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June 13, 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  
Easy Telephone Services Company d/b/a Easy Wireless; WC Docket Nos. 11-  
42, 03-109**

Dear Chairman Pai:

Easy Telephone Services Company d/b/a Easy Wireless (Easy 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 Easy on December 30, 2013 and February 28, 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 Easy IDV Appeals for one simple reason: pursuant to a consent decree entered into by Easy and the Commission, Easy voluntarily withdrew these requests for review more than four months before the IDV Order was

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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 Easy Telephone Service Company's Request for Review, WC Docket Nos. 11-42, 03-109 (filed Dec. 30, 2013); Easy Telephone Service Company's Request for Review, WC Docket Nos. 11-42, 03-109 (filed Feb. 28, 2014) (collectively, the Easy IDV Appeals).

<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).

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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 Easy’s Lifeline reimbursement requests identified in Attachment 1 hereto, and Easy hereby withdraws all pending appeals of the same.”<sup>5</sup> WCB’s action violates the Consent Decree.

Accordingly, Easy respectfully requests that you direct WCB to issue an erratum removing Easy 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 Easy Telephone Services Company  
d/b/a Easy Wireless*

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

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<sup>4</sup> See *Easy Telephone Services d/b/a Easy Wireless*, File No. EB-IHD-13-00010590, Order, FCC 17-174, ¶ 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 Easy IDV Appeals).

<sup>6</sup> Counsel for Easy 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.