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June 6, 2018

Hon. Ajit Pai  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

*via ECFS*

**Re: Requests for Review of Decisions of the Universal Service Administrator by  
Telrite Corporation; WC Docket Nos. 11-42, 03-109**

Dear Chairman Pai:

Telrite Corporation d/b/a Life Wireless (Telrite or the Company), by its undersigned attorney, hereby submits this letter in response to the order issued by the Wireline Competition Bureau (WCB) on May 7, 2018 denying 14 requests for review of decisions made by the Universal Service Administrative Company (USAC) concerning in-depth data validation (IDV) findings of alleged duplicate enrollments in the Lifeline program.<sup>1</sup>

Among the requests for review denied in the IDV Order were two requests filed by Telrite submitted on December 30, 2013 and January 17, 2014.<sup>2</sup> Setting aside the procedural deficiency of the IDV Order,<sup>3</sup> it was wholly inappropriate for the Bureau to deny the Telrite IDV Appeals for one simple reason: pursuant to a consent decree entered into by Telrite and the

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<sup>1</sup> See *Requests for Review of Decisions of the Universal Service Administrator by Assist Wireless, Inc. et al.*, WC Docket Nos. 11-42 et al., Order, DA 18-464 (rel. May 7, 2018) (IDV Order).

<sup>2</sup> See Request for Review by Telrite Corporation, WC Docket Nos. 11-42, 03-109 (filed Dec. 30, 2013); Request for Review by Telrite Corporation, WC Docket Nos. 11-42, 03-109 (filed Jan. 17, 2014) (collectively, the Telrite IDV Appeals).  
2014) (Telrite Jan. 2014 Request for Review)

<sup>3</sup> See 47 C.F.R. § 54.724(a) (requiring the Bureau to act on requests for review of decisions by USAC no later than 180 days after submission).

Hon. Ajit Pai  
June 6, 2018  
Page 2

Commission, Telrite voluntarily withdrew these requests for review more than four months before the IDV Order was issued and the Commission agreed not to act on them.<sup>4</sup> Specifically, the Consent Decree states in relevant part “the Commission agrees that it will not pursue an investigation or action related to, USAC’s determinations regarding Telrite’s Lifeline reimbursement requests identified in Attachment 1 hereto, and Telrite hereby withdraws all pending appeals of the same.”<sup>5</sup> WCB’s action violates the Consent Decree.

Accordingly, Telrite respectfully requests that you direct WCB to issue an errata removing Telrite and its properly withdrawn requests for review from the IDV Order.<sup>6</sup> I hope that you will agree that such action is warranted in this instance where WCB has acted in a manner that is at odds with a Commission order, ignores the Commission’s procedural rules, and unfairly prejudices a regulatee that in good faith negotiated a resolution of the matter with no admission of wrongdoing. Should you have any questions, please contact the undersigned.

Respectfully submitted,



John J. Heitmann

*Counsel for Telrite Corporation d/b/a Life Wireless*

cc: Dr. Jay Schwarz  
Ms. Kris Anne Monteith  
Ms. Rosemary Harold

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<sup>4</sup> See *Telrite Corporation d/b/a Life Wireless*, File No. EB-IHD-13-00010674, Order, FCC 17-177, ¶ 11 (rel. Dec. 29, 2017) (Consent Decree).

<sup>5</sup> *Id.* (the “reimbursement requests identified in Attachment 1” to the Consent Decree were the same ones that were the subject of the Telrite IDV Appeals).

<sup>6</sup> Counsel for Telrite previously sought to resolve this matter informally with WCB, but was informed that the request to have the IDV Order corrected would not be granted by WCB.