

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the matter of)	
)	
Federal-State Joint Board on Universal Service)	CC Docket 96-45
)	
TRACFONE WIRELESS, INC.)	
)	
Petition for Designation as an)	
Eligible Telecommunications Carrier)	
In the State of New York)	

REPLY COMMENTS OF LEAGUE OF UNITED LATIN AMERICAN CITIZENS

The League of United Latin American Citizens (LULAC) hereby submits the following Reply Comments in support of TracFone, Wireless, Inc.'s (TracFone) Petition for Designation as an Eligible Telecommunications Carrier in the State of New York and Petition for Forbearance in CC Docket No. 96-45, filed June 8, 2004. The grant of TracFone's Petitions will qualify it to receive universal service support when it provides service to qualifying low income consumers. The result will be a much needed breakthrough in access to wireless technology for these users.

With approximately 115,000 members throughout the United States and Puerto Rico, LULAC is the largest and oldest Hispanic Organization in the United States. The mission of LULAC is to advance the economic condition, educational attainment, political influence, health and civil rights of the Hispanic population of the United States. TracFone's Petitions further these goals.

TracFone, a reseller of Commercial Mobile Radio Services (CMRS), provides a unique prepaid service ideally suited for low income and low volume users who might not otherwise have access to this technology. All that is required to use TracFone service is the purchase of a TracFone wireless phone and the minutes of use desired by the customer. Additional minutes can be purchased as needed. There are no long term contracts, no monthly fees, no credit checks to qualify, no late fees, no hefty charges for heavy calling, and no disconnection for failure to pay. Customers can limit their charges and manage their telephone expenditures in a manner just not possible using a “traditional” CMRS provider. This service has been a significant improvement in the ability of low income consumers to access wireless service. Yet even TracFone’s current offering remains out of reach for some of our country’s most needy consumers.

In today’s rapidly evolving telecommunications marketplace, having a wireless phone is no longer a luxury. We have all become accustomed to and expect the “instant access” that this service delivers. Job seekers must have a means of being reached to schedule interviews; employers expect to be able to reach their employees on demand; in an emergency, help can be sought immediately. Low income consumers are at a significant disadvantage absent this service. For the homeless, a wireless phone may be their only means of access to their “own” telephone number. Yet, to date, much of our population has been denied the benefits and convenience that come with having access to wireless service. TracFone’s universal service offering has the potential to change this.

Universal Service was created to ensure that all American's would have access to telecommunications services and the grant of TracFone's Petition's would clearly further this goal. By designating TracFone as an Eligible Telecommunications Carrier thereby qualifying it to receive service subsidies for qualifying Lifeline customers, the Commission will be opening the door to 21st Century technology for a market segment who to date have not had such access¹. The fact that TracFone provides its service as a reseller should not inhibit the potential for improving the lives of those who perhaps need it most. The public interest is clearly served by the grant of these applications and LULAC, urges the Commission to act quickly enabling TracFone to initiate this offering at the earliest possible date.

Respectfully submitted,

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¹ It is our understanding that TracFone, while providing service in rural, high cost areas, will not seek universal service subsidies for such service. Rather, its Petitions seek ETC status exclusively for the provision of Lifeline service to qualifying low income consumers.