



FCC Meetings on  
Lifeline Second FNPRM Tribal Issues

February 22-23, 2016

KELLEY  
DRYE

# Key Topics for Discussion

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- ABOUT EASY WIRELESS
- WIRELESS RESELLERS PLAY A CRITICAL ROLE IN TRIBAL LIFELINE
- THE COMMISSION SHOULD REJECT POPULATION DENSITY PROPOSALS FOR TRIBAL

# Our Business – Overview

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## 1. Executive leadership

- Joe Fernandez – President and CEO
- Josh Willett – COO (TSB)
- Jose Cortes – General Counsel

## 2. Affiliates

- Telecom Services Bureau (TSB)
- Mobile Management
- Absolute Home Phones
- Absolute Mobile
- Assurance Home Phone Services

# Our Business – Overview

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## 3. Customer-Focused Business

- In the Community Retail Model
  - Brick and mortar presence
    - 33 permanent storefronts in Oklahoma
    - Permanent employees with benefits
  - Outreach – mobile marketing events

# Where Easy Provides Service

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- **ETC Designations**
  - Easy Wireless is an ETC with subscribers in 3 states
    - Kentucky
    - Missouri
    - Oklahoma
- **Federal ETC Compliance Plan – remains pending**
  - First submitted April 2, 2012
  - Last amended March 4, 2013
  - Last supplement March 27, 2015

# Compliance-Centric Real-Time Enrollments

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- **Dedication to Compliance**

- Integration with CGM Enrollment Compliance Platform (ECP)
- Real-time mobile marketing geo-location software
- Real-time review of enrollments
- Significant management at state and local level
- Coordination with state regulators (e.g., OCC Portal)
- Regular internal and field auditing
- “Start of Day” agent compliance framework

# What Easy Offers Low Income Consumers

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- **Lifeline Offerings**

- **Oklahoma**

- **Current plans:**

- Tribal – 1,000 units talk/text/data (\$1); unlimited talk & text (\$4.95); unlimited + 1 GB (\$19.95)

- **New plans:**

- Tribal 2250 minutes + unlimited text + 50 MB (\$1); Tribal 2250 minutes + unlimited text + 250 MB (\$4.95); Tribal 2250 minutes + unlimited text + 1 GB (\$17.95); Tribal 2250 minutes + unlimited text + 2 GB (\$29.95); Non-Tribal 250 talk + 250 text + 25 MB (Free)

- **Top Ups:** Voice, text and data available

- **Wi-Fi Capable Smartphone Devices:** iPhone 4, HTC EVO and LG Volt 2

# Wireless Resellers Play a Vital Role in Tribal Lifeline

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- **Wireless resellers are essential to meeting the primary Tribal Lifeline benefit goal of increased subscribership on Tribal lands**
  - In an April 2015 speech, Commissioner Clyburn stated, “to truly reach our goal of universal service, we need **both** (1) access to the facilities **and** (2) access that is affordable”
  - *2000 Tribal Order* says “primary goal” of enhanced benefit is to “reduce the monthly cost of telecommunications services for qualifying low-income individuals on tribal lands so as to encourage those without service to initiate service and better enable those currently subscribed to maintain service”
- **Wireless resellers serve over 95% of Oklahoma Tribal Lifeline wireless subscribers**
- **Wireless resellers spur infrastructure deployment by the Tier 1 wireless network providers by adding subscribers to existing networks**

# Wireless Resellers Play a Vital Role in Lifeline

- Major national wireless carriers have significant infrastructure deployed, but all but one have shown little interest in directly serving Lifeline subscribers

National Carrier	Nationwide Wireless Lifeline Lines- as of 12.2015
AT&T	2,699
Cricket (owned by AT&T)	12,158
Sprint (dba Assurance)	2,135,545
Verizon	0
T-Mobile	7837

- Removing wireless resellers will significantly impact Tribal residents' ability to access wireless communications
  - By the Commission's own research, up to **two-thirds** of current Tribal Lifeline subscribers could lose service.
  - Some Tribal residents may be left without a wireless Lifeline service provider option

# The FCC Should Take Steps to Protect Tribal Lifeline

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- **The Commission should not further reduce Tribal lands in Oklahoma**
  - Density-based tests disproportionately affect low-income customers
  - Tulsa is clearly “Former Reservation Lands”
  - The record shows strong opposition from Tribal Nations (*see e.g.*, Cherokee Nation, Cheyenne & Arapaho, Choctaw Nation)
- **The Commission should continue to accept Tribal-specific programs as eligibility triggers**
- **Easy appreciates the Commission’s grant of an extension to implement the new Tribal Lands map in Oklahoma**