associate Attorney
Lance J.M. Steinhart, P.C.
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005
(678) 672-2838 (Phone)
(770) 232-9208 (Fax)
bpeebles@telecomcounsel.com (Email)

*Attorneys for IM Telecom, LLC
d/b/a Infiniti Mobile*

September 28, 2016

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BEFORE THE ARIZONA CORPORATION COMMISSION

In the Matter of Petition of IM Telecom, LLC)
d/b/a Infiniti Mobile for Designation as an Eligible)
Telecommunications Carrier in the State of Arizona)
On A Wireless Basis (Low-Income Only))

Docket No. T-20951A-16-0051

**FIRST AMENDMENT TO PETITION OF IM TELECOM, LLC
D/B/A INFINITI MOBILE FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER IN THE STATE OF ARIZONA
ON A WIRELESS BASIS (LOW INCOME ONLY)**

I. INTRODUCTION

IM Telecom, LLC d/b/a Infiniti Mobile (“Infiniti Mobile”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)¹ and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),² and the rules and regulations of the Arizona Corporation Commission (“Commission”), hereby submits this Amendment to its Petition for Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Arizona which was filed on February 12, 2016 (“Petition”). Infiniti Mobile amends its request for ETC designation solely for participation in the Lifeline program; it will not seek access to funds from the federal Universal Service Fund (“USF”) for the purpose of providing service to high-cost areas.³ Infiniti Mobile meets all statutory and regulatory requirements for designation as an ETC in Arizona, including the requirements outlined in the FCC’s *Lifeline and Link Up Reform Order*.⁴

¹ 47 U.S.C. § 214(e)(2).

² 47 C.F.R. §§ 54.101-54.207.

³ As provided in the Petition, given that Infiniti Mobile only seeks support from the low-income program and does not seek any high-cost support, ETC certification requirements for the high-cost program are not applicable to the Company.

⁴ *In the Matter of 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,

II. AMENDED UNIVERSAL SERVICE OFFERING

As provided in Infiniti Mobile's Petition, filed with the Commission on February 12, 2016, Infiniti Mobile is an Oklahoma limited liability company, which is authorized to transact business in the State of Arizona. Infiniti Mobile is a reseller of commercial mobile radio services ("CMRS") and provides wireless telecommunications services to customers by using the Sprint Spectrum, L.P. ("Sprint") and Verizon Wireless ("Verizon") underlying networks.

Infiniti Mobile hereby further reiterates that its proposed Lifeline service offering will provide customers in Arizona with the same features and functionalities enjoyed by all other Infiniti Mobile prepaid customers. Infiniti Mobile's Lifeline offering proposes to give eligible Lifeline customers expanded access to wireless service. Infiniti Mobile will apply the entire Lifeline credit to its wireless plans as outlined in the attached Amended Exhibit 2. Amended Exhibit 2 is a summary table of the Company's revised Lifeline service offering proposed for the State of Arizona. Specifically, Infiniti Mobile hereby amends its proposed offerings to comport with the FCC's *Third Report and Order, Further Report and Order, and Order on Reconsideration*, as adopted on March 31, 2016,⁵ which in part imposes new minimum service standards for Lifeline providers of standalone voice services. Specifically, the *Third Report and Order* imposes a minimum of 500 wireless minutes, effective December 1, 2016, or sixty (60) days after announcement of Office of Management and Budget ("OMB") approval pursuant to the Paperwork Reduction Act ("PRA"), whichever is later; a minimum of 750 wireless minutes, effective as of December 1, 2017; and a minimum of 1,000 wireless minutes, effective as of

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 (rel. Feb. 6, 2012) ("*Lifeline and Link Up Reform Order*").

⁵ *In the Matter of Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket No. 11-42, WC Docket No. 00-197, WC Docket No. 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (rel. Apr. 27, 2016) (hereinafter, "*Third Report and Order*").

December 1, 2018.⁶

As outlined in the attached Amended Exhibit 2, all proposed Infiniti Mobile service offerings now include a minimum of 500 anytime voice minutes per month, for use by Infiniti Mobile's eligible subscribers. As provided in its Petition, Infiniti Mobile hereby reiterates that all Infiniti Mobile Lifeline customers will also receive a free handset as well as voicemail, caller I.D., call waiting, call forwarding, and 3-way calling features at no additional charge. Customers may use their minutes to place domestic long-distance calls at no additional charge. Calls to 911 emergency services and Infiniti Mobile customer service via 611 are always free, regardless of service activation or availability of minutes. No activation fee will apply to Lifeline customers in Arizona. Indeed, Infiniti Mobile's prepaid offering will be an attractive alternative for consumers who need the mobility, security, and convenience of a wireless phone, but who are nonetheless concerned about usage charges or long-term contracts.

III. COMPLIANCE WITH THE THIRD REPORT AND ORDER, FURTHER REPORT AND ORDER, AND ORDER ON RECONSIDERATION

Infiniti Mobile hereby further acknowledges that the FCC's *Third Report and Order* takes a considerable step forward with respect to creating a competitive Lifeline broadband program by allowing support for standalone, fixed, and mobile broadband service; establishing minimum service standards for such broadband and mobile voice services; and implementing a five-and-one-half (5 ½) year transition period, during which time the FCC will gradually increase mobile voice and data requirements and simultaneously decrease support levels for standalone, voice service. Moreover, the *Third Report and Order* takes steps to curb abuse in the Lifeline program by establishing the National Lifeline Eligibility Verifier ("National Verifier"),

⁶ Infiniti Mobile recognizes that the *Third Report and Order* also sets forth initial phased-in minimum service standards speeds and data usage for Lifeline mobile broadband services; however, Infiniti Mobile does not currently seek to offer Lifeline bundled service plans, including mobile broadband service.

which transfers the responsibility of eligibility determination away from Lifeline providers such as Infiniti Mobile, lowering the costs of conducting verification, and reducing the risks of facing a verification-related enforcement action. Not only is Infiniti Mobile is aware of the minimum voice service standards aforementioned, but Infiniti Mobile is also aware of the remaining compliance requirements set forth in the *Third Report and Order* and hereby commits to adhere to all obligations provided therein to the extent applicable to Infiniti Mobile in Arizona.

V. CONCLUSION

Rapid grant of Infiniti Mobile's request would advance the public interest because it would enable Infiniti Mobile to commence much-needed Lifeline services to low-income Arizona residents as soon as possible.

WHEREFORE, Infiniti Mobile respectfully requests that the Commission expeditiously approve its application, as amended, for ETC designation.

Respectfully Submitted,

By:



Lance J.M. Steinhart, Esq.
Managing Attorney
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
lsteinhart@telecomcounsel.com (Email)

And



Burton F. Peebles, Esq.
Associate Attorney
Lance J.M. Steinhart, P.C.
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005
(678) 672-2838 (Phone)
bpeebles@telecomcounsel.com (Email)

Attorneys for IM Telecom, LLC d/b/a Infiniti Mobile

September 28, 2016

EXHIBIT 1

**Certification of Trevan Morrow, Chief Operating Officer (COO) of
IM Telecom, LLC d/b/a Infiniti Mobile**

State of Oklahoma)
)
County of Tulsa)

Certification

Personally appeared before the undersigned, an officer duly authorized to administer oaths, Trevan Morrow, who first being duly sworn, deposes and states that he is the Chief Operating Officer (COO) of IM Telecom, LLC d/b/a Infiniti Mobile ("Infiniti Mobile"), Applicant in this application, and has read the same and knows the contents thereof, and confirms that the statements made herein are true to the best of his knowledge and belief.

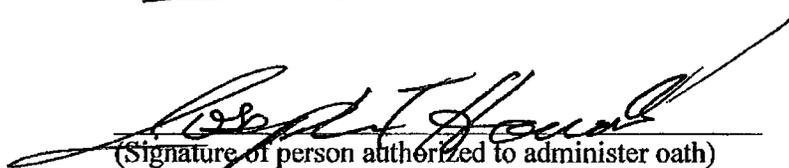
Dated: 9-15-16



Trevan Morrow, COO

Subscribed and sworn to before me this 15 day of September 2016.

(Notary Seal)



(Signature of person authorized to administer oath)

My Commission Expires: _____

JOSEPH T. HOWARD
Notary Public - State of Oklahoma
Tulsa County
Commission # 14005559
My Commission Expires June 20, 2018

EXHIBIT 2

“Amended Exhibit 2” – Revised, Proposed Lifeline Offering

Non-Tribal:

Plan	Minutes	Text	Data (MB)	Retail Price	Lifeline Discount	Net Cost to Lifeline Customer
Arizona Lifeline 500 Plan*	500 anytime voice minutes	250 text messages	0MB	\$9.25	- \$9.25	\$0.00

*Must be Eligible. Each month eligible Lifeline subscribers will receive 500 voice minutes and 250 text messages (totaling 750 units) for \$0.00 per month. There are no rollover minutes with this plan. Unused minutes will expire each month on the service expiration date. This plan is only available to Arizona Lifeline residents.

Tribal:

Plan	Minutes	Text	Data (MB)	Retail Price	Tribal Lifeline Discount	Company Discount	Net Cost to Tribal Lifeline Customer
Arizona Tribal 2,000 Plan**	1,000 anytime voice minutes	1,000 text messages	0 GB	\$37.75	- \$34.25	- \$3.50	\$0.00

**Must be eligible. Each month eligible Tribal Lifeline subscribers will receive 1,000 voice minutes and 1,000 text messages (totaling 2,000 units) for \$0.00 per month. There are no rollover minutes with this plan. Unused minutes will expire each month on the service expiration date. This plan is only available for Arizona Tribal Lifeline residents.

All Plans include the following:

- Free phone
- Free calls to 911 emergency services
- Free calls to Customer Service via 611
- Free access to Voicemail, Caller-ID, Call Waiting, Call Forwarding, and 3-Way Calling features
- Free Domestic, Long-Distance

Additional Airtime: Customers may purchase 100 minutes of additional airtime for voice calls for an additional \$5.00. Customers may also purchase an additional 100 text messages for \$5.00. All additional airtime is available for use for thirty (30) days following activation.

****Note:** Infiniti Mobile will not provide Lifeline service to eligible residents residing on the lands of Federally Recognized Tribes in Arizona, unless or until Infiniti Mobile has obtained any and all necessary licenses or other forms of approval that may be required by a Tribe. Before providing such service on tribal lands, Infiniti Mobile will file a copy of the tribal license or other form of approval with the Arizona Corporation Commission in Docket No. T-20924A-15-0007, with a copy to the Arizona Local Exchange Carriers Association’s (“ALECA”) counsel. To ensure Infiniti Mobile does not inadvertently provide service to residents of the lands of a Federally Recognized Tribe for which Infiniti Mobile has not obtained all necessary licenses or other forms of approval, Infiniti Mobile’s Lifeline enrollment application will: (a) require an applicant to provide a street address; and (b) include a provision that requires an applicant under penalty of perjury (i) to self-certify that he or she does not reside on the lands of Federally Recognized Tribe in Arizona, or (ii) to identify the Federally Recognized Tribe on the lands of which he or she resides. If any such applicant does reside on the lands of a Federally Recognized Tribe for which Infiniti Mobile has not received the required license or other form of approval, it will not provide service to the applicant.