Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
High Cost Universal Service Support	)	WC Docket No. 05-337
Request of General Communication, Inc. For a Declaratory Ruling to Remove Uncertainty Regarding the Application of Part 54.307 of the Commission's Rules	)	

REPLY COMMENTS OF T-MOBILE USA, INC.

T-Mobile USA, Inc. ("T-Mobile") supports General Communication, Inc.'s ("GCI's") petition,[1] which is unopposed, that the Commission issue a declaratory ruling clarifying the process by which competitive eligible telecommunications carriers ("ETCs") report mobile wireless lines for high cost universal service support under Section 54.307(b) of the Commission's rules.[2] T-Mobile agrees with GCI and AT&T, Inc. ("AT&T")[3] that ETCs should be allowed to designate the local address (if given) or point-of-sale location as the "billing address" of a prepaid mobile wireless customer when reporting line count data to justify high cost universal service support. The Commission also should clarify that an ETC can use any

[1] *See* Letter from John Nakahata, Counsel for General Communication, Inc., to Dana Shaffer, Chief, Wireline Competition Bureau, FCC, CC Docket No. 96-45 (Jan. 26, 2009) ("GCI Petition"); FCC Public Notice, *Comment Sought on a Request For Declaratory Ruling Filed By General Communication, Inc. Regarding Application of Section 54.307(b) of the Commission's Rules*, 24 FCC Rcd 3265 (WC 2009).

[2] 47 C.F.R. § 54.307(b).

[3] *See* Comments of AT&T, Inc., WC Docket No. 05-337 (Apr. 20, 2009) ("AT&T Comments").

reasonable methodology to determine the likely primary location of a prepaid mobile wireless customer and use that location as the customer's "billing address" under Section 54.307(b).

Recognizing that it is more difficult to determine the location of a mobile wireless line than a wireline or fixed wireless line, the Commission concluded in 2001 that a wireless customer's billing address "is a reasonable surrogate to identify a mobile wireless customer's location" for receiving high cost support under Section 54.307(b).[4] Although the Commission at that time also acknowledged that ETCs typically do not have billing addresses for prepaid mobile wireless customers, it stated only that it would "review this issue on a case-by-case basis."[5]

Wireless services, including prepaid mobile services, have grown dramatically since 2001.[6] In the current environment of economic uncertainty the use of prepaid mobile services has increased dramatically. Thus, it is timely and serves the public interest for the Commission to provide further guidance to ETCs regarding how prepaid mobile customers can be properly included in line count filings. T-Mobile agrees with GCI that the Commission's primary goal should be to ensure that, for USF support purposes, a mobile subscriber's "billing address" closely correlates to the geographic area in which the service primarily will be used. Such an approach would help ensure the allocation of high cost support to the areas where funding to construct and maintain infrastructure is needed most and prevent the misdirection of high cost monies to non-high cost areas.[7]

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[4] *See Federal-State Joint Board on Universal Service*, 16 FCC Rcd 11244, 11314-15 (2001).

[5] *Id.* at 11316.

[6] *See, e.g., Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993*, Thirteenth Annual CMRS Report, DA No. 09-54, WT Docket No. 08-27, ¶ 117 (Jan. 15, 2009).

[7] *See* GCI Petition at 3-4.

Accordingly, the Commission should clarify that ETCs may use any methodology (or combination of methodologies) to establish the billing addresses of their prepaid mobile customers so long as the methodology reasonably approximates those customers' likely areas of use. Additional clarification would provide ETCs with greater certainty regarding universal service reporting procedures as well as provide USAC with more accurate line count data. For example, T-Mobile agrees with GCI and AT&T that using a customer's local address (if provided by the customer) or the address of the point-of-sale location reasonably correlates to a customer's likely area of use.[8] T-Mobile also agrees with AT&T that it would be reasonable to use the NPA-NXX of the activated prepaid mobile handset to establish a customer's billing location.[9] In addition, ETCs may identify other reasonable methods for determining a prepaid mobile customer's location. The Commission, however, should not dictate which methodology an ETC employs, given that, as GCI demonstrates in its Alaskan markets, an ETC can face unique circumstances that demand an individualized approach.

For the foregoing reasons, it serves the public interest for the Commission to grant promptly GCI's request for a declaratory ruling and further clarify that ETCs may use any

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[8] T-Mobile agrees with GCI that it is reasonable for an ETC to interpret the "billing address" of a post-paid business customer as the location in which the customer receives an invoice rather than a centralized processing location from which an invoice might be paid. *See* GCI Petition at 5.

[9] As AT&T notes, the Commission should not require ETCs to obtain a special signed certification from each prepaid mobile customer listing the customer's primary location or to exclude prepaid mobile customers from their line count data. *See* AT&T Comments at 2-3. Either option would be administratively burdensome or quite simply impossible, and would contravene the principles of competitive neutrality.

reasonable methodology for establishing a prepaid mobile customer's "billing address" for purposes of line count reporting.

Respectfully submitted,

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