

ORIGINAL

FORMAL COMPLAINT



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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Arizona Corporation Commission

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED

TOM FORESE, Chairman
BOB BURNS
DOUG LITTLE
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JAN 19 2017

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T-20664A-17-0017

IN THE MATTER OF THE FORMAL
COMPLAINT OF THE ARIZONA LOCAL
EXCHANGE CARRIERS ASSOCIATION
AGAINST TRACFONE WIRELESS, INC.

DOCKET NO. T-20664A-17-_____

FORMAL COMPLAINT

1 Pursuant to the provisions of A.R.S. § 40-246 and A.A.C. R14-3-106(L), the Arizona
2 Local Exchange Carriers Association ("ALECA") hereby files this formal complaint against
3 TracFone Wireless, Inc. ("TracFone").

4 **I Parties**

5 ALECA is comprised of small telephone companies and member-owned cooperatives,
6 all of which are providing local exchange telecommunications services to customers in rural,
7 high cost areas of Arizona, and all of which are "rural telephone companies" as defined by the
8 Communications Act of 1934, as amended (the "Act") 47 U.S.C. 0 153(37). ALECA's members
9 are:

- 10 • Fort Mojave Telephone Company;
- 11 • Frontier Communications Corporation;
- 12 • Gila River Telecommunications, Inc.;
- 13 • Hopi Telecommunications, Inc.;
- 14 • Midvale Telephone Exchange, Inc.;
- 15 • San Carlos Apache Telecommunications Utility, Inc.;
- 16 • South Central Communications;
- 17 • Table Top Telephone Company, Inc.;
- 18 • TDS;

- 1 • Tohono O’odham Utility Authority; and
- 2 • Valley Telephone Cooperative; and
- 3 • Zona Communications.¹

4 Each ALECA member, including its Tribally-owned members, receives support from the
5 Federal Universal Service Fund (“FUSF”) in the form of High Cost Support. Each also provides
6 discounted Lifeline telephone service and receives compensation for the discounts from the
7 FUSF.

8 TracFone Wireless, Inc. (“TracFone”) was designated as an Eligible Telecommunications
9 Carrier (“ETC”) by Decision No. 72222, dated March 9, 2011, in Docket No. T-20664A-09-
10 0148.

11 **II Issue**

12 Decision No. 72222 (at 13-14) approved an agreement between TracFone, ACC Staff,
13 and ALECA, that “TracFone would not attempt to provide its SafeLink Wireless@ Lifeline
14 service to eligible residents on Tribal Lands.” TracFone also agreed to implement procedural
15 safeguards to ensure that it would not provide lifeline service to tribal residents on Tribal Lands.

16 ALECA is informed and believes that the evidence will show that TracFone has been and
17 is violating Decision No. 72222 by actively offering and providing its lifeline service to tribal
18 residents on Tribal Lands.

19 **III Requested Relief**

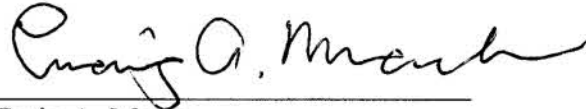
20 ALECA asks that the Commission

- 21 a. Order TracFone to discontinue all lifeline service currently provided to tribal
22 residents on Tribal Lands and to cease all efforts to provide such service;
- 23 b. Order TracFone to show cause why the Commission should not cancel TracFone’s
24 ETC designation originally provided in Decision No. 72222; and

¹ Fort Mohave Telecommunications, Gila River Telecommunications, Hopi Telecommunications, San Carlos Apache Telecommunications Utility and the Tohono O’odham Utility Authority are tribally-owned telephone Companies, which are not subject to the jurisdiction of the Arizona Corporation Commission.

1 c. Provide such other relief as warranted by the evidence.

2 RESPECTFULLY SUBMITTED on January 19, 2017.

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6
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16 **Original** and 13 copies **filed**
17 on January 19, 2017, with:

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19 Docket Control
20 Arizona Corporation Commission
21 1200 West Washington
22 Phoenix, Arizona 85007

23
24 **Copy** of the foregoing **mailed and e-mailed**
25 on January 19, 2017, to:

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