

ORIGINAL

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MEMORANDUM

Arizona Corporation Commission

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AZ CORP COMMISSION
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TO: THE COMMISSION

OCT 12 2016

FROM: Utilities Division

DOCKETED BY *P.A.*

DATE: October 12, 2016

RE: IN THE MATTER OF THE APPLICATION OF TAG MOBILE, LLC FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER FOR THE LIMITED PURPOSE OF OFFERING LIFELINE SERVICES TO QUALIFIED HOUSEHOLDS. (DOCKET NO. T-20922A-15-0007)

1. INTRODUCTION

Enclosed are the Commission Staff's memorandum and proposed order for in the matter of the application of TAG Mobile, LLC for designation as an eligible telecommunications carrier for the limited purpose of offering lifeline services to qualified households (Docket No. T-20922A-15-0007). This is only a Staff recommendation to the Commission; it has not yet become an order of the Commission. The Commission can decide to accept, amend or reject Staff's proposed order.

You may file comments to the recommendation(s) of the proposed order by filing an original and thirteen (13) copies of the comments with the Commission's Docket Control Center at 1200 W. Washington St., Phoenix, AZ 85007 by 4:00 p.m. on or before **October 24, 2016**.

This matter may be scheduled for Commission deliberation at its Open Meetings scheduled **October 27, 2016, at 10:00 a.m.** and **October 28, 2016, at 10:00 a.m.**

If you have any questions about this matter, please contact Lori Morrison of our Staff at (602) 542-2179, or Thomas Broderick, Director, at (602) 542-7270.

2. PROCEDURAL HISTORY

On January 13, 2015, TAG Mobile, LLC ("TAG" or "Applicant") filed an Application requesting limited designation as an Eligible Telecommunications Carrier ("ETC") pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the "Act") and implementing rules of the Federal Communications Commission ("FCC"), including 47 C.F.R. §§ 54.101 through 54.207.

In its Application, TAG requests that the Arizona Corporation Commission ("ACC" or "Commission") designate it as a wireless ETC for the sole purpose of receiving Federal Universal Service Fund ("FUSF") Lifeline¹ support so that it may provide Lifeline service to qualifying

¹ Federal Lifeline Assistance provides discounts on basic monthly service at the primary residence for qualified telephone subscribers. The federal support amount provided to the ETC is \$9.25.

Arizona consumers. TAG is not requesting high cost support, participation in the Link-Up program or support from the Arizona Universal Service Fund.

On March 9, 2015, the Arizona Local Exchange Carriers Association ("ALECA") filed a motion to intervene.

On March 24, 2015, a Procedural Order granted ALECA's request for intervention in this proceeding.

On August 5, 2016, TAG and ALECA filed a Stipulation concerning TAG's Application. On August 8, 2016, TAG and ALECA filed a revised Stipulation concerning TAG's Application. The revised Stipulation added ALECA's representative's electronic signature and updated the name of TAG's outside counsel.

On August 31, 2016, TAG filed an Amended Application in response to discussions with Staff regarding TAG's January 13, 2015 Application which include updated rate plans and other conforming modifications pursuant to Staff's request and instruction.

On September 28, 2016, TAG filed clarifications and an update of its ETC status in the jurisdictions of Washington, Indiana and Oklahoma.

3. BACKGROUND

TAG Mobile, LLC is a Texas limited liability company, established on March 9, 2010,² with its principal offices located at 1330 Capital Parkway, Carrollton, Texas 75006. TAG proposes to provide wireless Lifeline services through the resale of Commercial Mobile Radio Service ("CMRS") provided by Sprint, T-Mobile USA ("T-Mobile") and Verizon Wireless ("Verizon").³ Specifically, TAG has a direct contract for wireless services with Sprint, purchases T-Mobile services through Prepaid Wireless and purchases Verizon Wireless service through Telecon-Mobi.⁴ TAG has been providing wireless Lifeline service since October 2010.

TAG currently serves over 84,000⁵ wireless Lifeline customers nationwide and has been granted ETC designation in nineteen (19) other jurisdictions.⁶ TAG currently has petitions for ETC designation pending in five (5) jurisdictions⁷ in addition to Arizona and is also awaiting designation as an ETC by the FCC in ten (10) jurisdictions.⁸ For its proposed designated service area, TAG filed a list of zip codes in which it will provide service in Exhibit 6 of its Amended Application.

² See TAG Response to Staff Data Request STF 1.11.

³ See TAG Response to Staff Data Request STF 1.12.

⁴ See Amended Application, Page 4, lines 6-7.

⁵ See TAG Response to Staff Data Request STF 2.4(b).

⁶ See Amended Application, Pages 2, lines 27-28 to Page 3, lines 1-2: Arkansas, California, Colorado, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Nevada, Oklahoma, Pennsylvania, South Carolina, Texas, West Virginia and Wisconsin.

⁷ See Amended Application, Page 3, lines 2-3: Georgia, Massachusetts, New Jersey, Ohio, and Washington.

⁸ See Amended Application, Page 3, lines 2-5: Alabama, Connecticut, Delaware, District of Columbia, Florida, New Hampshire, New York, North Carolina, Tennessee and Virginia.

On February 6, 2012, the FCC released an Order in FCC 12-11, *Lifeline and Link Up Reform and Modernization* (“*Lifeline Reform Order*”),⁹ in which the FCC adopted comprehensive reforms to the low-income program to revise and modernize the Lifeline service requirements and implement measures to address fraud, waste and abuse of the FUSF. Within that Order, the FCC found that a grant of blanket forbearance of the requirement that an ETC use its own facilities (“the own-facilities requirement”) subject to certain public safety and compliance obligations, was appropriate for carriers seeking to provide Lifeline-only service.¹⁰ Specifically, in the *Lifeline Reform Order*, the FCC states it will conditionally grant forbearance from the Act’s Section 214(e)(1)(A) facilities requirement to all telecommunications carriers seeking Lifeline-only ETC designation, subject to the following conditions: (1) compliance with certain 911 and enhanced 911 (E911) public safety requirements and (2) FCC Wireline Competition Bureau approval of a compliance plan providing specific information regarding the carrier and its service offerings and outlining the measures the carrier will take to implement the obligations contained in the *Order*.¹¹

On March 6, 2012, TAG submitted its initial Compliance Plan to the FCC in order to benefit from the “blanket forbearance” of the own-facilities requirement used to provide Lifeline services. The FCC sought comment on the Plan. On April 27, 2012, and June 29, 2012, TAG filed subsequent Revised Compliance Plan (“RCP”) to provide additional details and clarification. On July 26, 2012, TAG filed its final RCP with the FCC, having made further revisions to its Compliance Plan (p. 8) at the request of FCC Staff to explain that TAG’s customers may de-enroll from Lifeline supported service at any time by simply calling TAG’s toll-free customer service line. TAG does not require submission of a written request by facsimile or otherwise. On August 8, 2012, the FCC issued a Public Notice¹² approving TAG’s July 26, 2012 RCP.

4. REQUIREMENTS FOR DESIGNATION AS AN ETC AND TAG’S COMPLIANCE WITH THE REQUIREMENTS

Designation as an ETC makes a carrier eligible to receive federal universal service funds. The requirements for designation of ETCs are established in 47 U.S.C. § 214(e)(1), which states:

“A common carrier designated as an eligible telecommunications carrier under paragraph (2) or (3) shall be eligible to receive universal service support in accordance with section 254 and shall throughout the service area for which the designation is received: (A) offer the services that are supported by Federal universal service support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier’s services (including the services offered by another eligible telecommunications carrier); and (B) advertise the

⁹ *In the Matter of Lifeline and Link Up Reform and Modernization, Report and Order and Further Notice of Proposed Rulemaking*, WC Docket No. 11-42, FCC 12-11, released February 6, 2012 (“*Lifeline Reform Order*”).

¹⁰ *Ibid.*, at paras. 368-381.

¹¹ *See id.* at paras. 373 and 389. Subsequently, the Bureau provided guidance for carriers submitting compliance plans pursuant to the *Lifeline Reform Order*. *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197 and 11-42, Public Notice, 27 FCC Rcd 2186 (Wireline Comp. Bur. 2012).

¹² *See* “Wireline Competition Bureau Approves the Compliance Plans of Birch Communications, Boomerang Wireless, IM Telecom, Q Link Wireless and TAG Mobile”, Public Notice from FCC Wireline Competition Bureau, WC Docket Nos. 09-197 and 11-42 (rel. August 8, 2012).

availability of such services and the corresponding charges using media of general distribution.”

In order to be designated as an ETC, a carrier must offer Lifeline service to all qualifying low-income customers within its service area.¹³ Lifeline service provides basic telephone service at a discounted rate, typically by passing on discounts to monthly telecommunications charges. As a wireless reseller of prepaid wireless service, TAG is proposing to offer qualified customers a free handset (which customer would pay to upgrade if a data plan is selected), free customer care calls, free balance inquiries, access to voice mail, caller I.D., call waiting, and 3-way calling features at no additional charge, plus one free Lifeline plan or two (2) different prepaid calling plans that include data.¹⁴ TAG also proposes to offer customers the capability of purchasing additional voice minutes and text messages and/or data.¹⁵

As indicated above, the FCC granted TAG forbearance from the own-facilities requirement that it provide service using its own facilities or a combination of its own facilities and resale of another carrier’s service and also any criteria related to facilities build out plans. TAG would be a Lifeline-only ETC, eligible only for Lifeline support and must meet all the other criteria required of ETCs.

A. Offering the Services Designated For Support

47 C.F.R. § 54.101(a)(1) sets forth the services that a carrier must offer in order to receive Federal Universal Service Fund support. The services and TAG’s response to the provision of each service are as follows:

- (1) Voice grade access to the Public Switched Network. TAG states¹⁶ that it provides voice grade access to the public switched telephone network through the purchase of wholesale CMRS services from Sprint, T-Mobile USA, and Verizon Wireless.
- (2) Local usage. TAG states¹⁷ its service will include local usage that allows Lifeline customers to originate and terminate calls within the local calling area with no additional charge to end users, as required by the FCC.

¹³ 47 C.F.R. §§ 54.405 and 54.411(a)

¹⁴ See Amended Application, Pages 14-15 and Exhibit 9, Sheet 6; Lifeline Base Plan is a 30-day plan that provides for 500 Domestic minutes plus unlimited text messaging at no charge to the Lifeline customer. In addition, TAG offers Lifeline eligible customers the following two Lifeline Plus Plans (prices reflect amount charged after Lifeline discount of \$9.25 from the Federal USF; there is a \$.70 discount provided directly from TAG for the first Plan discussed): The first Lifeline Plus Plan is a 30-day plan of unlimited domestic voice and unlimited text messaging and 1st 500 MB @ LTE speed + Unlimited 2G/3G thereafter Data for \$20.00; The second Lifeline Plus Plan is a 30-day plan of unlimited domestic voice and unlimited text messaging and 1st 1 GB @ LTE speed + Unlimited 2G/3G thereafter Data for \$25.00.

¹⁵ See Amended Application, Pages 16 and Exhibit 9, Sheet 6: TAG also offers Lifeline customer Top-Up/replenishment plans for domestic voice and text messaging for prices starting at \$4.00 for 100 minutes and 100 text messages up to \$18.00 for 500 minutes and unlimited text messages or international long distance calling for either \$5.00 or \$10.00 and data at \$3.00 for 100 MB, \$12.00 for 500 MB and \$20.00 for 1,024 MB.

¹⁶ See Amended Application, Page 7, lines 1-5.

¹⁷ See Amended Application, Page 7, lines 6-16.

- (3) Access to emergency services. "An ETC must provide its customers with access to 911 and E911 emergency services." TAG states¹⁸ that all of its customers will have access to emergency calling services and that 911 and E911 access will be available from TAG's handsets even if the account associated with the handset has no minutes remaining.
- (4) Toll Limitation for Qualifying Low-Income Consumers. "ETCs must provide toll limitation services to qualifying low-income customers, unless their Lifeline offering does not distinguish between the pricing of toll and non-toll calls." TAG's wireless calling plans do not distinguish between non-toll (i.e., local) and toll. TAG's prepaid plans include a specific number of minutes that cannot be exceeded. Therefore, customers cannot incur any charges for excessive toll calling or be disconnected for non-payment.

In its Amended Application, TAG states TAG certifies that its prepaid wireless Lifeline service offering satisfies the FCC's definition of voice telephony service, and it will therefor provide all services designated for support by the FCC.¹⁹ Based on the above information and explanations, Staff believes that TAG meets this ETC designation criteria.

B. Advertising of Supported Services

47 U.S.C. § 214(e)(1)(B) requires a common carrier designated as an eligible telecommunications carrier to advertise the availability of such services and the corresponding charges using media of general distribution. TAG states it will advertise services as an ETC in its Service Area and will publicize the availability of Lifeline services in a manner reasonably designed to reach those likely to qualify for those services.²⁰ TAG will utilize outreach materials and methods designed to reach households that do not have telephone service, and will coordinate its outreach efforts with relevant government agencies. In addition, TAG states it will advertise in media of general distribution, which includes print, media, web, and kiosks (forthcoming), that its advertising will occur principally through indirect/direct sales, kiosk (forthcoming) and that it will undertake marketing campaigns, and web lead generations, with ad words directing potential customers to TAG's website media channels.²¹ Samples of TAG's marketing materials are attached as Exhibits 8 of the Amended Application, Exhibit D of the RCP and Exhibit A in response to Staff Data Request STF 3.4(b).

Based on the information above and TAG's advertising materials provided to Staff, Staff concludes that TAG will advertise the availability of its supported services and the corresponding charges using media of general distribution as required by 47 U.S.C. § 214(e)(1)(B). Staff believes that TAG meets this ETC designation criteria.

¹⁸ See Amended Application, Page 7, lines 17-25 through Page 8, lines 1-4.

¹⁹ See Amended Application, Pages 6, lines 9-19.

²⁰ See Amended Application, Page 10, lines 11-13.

²¹ See Amended Application, Page 10, lines 7-10.

C. *Additional ETC Requirements*

In addition to the requirements listed above, the FCC adopted, in the *Lifeline Reform Order*, comprehensive reforms to the low-income program to revise and modernize the Lifeline service requirements and implement measures to address fraud, waste, and abuse within the system. Below are the additional requirements and TAG's response to each requirement.

C.1 A Commitment and Ability to Provide Supported Services

In 47 C.F.R. § 54.202(a)(1)(i) and (ii), the FCC required the applicant to:

(i) Certify that it will comply with the service requirements applicable to the support that it receives; and

(ii) Submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network throughout its proposed service area. Each applicant shall estimate the area and population that will be served as a result of the improvements. Except, a common carrier seeking designation as an eligible telecommunications carrier in order to provide supported services only under subpart E of this part does not need to submit such a five-year plan.²²

TAG certifies that it will comply with the service requirements applicable to the low-income support it receives as a result of being designated as an ETC for purposes of receiving Lifeline.²³ The requirement directing submissions of a formal network improvement plan under 47 C.F.R. § 54.202(a)(1)(ii) demonstrating how universal service funds will be used to improve coverage, signal strength, or capacity that would not otherwise occur absent the receipt of high-cost support, does not apply to this Application because TAG is seeking only to provide supported services under subpart E of this part, i.e. Lifeline only, and the FCC waived the facilities-based requirements for TAG.

Based on the above information, Staff believes that TAG meets this ETC designation criteria.

C.2 Remain Functional in Emergency Situations

In 47 C.F.R. § 54.202(a)(2), the FCC outlines the requirement that an ETC applicant demonstrate its ability to remain functional in emergency situations. Specifically, "an applicant must demonstrate that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations."²⁴

²² *Lifeline Reform Order*, ¶ 386.

²³ See Amended Application, Page 11, line 19 - Page 12, line 1.

²⁴ *Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC 05-46* (rel. March 17, 2005) ("ETC Minimum Requirements Report and Order"), ¶ 25.

To demonstrate its ability to remain functional in emergency situations, TAG states²⁵ it will utilize the extensive and well established Sprint, T-Mobile and Verizon networks and facilities to provide TAG's mobile services and it is TAG's understanding that the Sprint, T-Mobile and Verizon networks are capable of managing traffic spikes that may occur during emergency situations and can reroute traffic in the event of damaged facilities. In addition, TAG also understands that each carrier has sufficient back-up power to ensure functionality if its external power supply is unavailable and that each of these companies have repeatedly certified to the FCC that their networks function in emergency situations. Sprint, T-Mobile and Verizon will provide the same functionality to TAG and its customers as these carriers provide to themselves and their own customers. Therefore, through its underlying carriers, TAG states it has the ability to remain functional in emergency situations.

Based on the above information, Staff concludes that TAG has demonstrated its ability to remain functional in emergency situations by maintaining a reasonable amount of back-up power. Staff believes that TAG meets this ETC designation criteria.

C.3 Satisfy Consumer Protection and Service Quality Standards

In 47 C.F.R. § 54.202(a)(3), the FCC requires an ETC applicant to demonstrate its commitment to meeting consumer protection and service quality standards in its application.²⁶ The sufficiency of other commitments will be considered on a case-by-case basis.

To demonstrate its ability to satisfy consumer protection and service quality standards, TAG states²⁷ it will satisfy all consumer privacy standards as provided in 47 C.F.R. § 64, Subpart U as applicable, and will protect Consumer Proprietary Network Information ("CPNI") as required by state and federal law, and will certify compliance with the same annually.²⁸ TAG will also annually certify its compliance with the Cellular Telecommunications and Internet Association ("CTIA") Consumer Code and report the number of consumer complaints or trouble reports per 1,000 handsets or access lines consistent with the FCC's *USF Order*.²⁹ Further, TAG commits to satisfying all applicable state and federal requirements related to consumer protection and service quality standards.

Based on the above information, Staff believes that TAG meets this ETC designation criteria.

C.4 Lifeline-Only ETC Applicants – Financial and Technical Capability

In 47 C.F.R. § 54.202(a)(4), the FCC requires a Lifeline-only ETC applicant to demonstrate that it is financially and technically capable of providing the Lifeline service in compliance with

²⁵ See Amended Application, Page 12, line 8-18.

²⁶ *ETC Minimum Requirements Report and Order*, ¶ 28.

²⁷ See Amended Application, Page 12, lines 19- through Page 13, line 6.

²⁸ In accordance with 47 C.F.R. § 54.422(b)(3).

²⁹ *Federal-State Joint Board on Universal Service*, First Report and Order, 12 FCC Rcd. 8,776 at ¶ 4 (1997) ("*USF Order*").

subpart E of this part. In the *Lifeline Reform Order*³⁰ the FCC provides guidance on specific information to be considered when determining if an applicant meets this requirement:

“...Among the relevant considerations for such a showing would be whether the applicant previously offered services to non-Lifeline customers, how long it has been in business, whether the applicant intends to rely exclusively on USF distributions to operate, whether the applicant receives or will receive revenue from other sources, and whether it has been subject to enforcement action or ETC revocation proceedings in any state.”

To demonstrate that TAG is financially and technically capable of providing Lifeline service, TAG states³¹ it has provided wireless Lifeline service since October 2010, its management has more than 67 years of experience in the telecommunications industry³² and will not rely exclusively on universal service funding to operate, and will receive revenues from other sources. 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 including ETCs for traditional prepaid service and Lifeline service, 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.³³ In addition, TAG has access to financial resources from its parent company Amvensys.³⁴ TAG is currently designated as an ETC in 19 states and has pending applications in 15 other jurisdictions as discussed on Page 2 above and has not had an ETC designation revoked in any jurisdiction.

In its Amended Application, TAG states its ETC applications in Washington and Indiana were denied due to untimely responses to the respective Commissions. TAG explains that this was primarily due to an employee personnel issue and the employee referenced is no longer with TAG.³⁵ In TAG's September 28, 2016 update, TAG clarified that its Washington application was not denied but was voluntarily withdrawn and subsequently a new application was filed and is currently pending. Staff verified this matter with the Washington Utilities and Transportation Commission and found this clarification to be accurate. In TAG's September 28, 2016 update, TAG reiterated that the necessary information was not provided to the IURC primarily due to an employee personnel issue and the employee is no longer employed by TAG. TAG has not filed a new application in Indiana. Upon conferring with the Indiana Utilities Regulatory Commission (“IURC”), Staff verified that TAG's ETC application was denied for lack of sufficient evidence demonstrating that TAG met the minimum FCC requirements.³⁶

³⁰ See *Lifeline Reform Order*, ¶1388.

³¹ See Application, Pages 14-15, RCP, Pages 18-19 and Response to Staff Data Request STF 1.10, STF 3.6 and STF 3.7.

³² TAG's response to Staff Data Request STF 3.6.

³³ See Amended Application, Exhibit 5, RCP, Pages 23-24

³⁴ TAG will provide a copy of its financial statements to the Commission's Utility Division Staff in accordance with a signed confidentiality agreement.

³⁵ See Amended Application, Page 3, lines 6-8.

³⁶ See IURC Order of the Commission, dated May 28, 2014, Cause No. 41052 ETC 68; IURC Order on Reconsideration, dated July 30, 2014, Cause No. 41052 ETC 68.

On Page 3 of the Amended Application, TAG states it has been subject to enforcement sanctions and possible ETC revocation proceedings in Oklahoma. Cause No. EN201300116, Order No. 734298, dated December 18, 2014, the Oklahoma Corporation Commission's Public Utility Division ("OK PUD") initiated the proceeding by filing a Complaint, Information, Summons and Notice of Citation for Contempt regarding TAG providing Lifeline service outside its designated service area. The matter was resolved via a Joint Stipulation and Settlement agreement to which TAG took corrective action and agreed to pay a ten thousand dollar (\$10,000) fine. In addition, Cause No. EN201300116, Order No. 734298, dated December 18, 2014, the OK PUD initiated the proceeding by filing a Complaint, Information, Summons and Notice of Citation for Contempt alleging that TAG had violated and continued to violate the Oklahoma Corporation Commission's ("OKCC") mobile marketing rules and Lifeline Program Rule as set forth in OAC 165-55-23 *et seq.* On May 24, 2016, TAG filed its response to the Complaint. On May 26, 2016, a Term Sheet was filed in the Cause Number indicating that the terms listed had been agreed to by the Complainant and the Respondent in an effort to settle all issues in the Cause, including a ten-day suspension for enrolling new Lifeline customers (May 27 – June 5, 2016) and voluntary payment of \$5,000, due within 45 day of a final order adopting the settlement terms in this cause. On August 16, 2016, the OKCC adopted Order No. 655272, Final Order Approving Term Sheet and Closing Cause. In its September 28, 2016 update, TAG confirmed the Order No. 655272 had been issued finding that TAG had demonstrated efforts to correct previous deficiencies and maintain compliance with OKCC rules.

Staff has verified with the OK PUD Staff the details of the enforcement action in Cause No. EN201300116, Order No. 734298, dated December 18, 2014 and verified that TAG did pay the \$10,000 fine and did so on time in accordance with the terms of the settlement agreement. In addition, the OK PUD Staff provided Utilities Division Staff a copy of OKCC Order No. 655272, which states TAG has 45 days to pay the agreed to voluntary payment of \$5,000.

Having reviewed TAG's financial statements, and based on the above information, Staff believes that TAG meets this ETC designation criteria.

C.5 Lifeline-Only ETC Applicants – Terms and Conditions of Lifeline Service Plans

In 47 C.F.R. § 54.202(a)(5), the FCC requires an ETC applicant to submit information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, including details on the number of minutes provided as part of the plan, additional charges, if any, for toll calls, and rates for each such plan. To the extent the ETC offers plans to Lifeline subscribers that are generally available to the public, it may provide summary information regarding such plans, such as a link to a public website outlining the terms and conditions of such plans.

TAG provided its informational tariff labeled as Exhibit 9 of its Amended Application in which it describes the calling plans for Lifeline subscribers, including the number of free minutes in each calling plan, along with the terms and conditions of Lifeline service as provided by TAG. Based on the information contained in TAG's informational tariff, Staff believes that TAG meets this ETC designation criteria.

D. *Steps to Limit Fraud, Waste and Abuse of the FUSF*

In the *Lifeline Reform Order* the FCC adopted various new measures and revised or eliminated other existing measures in order to limit fraud, waste and abuse of the FUSF. These measures include establishing uniform eligibility criteria to qualify for Lifeline services, clarifying the restriction of one Lifeline telephone allowed per household, initial certification and annual re-certification of consumer eligibility, establishing a national lifeline accountability database to ensure and enforce the one-per-household requirement, total elimination of toll limitation support for wireless carriers and a tapered elimination of toll limitation support for landline ETCs, elimination of the Link Up subsidy except on federally-recognized tribal lands and establishing additional provisions for Universal Service Administrative Company ("USAC") audits.

In its Amended Application³⁷ and RCP,³⁸ TAG outlines the steps it will take to limit fraud, waste and abuse of the FUSF and to comply with all applicable Lifeline requirements and implement measures to prevent fraud, waste, and abuse.

E. *Public Interest Determination*

Under Section 214 of the Act, the FCC and state commissions must determine that an ETC designation is consistent with the public interest, convenience and necessity for rural areas. They also must consider whether an ETC designation serves the public interest consistent with Section 254 of the Act. Congress did not establish specific criteria to be applied under the public interest tests in Sections 214 or 254. The public interest benefits of a particular ETC designation must be analyzed in a manner that is consistent with the purposes of the Act itself, including the fundamental goals of preserving and advancing universal service, ensuring the availability of quality telecommunications services at just, reasonable, and affordable rates, and promoting the deployment of advanced telecommunications and information services to all regions of the nation, including rural and high-cost areas.³⁹ Accordingly, before designating a carrier as an ETC, the Commission must make an affirmative determination that such designation is in the public interest, regardless of whether the applicant seeks designation in an area served by a rural or non-rural carrier.

TAG states that by designating it as a wireless ETC in Arizona, it will serve the public interest and the needs of low-income customers in Arizona by increasing customer choice in the areas it serves. The public interest benefits associated with TAG's wireless service include larger local calling areas (as compared to traditional wireline carriers), the convenience and personal security afforded by mobile telephone service, the opportunity for customers to receive a high-value wireless plan and emergency services in accordance with FCC Rules. Additionally, ETC status will promote universal service by allowing TAG to offer wireless service to many low-income customers who may not be able to otherwise have service. TAG's Lifeline calling plans are designed to provide service to Lifeline consumers who, due to credit or deposit requirements, may not be able to obtain telephone service from more traditional wireline and wireless service providers.

³⁷ See Amended Application, Pages 17-19.

³⁸ See Amended Application, Exhibit 5.

³⁹ *ETC Minimum Requirements Report and Order*, ¶ 40.

F. *Designated Service Area*

The Commission must establish a geographic area for the purpose of determining universal service obligations and support mechanisms for each designated ETC. *See* 47 U.S.C. § 214(e)(2); 47 C.F.R. § 54.201(b). TAG requests that the Commission designate it as an ETC for service areas in Arizona. Through resale of wireless service provided by Sprint, T-Mobile and Verizon in Arizona, TAG will provide Lifeline service in many zip codes in Arizona.

There are a number of zip codes that encompass both tribal lands and non-tribal lands. Some of the tribal lands are served by tribally-owned telephone companies and some of the tribal lands are served by non-tribally owned telephone companies. For those zip codes that encompass tribal lands, TAG requested to serve the non-tribal areas of each zip code and to serve tribal lands within the service areas of Commission regulated telephone companies and cooperatives only after receiving any and all necessary licenses or other forms of approval that might be required by any Tribe and filing a copy of such licenses or other form of approval with the Commission, with a copy to ALECA's undersigned counsel. Attachment 1 of the Recommended Opinion and Order contains the list of zip codes to be served by TAG.

5. **INTERVENOR**

A. *Arizona Local Exchange Carriers Association*

ALECA is an association of telephone companies and member-owned cooperatives providing local exchange telecommunications services to customers in rural, high cost areas of Arizona. All of ALECA's members are "rural telephone companies" as defined by the Act. ALECA represents telephone companies and cooperatives that are regulated by the Commission as well as Tribally-owned telephone companies which are not regulated by the Commission.

B. *Joint Stipulation*

On August 5, 2016, ALECA and TAG filed a Stipulation in the docket. On August 8, 2016, TAG and ALECA filed a revised Stipulation concerning TAG's Application which added ALECA's representative's electronic signature and updated the name of TAG's outside counsel. In the Stipulation, to address the potential concerns expressed by ALECA, TAG agreed not to provide Lifeline service to eligible residents residing on Federally-recognized Tribal Lands in Arizona until TAG obtained any and all necessary licenses or other forms of approval that might be required by any Tribe and file a copy of such licenses or other form of approval with the Commission in this docket and a copy to TAG's counsel. In addition, TAG agreed that its Lifeline enrollment application for Arizona will require an applicant to provide a street address and include a provision that requires an applicant to self-certify under penalty of perjury that they do not reside on Federally-Recognized Tribal Lands or to identify the Federally-Recognized Tribe on the lands of which he or she resides.

Staff understands that the only Federally-Recognized Tribal Lands that are included in the Joint Stipulation are those served by Commission-regulated telephone companies and cooperatives

and for which TAG has obtained any and all necessary licenses or other forms of approval that might be required by any Tribe.⁴⁰

6. STAFF RECOMMENDATIONS

In addition to the conditions set forth by the FCC, Staff recommends TAG's Application for designation as an ETC be granted subject to the following conditions:

- a. TAG shall file a tariff, in this docket through Docket Control, setting forth the rates, terms and conditions for its Lifeline service within thirty (30) days of a Commission Order in this matter;
- b. TAG shall file in a new docket with the Commission, through Docket Control, any changes/amendments to its tariffed rates, terms and/or conditions regarding its Lifeline offerings and file such changes/amendments in its tariff at least thirty (30) days prior to the proposed effective date of those changes in compliance with A.R.S. § 40-367;
- c. TAG shall make available Lifeline services to qualifying low-income applicants in its ETC service area no later than ninety (90) days after a Commission decision in this matter and shall concurrently notify the Commission, by making a filing in Docket Control, in this docket, of the commencement date for such services;
- d. TAG shall apprise the Commission of any customer complaints that may arise from its ETC service offerings by making a filing in Docket Control in this docket;
- e. TAG shall provide a regulatory contact to the Commission by making a filing in Docket Control in this docket within thirty (30) days of a Commission decision in this matter;
- f. In the event that TAG seeks to relinquish its ETC status and no longer provide Lifeline services, it shall file such a request in a new docket, at least 90 days prior to the proposed relinquishment date, with Docket Control and provide notice to the Commission and its affected customers in accordance with Arizona Administrative Code ("A.A.C.") R14-2-1107 and any other requirements under Federal law such as 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205;
- g. TAG shall submit in Docket Control an annual report by April 15th of each year, beginning April 15, 2018, that contains its total number of Lifeline subscribers and the total amount of Federal USF support received as of December 31 of the previous year and include an affidavit stating that the Lifeline discounts or the equivalent are equal to the amount of total Federal USF support received per line. The annual filing shall be submitted as a compliance item in this docket;

⁴⁰ In order to provide Lifeline services on Federally-Recognized Tribal Lands served by Tribally-owned telephone companies, TAG would need to petition the FCC for ETC designation in order to receive FUSF reimbursement.

- h. In the event of a Transfer of Control that involves TAG, a new ETC petition shall be filed with the Commission. This will ensure ETCs undergoing reorganization remain financially viable and technically able to provide the supported services throughout the designated service areas as originally approved by the Commission;
- i. TAG shall not expand its Lifeline service beyond the designated service area specified in this Application without acquiring ETC designation from the Commission to serve the additional area;
- j. TAG shall not provide Lifeline service to eligible residents residing on Federally-Recognized Tribal Lands in Arizona, served by Commission regulated telephone companies and cooperatives, until after TAG has obtained any and all necessary licenses or other forms of approval that might be required by any Tribe and filed a copy of such licenses or other form of approval with the Commission in this docket, with a copy to ALECA's counsel; and
- k. For all forms and filings required by the FCC to be filed with the State that granted Applicant its ETC designation, all such filings shall be filed in Docket No. T-00000M-12-0323.



Thomas M. Broderick
Director
Utilities Division

TMB:LLM:nr\RWG

ORIGINATOR: Lori L Morrison

THE COMMISSION

October 12, 2016

Page 14

On this 12th day of October, 2016, the foregoing document was filed with Docket Control as a Utilities Division Memorandum & Proposed Order, and copies of the foregoing were mailed on behalf of the Utilities Division to the following who have not consented to email service. On this date or as soon as possible thereafter, the Commission's eDocket program will automatically email a link to the foregoing to the following who have consented to email service.

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By: Nanisha Ross
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Administrative Support Specialist

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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

- DOUG LITTLE
Chairman
- BOB STUMP
Commissioner
- BOB BURNS
Commissioner
- TOM FORESE
Commissioner
- ANDY TOBIN
Commissioner

IN THE MATTER OF THE APPLICATION)
 OF TAG MOBILE, LLC FOR)
 DESIGNATION AS AN ELIGIBLE)
 TELECOMMUNICATIONS CARRIER FOR)
 THE LIMITED PURPOSE OF OFFERING)
 LIFELINE SERVICES TO QUALIFIED)
 HOUSEHOLDS.)

DOCKET NO. T-20922A-15-0007
 DECISION NO. _____
ORDER

Open Meeting
 October 27 and October 28, 2016
 Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On January 13, 2015, TAG Mobile, LLC (“TAG” or “Applicant”) filed an Application requesting limited designation as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”) and implementing rules of the Federal Communications Commission (“FCC”), including 47 C.F.R. §§ 54.101 through 54.207.

2. In its Application, TAG requests that the Arizona Corporation Commission (“ACC” or “Commission”) designate it as a wireless ETC for the sole purpose of receiving Federal Universal Service Fund (“FUSF”) Lifeline¹ support so that it may provide Lifeline service to qualifying Arizona consumers. TAG is not requesting high cost support, participation in the Link-Up program or support from the Arizona Universal Service Fund.

¹ Federal Lifeline Assistance provides discounts on basic monthly service at the primary residence for qualified telephone subscribers. The federal support amount provided to the ETC is \$9.25.

1 3. On March 9, 2015, the Arizona Local Exchange Carriers Association (“ALECA”) filed
2 a motion to intervene.

3 4. On March 24, 2015, a Procedural Order granted ALECA’s request for intervention in
4 this proceeding.

5 5. On August 5, 2016, TAG and ALECA filed a Stipulation concerning TAG’s
6 Application. On August 8, 2016, TAG and ALECA filed a revised Stipulation concerning TAG’s
7 Application. The revised Stipulation added ALECA’s representative’s electronic signature and
8 updated the name of TAG’s outside counsel.

9 6. On August 31, 2016, TAG filed an Amended Application in response to discussions
10 with Staff regarding TAG’s January 13, 2015 Application which include updated rate plans and other
11 conforming modifications pursuant to Staff’s request and instruction.

12 7. On September 28, 2016, TAG filed clarifications and an update of its ETC status in
13 the jurisdictions of Washington, Indiana and Oklahoma.

14 **BACKGROUND**

15 8. TAG Mobile, LLC is a Texas limited liability company, established on March 9, 2010,²
16 with its principal offices located at 1330 Capital Pkwy, Carrollton, Texas 75006. TAG proposes to
17 provide wireless Lifeline services through the resale of Commercial Mobile Radio Service (“CMRS”)
18 provided by Sprint, T-Mobile USA (“T-Mobile”) and Verizon Wireless (“Verizon”).³ Specifically,
19 TAG has a direct contract for wireless services with Sprint, purchases T-Mobile services through
20 Prepaid Wireless` and purchases Verizon Wireless service through Telecon-Mobi.⁴ TAG has been
21 providing wireless Lifeline service since October 2010.

22 9. TAG currently serves over 84,000⁵ wireless Lifeline customers nationwide and has
23 been granted ETC designation in nineteen (19) other jurisdictions.⁶ TAG currently has petitions for
24 _____

25 ² See TAG Response to Staff Data Request STF 1.11.

26 ³ See TAG Response to Staff Data Request STF 1.12.

27 ⁴ See Amended Application, Page 4, lines 6-7.

28 ⁵ See TAG Response to Staff Data Request STF 2.4(b).

⁶ See Amended Application, Pages 2, lines 27-28 to Page 3, lines 1-2: Arkansas, California, Colorado, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Nevada, Oklahoma, Pennsylvania, South Carolina, Texas, West Virginia and Wisconsin.

1 ETC designation pending in five (5) jurisdictions⁷ in addition to Arizona and is also awaiting
2 designation as an ETC by the FCC in ten (10) jurisdictions.⁸ For its proposed designated service area,
3 TAG filed a list of zip codes in which it will provide service in Exhibit 6 of its Amended Application.

4 10. On February 6, 2012, the FCC released an Order in FCC 12-11, *Lifeline and Link Up*
5 *Reform and Modernization* (“*Lifeline Reform Order*”),⁹ in which the FCC adopted comprehensive reforms to
6 the low-income program to revise and modernize the Lifeline service requirements and implement
7 measures to address fraud, waste and abuse of the FUSF. Within that Order, the FCC found that a
8 grant of blanket forbearance of the requirement that an ETC use its own facilities (“the own-facilities
9 requirement”) subject to certain public safety and compliance obligations, was appropriate for carriers
10 seeking to provide Lifeline-only service.¹⁰ Specifically, in the *Lifeline Reform Order*, the FCC states it will
11 conditionally grant forbearance from the Act’s Section 214(e)(1)(A) facilities requirement to all
12 telecommunications carriers seeking Lifeline-only ETC designation, subject to the following
13 conditions: (1) compliance with certain 911 and enhanced 911 (E911) public safety requirements; and
14 (2) FCC Wireline Competition Bureau approval of a compliance plan providing specific information
15 regarding the carrier and its service offerings and outlining the measures the carrier will take to
16 implement the obligations contained in the *Order*.¹¹

17 11. On March 6, 2012, TAG submitted its initial Compliance Plan to the FCC in order to
18 benefit from the “blanket forbearance” of the own-facilities requirement used to provide Lifeline
19 services. The FCC sought comment on the Plan. On April 27, 2012 and June 29, 2012, TAG filed
20 subsequent Revised Compliance Plan (“RCP”) to provide additional details and clarification. On July
21 26, 2012, TAG filed its final RCP with the FCC, having made further revisions to its Compliance Plan
22 (p. 8) at the request of FCC Staff to explain that TAG’s customers may de-enroll from Lifeline
23

24 ⁷ See Amended Application, Page 3, lines 2-3: Georgia, Massachusetts, New Jersey, Ohio, and Washington.

25 ⁸ See Amended Application, Page 3, lines 2-5: Alabama, Connecticut, Delaware, District of Columbia, Florida, New
Hampshire, New York, North Carolina, Tennessee and Virginia.

26 ⁹ *In the Matter of Lifeline and Link Up Reform and Modernization, Report and Order and Further Notice of Proposed Rulemaking*, WC
Docket No. 11-42, FCC 12-11, released February 6, 2012 (“*Lifeline Reform Order*”).

27 ¹⁰ *Ibid.*, at paras. 368-381.

28 ¹¹ See *id.* at paras. 373 and 389. Subsequently, the Bureau provided guidance for carriers submitting compliance plans
pursuant to the *Lifeline Reform Order*. *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant*
to the Lifeline Reform Order, WC Docket Nos. 09-197 and 11-42, Public Notice, 27 FCC Red 2186 (Wireline Comp. Bur.
2012).

1 supported service at any time by simply calling TAG's toll-free customer service line. TAG does not
2 require submission of a written request by facsimile or otherwise. On August 8, 2012, the FCC issued
3 a Public Notice¹² approving TAG's July 26, 2012 RCP.

4 **REQUIREMENTS FOR DESIGNATION AS AN ETC AND TAG'S COMPLIANCE**
5 **WITH THE REQUIREMENTS**

6 12. Designation as an ETC makes a carrier eligible to receive federal universal service
7 funds. The requirements for designation of ETCs are established in 47 U.S.C. § 214(e)(1), which
8 states:

9 "A common carrier designated as an eligible telecommunications carrier under
10 paragraph (2) or (3) shall be eligible to receive universal service support in accordance
11 with section 254 and shall throughout the service area for which the designation is
12 received: (A) offer the services that are supported by Federal universal service support
13 mechanisms under section 254(c), either using its own facilities or a combination of its
own facilities and resale of another carrier's services (including the services offered by
another eligible telecommunications carrier); and (B) advertise the availability of such
services and the corresponding charges using media of general distribution."

14 13. In order to be designated as an ETC, a carrier must offer Lifeline service to all
15 qualifying low-income customers within its service area.¹³ Lifeline service provides basic telephone
16 service at a discounted rate, typically by passing on discounts to monthly telecommunications charges.
17 As a wireless reseller of prepaid wireless service, TAG is proposing to offer qualified customers a free
18 handset (which customer would pay to upgrade if a data plan is selected), free customer care calls, free
19 balance inquiries, access to voice mail, caller I.D., call waiting, and 3-way calling features at no
20 additional charge, plus one free Lifeline plan or two (2) different prepaid calling plans that include
21 data.¹⁴ TAG also proposes to offer customers the capability of purchasing additional voice minutes
22 and text messages and/or data.¹⁵

24 ¹² See "Wireline Competition Bureau Approves the Compliance Plans of Birch Communications, Boomerang Wireless, IM
25 Telecom, Q Link Wireless and TAG Mobile", Public Notice from FCC Wireline Competition Bureau, WC Docket Nos.
09-197 and 11-42 (rel. August 8, 2012).

26 ¹³ 47 C.F.R. §§ 54.405 and 54.411(a)

27 ¹⁴ See Amended Application, Pages 14-15 and Exhibit 9, Sheet 6; Lifeline Base Plan is a 30-day plan that provides for 500
28 Domestic minutes plus unlimited text messaging at no charge to the Lifeline customer. In addition, TAG offers Lifeline
eligible customers the following two Lifeline Plus Plans (prices reflect amount charged after Lifeline discount of \$9.25
from the Federal USF; there is a \$.70 discount provided directly from TAG for the first Plan discussed): The first Lifeline
Plus Plan is a 30-day plan of unlimited domestic voice and unlimited text messaging and 1st 500 MB @ LTE speed +

1 14. As indicated above, the FCC granted TAG forbearance from the own-facilities
2 requirement that it provide service using its own facilities or a combination of its own facilities and
3 resale of another carrier's service and also any criteria related to facilities build out plans. TAG would
4 be a Lifeline-only ETC, eligible only for Lifeline support and must meet all the other criteria required
5 of ETCs.

6 *A. Offering the Services Designated For Support*

7 15. 47 C.F.R. § 54.101(a)(1), sets forth the services that a carrier must offer in order to
8 receive Federal universal service fund support. The services and TAG's response to the provision of
9 each service are as follows:

- 10 (a) Voice grade access to the Public Switched Network. TAG states¹⁶ that it
11 provides voice grade access to the public switched telephone network through
12 the purchase of wholesale CMRS services from Sprint, T-Mobile USA, and
13 Verizon Wireless.
- 14 (b) Local usage. TAG states¹⁷ its service will include local usage that allows
15 Lifeline customers to originate and terminate calls within the local calling area
16 with no additional charge to end users, as required by the FCC.
- 17 (c) Access to emergency services. "An ETC must provide its customers with
18 access to 911 and E911 emergency services." TAG states¹⁸ that all of its
19 customers will have access to emergency calling services and that 911 and
20 E911 access will be available from TAG's handsets even if the account
21 associated with the handset has no minutes remaining.
- 22 (d) Toll Limitation for Qualifying Low-Income Consumers. "ETCs must provide
23 toll limitation services to qualifying low-income customers, unless their Lifeline
24 offering does not distinguish between the pricing of toll and non-toll calls."
25 TAG's wireless calling plans do not distinguish between non-toll (i.e., local)
26 and toll. TAG's prepaid plans include a specific number of minutes that
27 cannot be exceeded. Therefore, customers cannot incur any charges for
28 excessive toll calling or be disconnected for non-payment.

24 Unlimited 2G/3G thereafter Data for \$20.00; The second Lifeline Plus Plan is a 30-day plan of unlimited domestic voice
25 and unlimited text messaging and 1st 1 GB @ LTE speed + Unlimited 2G/3G thereafter Data for \$25.00.

26 ¹⁵ See Amended Application, Pages 16 and Exhibit 9, Sheet 6: TAG also offers Lifeline customer Top-Up/replenishment
27 plans for domestic voice and text messaging for prices starting at \$4.00 for 100 minutes and 100 text messages up to
28 \$18.00 for 500 minutes and unlimited text messages or international long distance calling for either \$5.00 or \$10.00 and
data at \$3.00 for 100 MB, \$12.00 for 500 MB and \$20.00 for 1,024 MB.

¹⁶ See Amended Application, Page 7, lines 1-5.

¹⁷ See Amended Application, Page 7, lines 6-16.

¹⁸ See Amended Application, Page 7, lines 17-25 through Page 8, lines 1-4.

1 16. In its Amended Application, TAG states TAG certifies that its prepaid wireless
2 Lifeline service offering satisfies the FCC's definition of voice telephony service, and it will therefor
3 provide all services designated for support by the FCC.¹⁹ Based on the above information and
4 explanations, Staff believes that TAG meets this ETC designation criteria.

5 B. *Advertising of Supported Services*

6 17. 47 U.S.C. § 214(e)(1)(B) requires a common carrier designated as an eligible
7 telecommunications carrier to advertise the availability of such services and the corresponding charges
8 using media of general distribution. TAG states it will advertise services as an ETC in its Service Area
9 and will publicize the availability of Lifeline services in a manner reasonably designed to reach those
10 likely to qualify for those services.²⁰ TAG will utilize outreach materials and methods designed to
11 reach households that do not have telephone service, and will coordinate its outreach efforts with
12 relevant government agencies. In addition, TAG states that it will advertise in media of general
13 distribution, which includes print, media, web, and kiosks (forthcoming) and that its advertising will
14 occur principally through indirect/direct sales, kiosk (forthcoming); and that it will undertake
15 marketing campaigns, and web lead generation, with ad words directing potential customers to TAG's
16 website media channels.²¹ Samples of TAG's marketing materials are attached as Exhibit 8 of the
17 Amended Application, Exhibit D of the RCP and Exhibit A in response to Staff Data Request STF
18 3.4(b).

19 18. Based on the information above and TAG's advertising materials provided to Staff,
20 Staff concludes that TAG will advertise the availability of its supported services and the corresponding
21 charges using media of general distribution as required by 47 U.S.C. § 214(e)(1)(B). Staff believes that
22 TAG meets this ETC designation criteria.

23 C. *Additional ETC Requirements*

24 19. In addition to the requirements listed above, the FCC adopted, in the *Lifeline Reform*
25 *Order*, comprehensive reforms to the low-income program to revise and modernize the Lifeline service
26 _____

27 ¹⁹ See Amended Application, Pages 6, lines 9-19.

28 ²⁰ See Amended Application, Page 10, lines 11-13.

²¹ See Amended Application, Page 10, lines 7-10.

1 requirements and implement measures to address fraud, waste, and abuse within the system. Below
2 are the additional requirements and TAG's response to each requirement.

3 C.1 A Commitment and Ability to Provide Supported Services

4 20. In 47 C.F.R. § 54.202(a)(1)(i) and (ii), the FCC required the applicant to:

- 5 (i) Certify that it will comply with the service requirements applicable to the
6 support that it receives; and
7 (ii) Submit a five-year plan that describes with specificity proposed improvements
8 or upgrades to the applicant's network throughout its proposed service area.
9 Each applicant shall estimate the area and population that will be served as a
10 result of the improvements. Except, a common carrier seeking designation as
11 an eligible telecommunications carrier in order to provide supported services
12 only under subpart E of this part does not need to submit such a five-year
13 plan.²²

14 21. TAG certifies that it will comply with the service requirements applicable to the low-
15 income support it receives as a result of being designated as an ETC for purposes of receiving
16 Lifeline.²³ The requirement directing submissions of a formal network improvement plan under 47
17 C.F.R. § 54.202(a)(1)(ii) demonstrating how universal service funds will be used to improve coverage,
18 signal strength, or capacity that would not otherwise occur absent the receipt of high-cost support,
19 does not apply to this Application because TAG is seeking only to provide supported services under
20 subpart E of this part, i.e. Lifeline only, and the FCC waived the facilities-based requirements for
21 TAG.

22 22. Based on the above information, Staff believes that TAG meets this ETC designation
23 criteria.

24 C.2 Remain Functional in Emergency Situations

25 23. In 47 C.F.R. § 54.202(a)(2), the FCC outlines the requirement that an ETC applicant
26 demonstrate its ability to remain functional in emergency situations. Specifically, "an applicant must
27 demonstrate that it has a reasonable amount of back-up power to ensure functionality without an
28

²² *Lifeline Reform Order*, ¶ 386.

²³ See Amended Application, Page 11, line 19 - Page 12, line 1.

1 external power source, is able to reroute traffic around damaged facilities, and is capable of managing
2 traffic spikes resulting from emergency situations.”²⁴

3 24. To demonstrate its ability to remain functional in emergency situations, TAG states²⁵ it
4 will utilize the extensive and well established Sprint, T-Mobile and Verizon networks and facilities to
5 provide TAG’s mobile services and it is TAG’s understanding that the Sprint, T-Mobile and Verizon
6 networks are capable of managing traffic spikes that may occur during emergency situations and can
7 reroute traffic in the event of damaged facilities. In addition, TAG also understands that each carrier
8 has sufficient back-up power to ensure functionality if its external power supply is unavailable and that
9 each of these companies have repeatedly certified to the FCC that their networks function in
10 emergency situations. Sprint, T-Mobile and Verizon will provide the same functionality to TAG and
11 its customers as these carriers provide to themselves and their own customers. Therefore, through its
12 underlying carriers, TAG states it has the ability to remain functional in emergency situations.

13 25. Based on the above information, Staff concludes that TAG has demonstrated its
14 ability to remain functional in emergency situations by maintaining a reasonable amount of back-up
15 power. Staff believes that TAG meets this ETC designation criteria.

16 C.3 Satisfy Consumer Protection and Service Quality Standards

17 26. In 47 C.F.R. § 54.202(a)(3), the FCC requires an ETC applicant to demonstrate its
18 commitment to meeting consumer protection and service quality standards in its application.²⁶ The
19 sufficiency of other commitments will be considered on a case-by-case basis.

20 27. To demonstrate its ability to satisfy consumer protection and service quality standards,
21 TAG states²⁷ it will satisfy all consumer privacy standards as provided in 47 C.F.R. § 64, Subpart U as
22 applicable, and will protect Consumer Proprietary Network Information (“CPNI”) as required by state
23 and federal law, and will certify compliance with the same annually.²⁸ TAG will also annually certify its
24 compliance with the Cellular Telecommunications and Internet Association (“CTIA”) Consumer

25
26 ²⁴ *Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Report and Order, FCC 05-46* (rel. March 17, 2005) (“*ETC Minimum Requirements Report and Order*”), ¶ 25.

27 ²⁵ See Amended Application, Page 12, line 8-18.

28 ²⁶ *ETC Minimum Requirements Report and Order*, ¶ 28.

²⁷ See Amended Application, Page 12, lines 19- through Page 13, line 6.

²⁸ In accordance with 47 C.F.R. § 54.422(b)(3).

1 Code and report the number of consumer complaints or trouble reports per 1,000 handsets or access
2 lines consistent with the FCC's *USF Order*.²⁹ Further, TAG commits to satisfying all applicable state
3 and federal requirements related to consumer protection and service quality standards.

4 28. Based on the above information, Staff believes that TAG meets this ETC designation
5 criteria.

6 C.4 Lifeline-Only ETC Applicants – Financial and Technical Capability

7 29. In 47 C.F.R. § 54.202(a)(4), the FCC requires a Lifeline-only ETC applicant to
8 demonstrate that it is financially and technically capable of providing the Lifeline service in
9 compliance with subpart E of this part. In the *Lifeline Reform Order*³⁰ the FCC provides guidance on
10 specific information to be considered when determining if an applicant meets this requirement:

11 “...Among the relevant considerations for such a showing would be whether the
12 applicant previously offered services to non-Lifeline customers, how long its has been in
13 business, whether the applicant intends to rely exclusively on USF distributions to
14 operate, whether the applicant receives or will receive revenue from other sources, and
whether it has been subject to enforcement action or ETC revocation proceedings in any
state.”

15 30. To demonstrate that TAG is financially and technically capable of providing Lifeline
16 service, TAG states³¹ it has provided wireless Lifeline service since October 2010, its management has
17 more than 67 years of experience in the telecommunications industry³² and will not rely exclusively on
18 universal service funding to operate, and will receive revenues from other sources. TAG's revenue
19 stream includes, in addition to its Lifeline service offerings, income from the sale of replenishment
20 airtime minutes, the sale of prepaid wireless service to non-Lifeline consumers, the sale of wholesale
21 airtime to smaller and/or regional wireless service providers including ETCs for traditional prepaid
22 service and Lifeline service, and the sale of various other ancillary services, including but not limited to
23 Wireless Land Line Replacement service, data services, and text only service packages.³³ In addition,

24
25
26 ²⁹ *Federal-State Joint Board on Universal Service*, First Report and Order, 12 FCC Rcd. 8,776 at ¶ 4 (1997) (“*USF Order*”).

27 ³⁰ See *Lifeline Reform Order*, ¶388.

28 ³¹ See Application, Pages 14-15, RCP, Pages 18-19 and Response to Staff Data Request STF 1.10, STF 3.6 and STF 3.7.

³² TAG's response to Staff Data Request STF 3.6.

³³ See Amended Application, Exhibit 5, RCP, Pages 23-24

1 TAG has access to financial resources from its parent company Amvensys.³⁴ TAG is currently
2 designated as an ETC in 19 states and has pending applications in 15 other jurisdictions as discussed
3 on Page 2 above and has not had an ETC designation revoked in any jurisdiction.

4 31. In its Amended Application, TAG states its ETC applications in Washington and
5 Indiana were denied due to untimely responses to the respective Commissions. TAG explains that
6 this was primarily due to an employee personnel issue and the employee referenced is no longer with
7 TAG.³⁵ In TAG's September 28, 2016 update, TAG clarified that its Washington application was not
8 denied but was voluntarily withdrawn and subsequently a new application was filed and is currently
9 pending. Staff verified this matter with the Washington Utilities and Transportation Commission and
10 found this clarification to be accurate. In TAG's September 28, 2016 update, TAG reiterated that the
11 necessary information was not provided to the IURC primarily due to an employee personnel issue
12 and the employee is no longer employed by TAG. TAG has not filed a new application in Indiana.
13 Upon conferring with the Indiana Utilities Regulatory Commission ("IURC"), Staff verified that
14 TAG's ETC application was denied for lack of sufficient evidence demonstrating that TAG met the
15 minimum FCC requirements.³⁶

16 32. On Page 3 of the Amended Application, TAG states it has been subject to
17 enforcement sanctions and possible ETC revocation proceedings in Oklahoma. In Cause No.
18 EN201300116, Order No. 734298, dated December 18, 2014, the Oklahoma Corporation
19 Commission's Public Utility Division ("OK PUD") initiated the proceeding by filing a Complaint,
20 Information, Summons and Notice of Citation for Contempt regarding TAG providing Lifeline
21 service outside its designated service area. The matter was resolved via a Joint Stipulation and
22 Settlement agreement to which TAG took corrective action and agreed to pay a ten thousand dollar
23 (\$10,000) fine. In addition, Cause No. EN201300116, Order No. 734298, dated December 18, 2014,
24 the OK PUD initiated the proceeding by filing a Complaint, Information, Summons and Notice of
25

26 ³⁴ TAG will provide a copy of its financial statements to the Commission's Utility Division Staff in accordance with a signed
27 confidentiality agreement.

³⁵ See Amended Application, Page 3, lines 6-8.

28 ³⁶ See IURC Order of the Commission, dated May 28, 2014, Cause No. 41052 ETC 68; IURC Order on Reconsideration,
dated July 30, 2014, Cause No. 41052 ETC 68.

1 Citation for Contempt alleging that TAG had violated and continued to violate the Oklahoma
2 Corporation Commission's ("OKCC") mobile marketing rules and Lifeline Program Rule as set forth
3 in OAC 165-55-23 *et seq.* On May 24, 2016, TAG filed its response to the Complaint. On May 26,
4 2016, a Term Sheet was filed in the Cause Number indicating that the terms listed had been agreed to
5 by the Complainant and the Respondent in an effort to settle all issues in the Cause, including a ten-
6 day suspension for enrolling new Lifeline customers (May 27 – June 5, 2016) and voluntary payment
7 of \$5,000, due within 45 day of a final order adopting the settlement terms in this cause. On August
8 16, 2016, the OKCC adopted Order No. 655272, Final Order Approving Term Sheet and Closing
9 Cause. In its September 28, 2016 update, TAG confirmed the Order No. 655272 had been issued
10 finding that TAG had demonstrated efforts to correct previous deficiencies and maintain compliance
11 with OKCC rules.

12 33. Staff has verified with the OK PUD Staff the details of the enforcement action in
13 Cause No. EN201300116, Order No. 734298, dated December 18, 2014 and verified that TAG did
14 pay the \$10,000 fine and did so on time in accordance with the terms of the settlement agreement. In
15 addition, the OK PUD Staff provided Utilities Division Staff a copy of OKCC Order No. 655272,
16 dated August 16, 2016, which states TAG has 45 days to pay the agreed to voluntary payment of
17 \$5,000.

18 34. Having reviewed TAG's financial statements and based on the above information,
19 Staff believes that TAG meets this ETC designation criteria.

20 C.5 Lifeline-Only ETC Applicants – Terms and Conditions of Lifeline Service Plans

21 35. In 47 C.F.R. § 54.202(a)(5), the FCC requires an ETC applicant to submit information
22 describing the terms and conditions of any voice telephony service plans offered to Lifeline
23 subscribers, including details on the number of minutes provided as part of the plan, additional
24 charges, if any, for toll calls, and rates for each such plan. To the extent the ETC offers plans to
25 Lifeline subscribers that are generally available to the public, it may provide summary information
26 regarding such plans, such as a link to a public website outlining the terms and conditions of such
27 plans.

28

1 36. TAG provided its informational tariff labeled as Exhibit 9 of its Amended Application
2 in which it describes the calling plans for Lifeline subscribers, including the number of free minutes in
3 each calling plan, along with the terms and conditions of Lifeline service as provided by TAG. Based
4 on the information contained in TAG's informational tariff, Staff believes that TAG meets this ETC
5 designation criteria.

6 *D. Steps to Limit Fraud, Waste and Abuse of the FUSF*

7 37. In the *Lifeline Reform Order* the FCC adopted various new measures and revised or
8 eliminated other existing measures in order to limit fraud, waste and abuse of the FUSF. These
9 measures include establishing uniform eligibility criteria to qualify for Lifeline services, clarifying the
10 restriction of one Lifeline telephone allowed per household, initial certification and annual re-
11 certification of consumer eligibility, establishing a national lifeline accountability database to ensure
12 and enforce the one-per-household requirement, total elimination of toll limitation support for
13 wireless carriers and a tapered elimination of toll limitation support for landline ETCs, elimination of
14 the Link Up subsidy except on federally-recognized tribal lands and establishing additional provisions
15 for Universal Service Administrative Company ("USAC") audits.

16 38. In its Amended Application³⁷ and RCP,³⁸ TAG outlines the steps it will take to limit
17 fraud, waste and abuse of the FUSF and to comply with all applicable Lifeline requirements and
18 implement measures to prevent fraud, waste, and abuse.

19 *E. Public Interest Determination*

20 39. Under Section 214 of the Act, the FCC and state commissions must determine that an
21 ETC designation is consistent with the public interest, convenience and necessity for rural areas. They
22 also must consider whether an ETC designation serves the public interest consistent with Section 254
23 of the Act. Congress did not establish specific criteria to be applied under the public interest tests in
24 Sections 214 or 254. The public interest benefits of a particular ETC designation must be analyzed in
25 a manner that is consistent with the purposes of the Act itself, including the fundamental goals of
26 preserving and advancing universal service, ensuring the availability of quality telecommunications

27 _____
28 ³⁷ See Amended Application, Pages 17-19.

³⁸ See Amended Application, Exhibit 5.

1 services at just, reasonable, and affordable rates, and promoting the deployment of advanced
2 telecommunications and information services to all regions of the nation, including rural and high-cost
3 areas.³⁹ Accordingly, before designating a carrier as an ETC, the Commission must make an
4 affirmative determination that such designation is in the public interest, regardless of whether the
5 applicant seeks designation in an area served by a rural or non-rural carrier.

6 40. TAG states that by designating it as a wireless ETC in Arizona, it will serve the public
7 interest and the needs of low-income customers in Arizona by increasing customer choice in the areas
8 it serves. The public interest benefits associated with TAG's wireless service include larger local
9 calling areas (as compared to traditional wireline carriers), the convenience and personal security
10 afforded by mobile telephone service, the opportunity for customers to receive a high-value wireless
11 plan and emergency services in accordance with FCC Rules. Additionally, ETC status will promote
12 universal service by allowing TAG to offer wireless service to many low-income customers who may
13 not be able to otherwise have service. TAG's Lifeline calling plans are designed to provide service to
14 Lifeline consumers who, due to credit or deposit requirements, may not be able to obtain telephone
15 service from more traditional wireline and wireless service providers.

16 *F. Designated Service Area*

17 41. The Commission must establish a geographic area for the purpose of determining
18 universal service obligations and support mechanisms for each designated ETC. *See* 47 U.S.C. §
19 214(e)(2); 47 C.F.R. § 54.201(b). TAG requests that the Commission designate it as an ETC for
20 service areas in Arizona. Through resale of wireless service provided by Sprint, T-Mobile and Verizon
21 in Arizona, TAG will provide Lifeline service in many zip codes in Arizona.

22 42. There are a number of zip codes that encompass both tribal lands and non-tribal lands.
23 Some of the tribal lands are served by tribally-owned telephone companies and some of the tribal
24 lands are served by non-tribally owned telephone companies. For those zip codes that encompass
25 tribal lands, TAG requested to serve the non-tribal areas of each zip code and to serve tribal lands
26 within the service areas of Commission regulated telephone companies and cooperatives only after
27

28 ³⁹ *ETC Minimum Requirements Report and Order*, ¶ 40.

1 receiving any and all necessary licenses or other forms of approval that might be required by any Tribe
2 and filing a copy of such licenses or other form of approval with the Commission, with a copy to
3 ALECA's undersigned counsel. Attachment 1 of this Recommended Opinion and Order contains the
4 list of zip codes to be served by TAG.

5 INTERVENOR

6 A. *Arizona Local Exchange Carriers Association*

7 43. The ALECA is an association of telephone companies and member-owned
8 cooperatives providing local exchange telecommunications services to customers in rural, high cost
9 areas of Arizona. All of ALECA's members are "rural telephone companies" as defined by the Act.
10 ALECA represents telephone companies and cooperatives that are regulated by the Commission as
11 well as Tribally-owned telephone companies which are not regulated by the Commission.

12 B. *Joint Stipulation*

13 44. On August 5, 2016, ALECA and TAG filed a Stipulation in the docket. On August 8,
14 2016, TAG and ALECA filed a revised Stipulation concerning TAG's Application which added
15 ALECA's representative's electronic signature and updated the name of TAG's outside counsel. In
16 the Stipulation, to address the potential concerns expressed by ALECA, TAG agreed not to provide
17 Lifeline service to eligible residents residing on Federally-recognized Tribal Lands in Arizona until
18 TAG obtained any and all necessary licenses or other forms of approval that might be required by any
19 Tribe and file a copy of such licenses or other form of approval with the Commission in this docket
20 and a copy to TAG's counsel. In addition, TAG agreed that its Lifeline enrollment application for
21 Arizona will require an applicant to provide a street address and include a provision that requires an
22 applicant to self-certify under penalty of perjury that they do not reside on Federally-Recognized
23 Tribal Lands or to identify the Federally-Recognized Tribe on the lands of which he or she resides.

24 45. Staff understands that the only Federally-Recognized Tribal Lands that are included in
25 the Joint Stipulation are those served by Commission-regulated telephone companies and cooperatives
26
27
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1 and for which TAG has obtained any and all necessary licenses or other forms of approval that might
2 be required by any Tribe.⁴⁰

3 STAFF RECOMMENDATIONS

4 46. In addition to the conditions set forth by the FCC, Staff recommends TAG's
5 Application for designation as an ETC be granted subject to the following conditions:

- 6 a. TAG shall file a tariff, in this docket through Docket Control, setting forth the
7 rates, terms and conditions for its Lifeline service within thirty (30) days of a
8 Commission Order in this matter;
- 9 b. TAG shall file in a new docket with the Commission, through Docket Control,
10 any changes/amendments to its tariffed rates, terms and/or conditions
11 regarding its Lifeline offerings and file such changes/amendments in its tariff
12 at least thirty (30) days prior to the proposed effective date of those changes in
13 compliance with A.R.S. § 40-367;
- 14 c. TAG shall make available Lifeline services to qualifying low-income applicants
15 in its ETC service area no later than ninety (90) days after a Commission
16 decision in this matter and shall concurrently notify the Commission, by
17 making a filing in Docket Control, in this docket, of the commencement date
18 for such services;
- 19 d. TAG shall apprise the Commission of any customer complaints that may arise
20 from its ETC service offerings by making a filing in Docket Control in this
21 docket;
- 22 e. TAG shall provide a regulatory contact to the Commission by making a filing
23 in Docket Control in this docket within thirty (30) days of a Commission
24 decision in this matter;
- 25 f. In the event that TAG seeks to relinquish its ETC status and no longer
26 provide Lifeline services, it shall file such a request in a new docket, at least 90
27 days prior to the proposed relinquishment date, with Docket Control and
28 provide notice to the Commission and its affected customers in accordance
with A.A.C. R14-2-1107 and any other requirements under Federal law such as
47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205;
- g. TAG shall submit in Docket Control an annual report by April 15th of each
year, beginning April 15, 2018, that contains its total number of Lifeline
subscribers and the total amount of Federal USF support received as of
December 31 of the previous year and include an affidavit stating that the
Lifeline discounts or the equivalent are equal to the amount of total Federal

⁴⁰ In order to provide Lifeline services on Federally-Recognized Tribal Lands served by Tribally-owned telephone companies, TAG would need to petition the FCC for ETC designation in order to receive FUSF reimbursement.

1 USF support received per line. The annual filing shall be submitted as a
2 compliance item in this docket;

3 h. In the event of a Transfer of Control that involves TAG, a new ETC petition
4 shall be filed with the Commission. This will ensure ETCs undergoing
5 reorganization remain financially viable and technically able to provide the
supported services throughout the designated service areas as originally
approved by the Commission;

6 i. TAG shall not expand its Lifeline service beyond the designated service area
7 specified in this Application without acquiring ETC designation from the
Commission to serve the additional area;

8 j. TAG shall not provide Lifeline service to eligible residents residing on
9 Federally-Recognized Tribal Lands in Arizona, served by Commission
10 regulated telephone companies and cooperatives, until after TAG has obtained
11 any and all necessary licenses or other forms of approval that might be
12 required by any Tribe and filed a copy of such licenses or other form of
approval with the Commission in this docket, with a copy to ALECA's
counsel; and

13 k. For all forms and filings required by the FCC to be filed with the State that
14 granted Applicant its ETC designation, all such filings shall be filed in Docket
15 No. T-00000M-12-0323.

16 CONCLUSIONS OF LAW

17 1. TAG Mobile, LLC is a telecommunications company as defined in A.R.S. § 40-201(46)
18 and is a "telecommunications carrier" as defined in 47 U.S.C. § 153(51). TAG is also a reseller of
19 Commercial Mobile Radio Service as defined in 47 U.S.C. § 20.3 and A.A.C. R14-2-1201(8).

20 2. The Commission has jurisdiction over the subject matter of the Application.

21 3. Under 47 U.S.C. § 214(e)(2), the Commission must establish the geographic area for
22 the purposes of determining universal service obligations and support mechanisms. TAG's
23 Application applies to the service area consisting of each zip code as listed in Attachment 1.

24 4. TAG meets the requirements for ETC designation under 47 U.S.C. § 214 and C.F.R. §
25 54.201 *et seq.*, subject to TAG's compliance with the conditions set forth in Finding of Fact No. 46
26 herein.

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ORDER

IT IS THEREFORE ORDERED that the Application of TAG Mobile, LLC for designation as an Eligible Telecommunications Carrier pursuant to U.S.C. § 214(e)(1) for the purpose of receiving federal universal service support in Arizona, for the designated service area set forth in Attachment 1 attached hereto and incorporated herein by reference, is hereby approved, subject to TAG Mobile, LLC's compliance with the conditions set forth in Finding of Fact No. 46, above.

IT IS FURTHER ORDERED that if TAG Mobile, LLC does not comply with the requirements of Finding of Fact No. 46, its designation as an ETC may be revoked after due process.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION

CHAIRMAN LITTLE

COMMISSIONER STUMP

COMMISSIONER FORESE

COMMISSIONER TOBIN

COMMISSIONER BURNS

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this _____ day of _____, 2016.

JODI JERICH
EXECUTIVE DIRECTOR

DISSENT: _____

DISSENT: _____

TMB:LLM:nr/RWG

1 SERVICE LIST FOR: TAG Wireless, LLC
2 DOCKET NO. T-20922A-15-0007

3 Ms. Meghan Grabel
4 OSBORN MALADON, PA
5 2929 North Central Avenue Suite 2100
6 Phoenix, Arizona 85012

7 Ms. Mary Calderon
8 Vice President of Compliance, Legal & Regulatory Affairs
9 TAG Mobile, LLC
10 1330 Capital Parkway
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12 Ms. Melaine King
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14 TAG Mobile, LLC
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17 Mr. Craig A. Marks
18 Craig A. Marks, P. C.
19 10645 North Tatum Boulevard., Suite 200-676
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21 Mr. Thomas M. Broderick
22 Director, Utilities Division
23 Arizona Corporation Commission
24 1200 West Washington Street
25 Phoenix, Arizona 85007

26 Ms. Janice M. Alward
27 Chief Counsel, Legal Division
28 Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85001	PHOENIX	AZ		85032	PHOENIX	AZ	
85002	PHOENIX	AZ		85033	PHOENIX	AZ	
85003	PHOENIX	AZ		85034	PHOENIX	AZ	
85004	PHOENIX	AZ		85035	PHOENIX	AZ	
85005	PHOENIX	AZ		85036	PHOENIX	AZ	
85006	PHOENIX	AZ		85037	PHOENIX	AZ	
85007	PHOENIX	AZ		85038	PHOENIX	AZ	
85008	PHOENIX	AZ		85039	PHOENIX	AZ	
85009	PHOENIX	AZ		85040	PHOENIX	AZ	
85010	PHOENIX	AZ		85041	PHOENIX	AZ	
85011	PHOENIX	AZ		85042	PHOENIX	AZ	
85012	PHOENIX	AZ		85043	PHOENIX	AZ	
85013	PHOENIX	AZ		85044	PHOENIX	AZ	
85014	PHOENIX	AZ		85045	PHOENIX	AZ	
85015	PHOENIX	AZ		85046	PHOENIX	AZ	
85016	PHOENIX	AZ		85048	PHOENIX	AZ	
85017	PHOENIX	AZ		85050	PHOENIX	AZ	
85018	PHOENIX	AZ		85051	PHOENIX	AZ	
85019	PHOENIX	AZ		85053	PHOENIX	AZ	
85020	SUNNYSLOPE	AZ		85054	PHOENIX	AZ	
85021	PHOENIX	AZ		85055	PHOENIX	AZ	
85022	PHOENIX	AZ		85060	PHOENIX	AZ	
85023	PHOENIX	AZ		85061	PHOENIX	AZ	
85024	PHOENIX	AZ		85062	PHOENIX	AZ	
85025	PHOENIX	AZ		85063	PHOENIX	AZ	
85026	PHOENIX	AZ		85064	PHOENIX	AZ	
85027	PHOENIX	AZ		85065	PHOENIX	AZ	
85028	PHOENIX	AZ		85066	PHOENIX	AZ	
85029	PHOENIX	AZ		85067	PHOENIX	AZ	
85030	PHOENIX	AZ		85068	PHOENIX	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85031	PHOENIX	AZ		85069	PHOENIX	AZ	
85070	PHOENIX	AZ		85119	APACHE JUNCTION	AZ	
85071	PHOENIX	AZ		85120	APACHE JUNCTION	AZ	
85072	PHOENIX	AZ		85121	BAPCHULE	AZ	Gila River Indian Community of the Gila River Indian Reservation
85073	PHOENIX	AZ		85122	ELEVEN MILE CORNER	AZ	Gila River Indian Community of the Gila River Indian Reservation
85074	PHOENIX	AZ		85123	ARIZONA CITY	AZ	Tohono O'odham Nation of Arizona
85075	PHOENIX	AZ		85127	QUEEN CREEK	AZ	
85076	PHOENIX	AZ		85128	COOLIDGE	AZ	
85077	PHOENIX	AZ		85130	CASA GRANDE	AZ	
85078	PHOENIX	AZ		85131	TOLTEC	AZ	
85079	PHOENIX	AZ		85132	FLORENCE	AZ	
85080	PHOENIX	AZ		85135	HAYDEN	AZ	
85082	PHOENIX	AZ		85137	RAY	AZ	
85083	PHOENIX	AZ		85138	MARICOPA	AZ	Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation
85085	PHOENIX	AZ		85139	MOBILE	AZ	Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Gila River Indian Community of the Gila River Indian Reservation
85086	PHOENIX	AZ		85140	QUEEN CREEK	AZ	
85087	PHOENIX	AZ		85141	PICACHO	AZ	
85096	PHOENIX	AZ		85142	QUEEN CREEK	AZ	
85097	PHOENIX	AZ		85143	QUEEN CREEK	AZ	
85098	PHOENIX	AZ		85145	RED ROCK	AZ	
85099	PHOENIX	AZ		85172	STANFIELD	AZ	
85117	APACHE JUNCTION	AZ		85173	SUPERIOR	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85118	SUPERSTITION MOUNTAIN	AZ		85172	STANFIELD	AZ	
85173	SUPERIOR	AZ		85221	BAPCHULE	AZ	
85178	APACHE JUNCTION	AZ		85222	CASA GRANDE	AZ	
85190	TORTILLA FLAT	AZ		85223	ARIZONA CITY	AZ	
85191	VALLEY FARMS	AZ		85224	CHANDLER	AZ	
85192	DUDDLEYVILLE	AZ		85225	CHANDLER	AZ	
85193	CASA GRANDE	AZ	Tohono O'odham Nation of Arizona	85226	CHANDLER	AZ	Gila River Indian Community of the Gila River Indian Reservation
85194	CASA GRANDE	AZ	Gila River Indian Community of the Gila River Indian Reservation	85227	CHANDLER	AZ	
85201	MESA	AZ		85228	COOLIDGE	AZ	
85202	MESA	AZ		85230	CASA GRANDE	AZ	
85203	MESA	AZ		85231	ELOY	AZ	
85204	MESA	AZ		85232	FLORENCE	AZ	
85205	MESA	AZ		85233	GILBERT	AZ	
85206	MESA	AZ		85234	GILBERT	AZ	
85207	MESA	AZ		85235	HAYDEN	AZ	
85208	MESA	AZ		85236	HIGLEY	AZ	
85209	MESA	AZ		85237	KEARNY	AZ	
85210	MESA	AZ		85238	MARICOPA	AZ	
85211	MESA	AZ		85239	MARICOPA	AZ	
85212	MESA	AZ		85240	QUEEN CREEK	AZ	
85213	MESA	AZ		85241	PICACHO	AZ	
85214	MESA	AZ		85242	QUEEN CREEK	AZ	
85215	MESA	AZ		85243	QUEEN CREEK	AZ	
85216	MESA	AZ		85244	CHANDLER	AZ	
85217	APACHE JUNCTION	AZ		85245	RED ROCK	AZ	
85218	FLORENCE JUNCTION	AZ		85246	CHANDLER	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85219	SUPERSTITION APACHE JUNCTION	AZ		85247	SACATON	AZ	
85220	APACHE JUNCTION	AZ					
85248	SUN LAKES	AZ	Gila River Indian Community of the Gila River Indian Reservation	85273	SUPERIOR	AZ	
85249	CHANDLER	AZ		85274	MESA	AZ	
85250	SCOTTSDALE	AZ	Salt River Pima-Maricopa Indian Community of the Salt River Reservation	85275	MESA	AZ	
85251	SCOTTSDALE	AZ	Salt River Pima-Maricopa Indian Community of the Salt River Reservation	85277	MESA	AZ	
85252	SCOTTSDALE	AZ		85278	APACHE JUNCTION	AZ	
85253	SCOTTSDALE	AZ		85280	TEMPE	AZ	
85254	SCOTTSDALE	AZ		85281	TEMPE	AZ	
85255	SCOTTSDALE	AZ	Fort McDowell Yavapai Nation	85282	TEMPE	AZ	
85257	SCOTTSDALE	AZ	Salt River Pima-Maricopa Indian Community of the Salt River Reservation	85283	TEMPE	AZ	
85258	SCOTTSDALE	AZ		85284	TEMPE	AZ	
85259	SCOTTSDALE	AZ	Salt River Pima-Maricopa Indian Community of the Salt River Reservation	85285	TEMPE	AZ	
85260	SCOTTSDALE	AZ		85286	CHANDLER	AZ	
85261	SCOTTSDALE	AZ		85287	TEMPE	AZ	
85262	SCOTTSDALE	AZ		85289	TEMPE	AZ	
85263	RIO VERDE	AZ		85290	TORTILLA FLAT	AZ	
85264	SCOTTSDALE	AZ		85291	VALLEY FARMS	AZ	
85266	SCOTTSDALE	AZ		85292	WINKELMAN	AZ	
85267	SCOTTSDALE	AZ		85293	CASA GRANDE	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85268	SCOTTSDALE	AZ	Fort McDowell Yavapai Nation, Salt River Pima-Maricopa Indian Community of the Salt River Reservation	85294	CASA GRANDE	AZ	
85269	SCOTTSDALE	AZ		85295	GILBERT	AZ	
85271	SCOTTSDALE	AZ		85296	GILBERT	AZ	
85272	STANFIELD	AZ		85297	GILBERT	AZ	
85298	GILBERT	AZ		85334	EHRENBERG	AZ	
85299	GILBERT	AZ		85335	EL MIRAGE	AZ	
85301	GLENDALE	AZ		85336	GADSDEN	AZ	
85302	GLENDALE	AZ		85337	GILA BEND	AZ	
85303	GLENDALE	AZ		85338	PERRYVILLE	AZ	
85304	GLENDALE	AZ		85339	LAVEEN	AZ	Gila River Indian Community of the Gila River Indian Reservation
85305	GLENDALE	AZ		85340	LITCHFIELD PARK	AZ	
85306	GLENDALE	AZ		85342	MORRISTOWN	AZ	
85307	GLENDALE	AZ		85343	PALO VERDE	AZ	
85308	GLENDALE	AZ		85344	PARKER	AZ	Colorado River Indian Tribes of the Colorado River Indian Reservation
85309	GLENDALE	AZ		85345	PEORIA	AZ	
85310	GLENDALE	AZ		85346	QUARTZSITE	AZ	
85311	GLENDALE	AZ		85347	ROLL	AZ	
85312	GLENDALE	AZ		85348	SALOME	AZ	
85313	GLENDALE	AZ		85349	SAN LUIS	AZ	
85318	GLENDALE	AZ		85350	SOMERTON	AZ	Cocopah Tribe of Arizona
85320	AGUILA	AZ		85351	SUN CITY	AZ	
85322	ARLINGTON	AZ		85352	TACNA	AZ	
85323	AVONDALE	AZ		85353	TOLLESON	AZ	
85324	ROCK SPRINGS	AZ		85354	TONOPAH	AZ	
85325	BOUSE	AZ		85355	WADELLE	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85326	LIBERTY	AZ		85356	WELLTON	AZ	
85327	CAVE CREEK	AZ		85357	WENDEN	AZ	
85328	CIBOLA	AZ		85358	WICKENBURG	AZ	
85329	CASHION	AZ		85359	QUARTZSITE	AZ	
85331	CAVE CREEK	AZ		85360	WIKIEUP	AZ	
85332	WAGONER	AZ		85361	WITTMANN	AZ	
85333	DATLAND	AZ		85362	YARNELL	AZ	
85363	YOUNGTOWN	AZ		85502	GLOBE	AZ	
85364	YUMA	AZ		85530	BYLAS	AZ	San Carlos Apache Tribe of the San Carlos Reservation
85365	YUMA PROVING GROUND	AZ	Cocopah Tribe of Arizona	85531	CENTRAL	AZ	
85366	YUMA	AZ		85532	CLAYPOOL	AZ	
85367	YUMA	AZ		85533	CLIFTON	AZ	
85369	YUMA	AZ		85534	DUNCAN	AZ	
85371	POSTON	AZ	Colorado River Indian Tribes of the Colorado River Indian Reservation	85535	PIMA	AZ	
85372	SUN CITY	AZ		85536	FORT THOMAS	AZ	
85373	SUN CITY	AZ		85539	MIAMI	AZ	
85374	SUN CITY	AZ		85540	MORENCI	AZ	
85375	SUN CITY WEST	AZ		85541	STAR VALLEY	AZ	Tonto Apache Tribe of Arizona
85376	SUN CITY WEST	AZ		85542	PERIDOT	AZ	
85377	CAREFREE	AZ		85543	PIMA	AZ	San Carlos Apache Tribe of the San Carlos Reservation
85378	SURPRISE	AZ		85544	STRAWBERRY	AZ	
85379	SUN CITY	AZ		85545	ROOSEVELT LAKE	AZ	
85380	PEORIA	AZ		85546	SAFFORD	AZ	
85381	PEORIA	AZ		85547	PAYSON	AZ	
85382	PEORIA	AZ		85548	SAFFORD	AZ	
85383	PEORIA	AZ		85550	SAN CARLOS	AZ	
85385	PEORIA	AZ		85551	SOLOMON	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85387	SUN CITY WEST	AZ		85552	THATCHER	AZ	
85388	SURPRISE	AZ		85553	TONTO BASIN	AZ	Tonto Apache Tribe of Arizona
85390	WICKENBURG	AZ		85601	ARIVACA	AZ	
85392	AVONDALE	AZ		85602	BENSON	AZ	
85395	GOODYEAR	AZ		85603	WARREN	AZ	
85396	BUCKEYE	AZ		85605	BOWIE	AZ	
85501	GLOBE	AZ		85606	COCHISE	AZ	
85607	DOUGLAS	AZ		85640	AMADO	AZ	
85608	DOUGLAS	AZ		85641	VAIL	AZ	
85609	DRAGOON	AZ		85643	WILCOX	AZ	
85610	ELFRIDA	AZ		85644	WILCOX	AZ	
85611	ELGIN	AZ		85645	AMADO	AZ	
85613	SIERRA VISTA	AZ		85646	TUBAC	AZ	
85614	GREEN VALLEY	AZ		85648	CASTLE ROCK	AZ	
85615	HEREFORD	AZ		85650	SIERRA VISTA	AZ	
85616	HUACHUCA CITY	AZ		85652	CORTARO	AZ	
85617	MCNEAL	AZ		85653	MARANA	AZ	Tohono O'odham Nation of Arizona
85618	MAMMOTH	AZ		85654	RILLITO	AZ	
85619	MOUNT LEMMON	AZ		85655	DOUGLAS	AZ	
85620	NACO	AZ		85658	MARANA	AZ	
85621	NOGALES	AZ		85662	NOGALES	AZ	
85622	GREEN VALLEY	AZ		85670	SIERRA VISTA	AZ	
85623	ORACLE	AZ		85671	SIERRA VISTA	AZ	
85624	PATAGONIA	AZ		85701	TUCSON	AZ	
85625	SUNSTITES	AZ		85702	TUCSON	AZ	
85626	PIRTLEVILLE	AZ		85703	TUCSON	AZ	
85627	POMERENE	AZ		85704	ORO VALLEY	AZ	
85628	NOGALES	AZ		85705	TUCSON	AZ	
85629	SAHUARITA	AZ		85706	TUCSON	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85630	SAINT DAVID	AZ		85707	TUCSON	AZ	
85631	SAN MANUEL	AZ		85708	TUCSON	AZ	
85632	PORTAL	AZ		85709	TUCSON	AZ	
85633	SASABE	AZ		85710	TUCSON	AZ	
85635	SIERRA VISTA	AZ		85711	TUCSON	AZ	
85636	SIERRA VISTA	AZ		85712	TUCSON	AZ	
85637	SONOITA	AZ		85713	TUCSON	AZ	
85638	TOMBSTONE	AZ		85714	TUCSON	AZ	
85715	TUCSON	AZ		85747	TUCSON	AZ	
85716	TUCSON	AZ		85748	TUCSON	AZ	
85717	TUCSON	AZ		85749	TUCSON	AZ	
85718	TUCSON	AZ		85750	TUCSON	AZ	
85719	TUCSON	AZ		85751	TUCSON	AZ	
85720	TUCSON	AZ		85752	TUCSON	AZ	
85721	TUCSON	AZ		85754	TUCSON	AZ	
85722	TUCSON	AZ		85755	TUCSON	AZ	
85723	TUCSON	AZ		85756	TUCSON	AZ	Pascua Yaqui Tribe of Arizona
85724	TUCSON	AZ		85757	TUCSON	AZ	Pascua Yaqui Tribe of Arizona
85725	TUCSON	AZ		85775	TUCSON	AZ	
85726	TUCSON	AZ		85777	TUCSON	AZ	
85728	TUCSON	AZ		85902	SHOW LOW	AZ	
85730	TUCSON	AZ		85912	WHITE MOUNTAIN LAKE	AZ	
85731	TUCSON	AZ		85920	ALPINE	AZ	
85732	TUCSON	AZ		85923	CLAY SPRINGS	AZ	
85733	TUCSON	AZ		85924	CONCHO	AZ	
85734	TUCSON	AZ		85927	GREER	AZ	
85735	TUCSON	AZ		85928	HEBER	AZ	
85736	TUCSON	AZ		85929	LAKESIDE	AZ	
85737	TUCSON	AZ		85930	MCNARY	AZ	
85738	CATALINA	AZ		85931	FOREST LAKES	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
85739	CATALINA	AZ		85933	OVERGAARD	AZ	
85740	TUCSON	AZ		85934	PINEDALE	AZ	
85741	TUCSON	AZ		85935	PINETOP	AZ	
85742	TUCSON	AZ		85936	SAINT JOHNS	AZ	
85743	TUCSON	AZ		85937	SNOWFLAKE	AZ	
85744	TUCSON	AZ		85938	SPRINGERVILLE	AZ	
85745	TUCSON	AZ		85939	TAYLOR	AZ	
85746	TUCSON	AZ	Pascua Yaqui Tribe of Arizona	85940	VERNON	AZ	
85942	WOODRUFF	AZ		86045	TUBA CITY	AZ	San Juan Southern Paiute Tribe of Arizona, Navajo Nation
86001	FLAGSTAFF	AZ		86046	WILLIAMS	AZ	
86002	FLAGSTAFF	AZ		86047	WINSLOW	AZ	
86003	FLAGSTAFF	AZ	Navajo Nation	86053	TONALEA	AZ	
86004	FLAGSTAFF	AZ		86054	TONALEA	AZ	Navajo Nation
86005	FLAGSTAFF	AZ		86301	PRESCOTT	AZ	Yavapai-Prescott Indian Tribe
86011	FLAGSTAFF	AZ		86302	PRESCOTT	AZ	
86015	FLAGSTAFF	AZ		86303	PRESCOTT	AZ	Yavapai-Prescott Indian Tribe
86016	GRAY MOUNTAIN	AZ	Navajo Nation	86304	PRESCOTT	AZ	
86017	MUNDS PARK	AZ		86305	PRESCOTT	AZ	
86018	PARKS	AZ		86312	PRESCOTT VALLEY	AZ	
86020	CAMERON	AZ	Navajo Nation	86313	PRESCOTT	AZ	
86021	COLORADO CITY	AZ		86314	PRESCOTT VALLEY	AZ	
86022	FREDONIA	AZ	Kaibab Band of Paiute Indians of the Kaibab Indian Reservation	86315	PRESCOTT VALLEY	AZ	
86023	GRAND CANYON	AZ		86320	ASH FORK	AZ	
86024	HAPPY JACK	AZ		86321	BAGDAD	AZ	
86025	HOLBROOK	AZ		86322	CAMP VERDE	AZ	Yavapai-Apache Nation of the Camp Verde Indian Reservation
86028	HOLBROOK	AZ		86323	CHINO VALLEY	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
86029	SUN VALLEY	AZ		86324	CLARKDALE	AZ	
86031	HOLBROOK	AZ	Navajo Nation	86325	CORNVILLE	AZ	
86032	JOSEPH CITY	AZ		86326	COTTONWOOD STATION	AZ	
86035	LEUPP	AZ	Navajo Nation	86327	DEWEY	AZ	
86036	PAGE	AZ	Navajo Nation	86329	HUMBOLDT	AZ	
86038	FLAGSTAFF	AZ		86330	IRON SPRINGS	AZ	
86040	PAGE	AZ	Navajo Nation	86320	ASH FORK	AZ	
86044	TONALEA	AZ	Navajo Nation	86321	BAGDAD	AZ	
86322	CAMP VERDE	AZ	Yavapai-Apache Nation of the Camp Verde Indian Reservation	86409	KINGMAN	AZ	
86323	CHINO VALLEY	AZ		86411	HACKBERRY	AZ	
86324	CLARKDALE	AZ		86412	HUALAPAI	AZ	
86325	CORNVILLE	AZ		86413	KINGMAN	AZ	
86326	COTTONWOOD STATION	AZ		86426	BULLHEAD CITY	AZ	Fort Mojave Indian Tribe of Arizona, California & Nevada
86327	DEWEY	AZ		86427	BULLHEAD CITY	AZ	
86329	HUMBOLDT	AZ		86429	BULLHEAD CITY	AZ	
86330	IRON SPRINGS	AZ		86430	BULLHEAD CITY	AZ	
86331	JEROME	AZ		86431	CHLORIDE	AZ	
86332	PEEPLERS VALLEY	AZ		86433	OATMAN	AZ	
86333	SPRING VALLEY	AZ		86436	TOPOCK	AZ	
86334	PAULDEN	AZ		86437	VALENTINE	AZ	
86335	RIMROCK	AZ		86438	YUCCA	AZ	
86336	SEDONA	AZ		86439	BULLHEAD CITY	AZ	
86337	SELIGMAN	AZ		86440	MESQUITE CREEK	AZ	Fort Mojave Indian Tribe of Arizona, California & Nevada
86338	SKULL VALLEY	AZ		86441	DOLAN SPRINGS	AZ	
86339	SEDONA	AZ		86442	RIVIERA	AZ	
86340	SEDONA	AZ		86443	TEMPLE BAR	AZ	
86341	SEDONA	AZ		86444	MEADVIEW	AZ	

Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered	Zip Code	Zipcode_Postal_City	STATE	Tribal Land Covered
86342	LAKE MONTEZUMA	AZ		86445	WILLOW BEACH	AZ	
86343	CROWN KING	AZ		86446	BULLHEAD CITY	AZ	
86351	SEDONA	AZ		86502	WIDE RUINS	AZ	Navajo Nation
86401	KINGMAN	AZ		86504	FORT DEFIANCE	AZ	Navajo Nation
86402	KINGMAN	AZ		86506	HOUCK	AZ	Navajo Nation
86403	LAKE HAVASU CITY	AZ		86508	LUPTON	AZ	Navajo Nation
86404	LAKE HAVASU CITY	AZ		86511	SAINT MICHAELS	AZ	Navajo Nation
86405	LAKE HAVASU CITY	AZ		86512	NAVAJO	AZ	Navajo Nation
86406	LAKE HAVASU CITY	AZ		86515	WINDOW ROCK	AZ	Navajo Nation
86540	GANADO	AZ	Navajo Nation				
86555	DOUGLAS	AZ					