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November 22, 2011

## VIA ECFS

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Cricket Communications, Inc., Notice of Ex Parte Communication,  
WC Docket Nos. 09-197, 11-42, 03-109 & CC Docket No. 96-45**

Dear Ms. Dortch:

On November 21, 2011, Russell Merbeth, Vice President, Government Affairs of Cricket Communications, Inc. (“Cricket”) and the undersigned met in separate meetings with (i) Lisa Hone, Legal Advisor to Commissioner Copps and (ii) Angela Kronenberg and Louis Peraertz, Legal Advisors to Commissioner Clyburn. During both meetings, Cricket urged the Commission to take a number of important steps in order to streamline its administration of the Lifeline program while reducing the potential for waste, fraud, and abuse. More specifically, Cricket urged the Commission to:

- Require Lifeline applicants in all states to provide written documentation of program-based or income-based eligibility *prior* to enrollment, in order to curb the potential for waste, fraud, and abuse, while maintaining existing sampling procedures for annual re-verification efforts;
- Require Lifeline carriers in all states to charge a minimum monthly service fee for Lifeline service, in order to ensure that subscribers are incented to purchase only that service they truly need and will use;
- Require Lifeline carriers in all states to offer Lifeline subscribers unlimited usage, or a sufficient allotment of minutes per month to reasonably ensure continuous access to the public-switched telephone network (“PSTN”) for the entire month—consistent with the objectives of the Lifeline program;
- Adopt a flat reimbursement structure for the Lifeline program that does not depend on any subscriber line charge (“SLC”), as wireless carriers do not impose such charges and incur significant costs attempting to ascertain incumbent SLC rates over large and diverse wireless service areas; and

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- Eliminate Link Up support, as most carriers have foregone activation fees over time as a result of declining costs and competitive pressures, such that Link Up support provides little benefit while inviting waste, fraud, and abuse.

In addition, we suggested that if the Commission does not require Lifeline carriers to offer unlimited usage or a sufficient allotment of minutes to afford continuous access to the PSTN, it should require Lifeline carriers in all states to disclose the total cost that an average Lifeline subscriber should expect to pay in order to maintain connectivity to the PSTN for a full month (including the cost of any additional minutes not included in the base plan).

Please contact the undersigned if you have any questions about these issues.

Sincerely,

/s/ Matthew A. Brill

Matthew A. Brill  
Jarrett S. Taubman

*Counsel to Cricket Communications, Inc.*

cc: Lisa Hone  
Angela Kronenberg  
Louis Peraertz