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June 11, 2012

***Via ECFS***

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

Re: **Notice of *Ex Parte* Presentation**  
WC Docket No. 09-197; Petition of T-Mobile USA, Inc. for Designation as a  
Low-Income Eligible Telecommunications Carrier

Dear Ms. Dortch:

On June 7, 2012, representatives from T-Mobile USA, Inc. (“T-Mobile”) met with personnel from the Wireline Competition Bureau (“WCB”) to discuss T-Mobile’s pending Petition for Designation as a Low-Income Eligible Telecommunications Carrier (“ETC”) in eight states.<sup>1</sup> Tom Sugrue, Luisa Lancetti, Indra Chalk, and I met with Sharon Gillett, WCB Chief; Kimberly Scardino, Deputy Chief of the Telecommunications Access Policy Division; and Patrick Halley, WCB Legal Advisor.

T-Mobile submitted its original Lifeline ETC petition on January 24, 2012, prior to the release of the Lifeline Order, and updated it on March 23 to conform to the new requirements in the Order. In the meeting, T-Mobile urged the Commission to act quickly to approve its petition, noting that it is a facilities-based provider that will focus on building out broadband networks to bring innovative new services to low-income consumers nationwide. Lifeline is an important business initiative for T-Mobile, and we have applied for or already obtained approval to provide Lifeline service in 29 states, and ultimately plan to expand service to additional states.

T-Mobile’s Lifeline program includes innovative offerings for eligible consumers such as a variety of no-contract Monthly 4G rate plans and Walmart Family Mobile plans. We also offer a traditional voice-only plan for \$9.99 per month (\$19.99 for non-Lifeline customers) of 1,145 minutes (145 Whenever minutes<sup>®</sup>, 500 night minutes, and 500 weekend minutes) per month.<sup>2</sup> In

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<sup>1</sup> The states are (1) Alabama, (2) Connecticut, (3) Delaware, (4) District of Columbia, (5) New Hampshire, (6) New York, (7) Tennessee, and (8) Virginia.

<sup>2</sup> Whenever minutes<sup>®</sup> are minutes that can be used at anytime and anywhere on T-Mobile’s nationwide network. Weekend minutes are currently defined as midnight Friday to midnight Sunday, and nights are currently defined as 9:00 p.m. to 6:59 a.m. Monday-Friday, based on the start time of call.

the meeting, we were asked how this latter voice plan offering compares to what has evolved as the standard offering of 250 included minutes in some of the other Lifeline plans offered. We think T-Mobile's voice-only plan offering is in fact more valuable than such plans. T-Mobile offers low-income consumers a distinct choice in services. Many providers offer a 250-minute voice plan where additional usage is charged at \$0.10 per minute. For example, under another provider's plans, if a customer wanted to purchase \$10.00 of minutes, an amount equal to the cost of T-Mobile's discounted Lifeline voice plan, the customer would receive 100 minutes on top of the selected plan of 68, 125, or 250 minutes, with 350 minutes being the most the customer could receive. By contrast, under T-Mobile's voice plan, the customer receives 1,145 minutes for \$9.99. In addition to including 1,145 minutes total, this plan provides for additional minutes at \$0.05 per minute and a variety of other standard features at no additional charge, including voice mail, caller identification and call-waiting services.

T-Mobile has been a strong advocate of reform of the Lifeline program to modernize it and eliminate waste, fraud, and abuse and it has taken steps to ensure that only qualified customers participate in the program. T-Mobile's Lifeline application process conforms to the new statutory and regulatory requirements, and we have customer care representatives dedicated to properly processing Lifeline applications and to explaining to customers what they are certifying to when applying for Lifeline service. During the meeting, we were asked whether, when explaining to potential Lifeline customers what Lifeline service is, we mention as examples the brand names of other Lifeline programs. While our customer care representatives do not name other Lifeline programs by name, they do explain to customers that Lifeline is a government benefit, that they must be eligible in order to receive the benefit, and that they are prohibited from receiving more than one benefit at a time from the program.<sup>3</sup>

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<sup>3</sup> T-Mobile recognizes that, in the Lifeline Order, the FCC adopted requirements to assist consumers who apply for Lifeline benefits in understanding and complying with the federal requirements to avoid the penalties and disciplinary measures it adopted. In particular, the required notifications to consumers are to be in clear and easily understood language, including that each designated carrier provides a notification on all materials describing their offering that Lifeline is a federal benefit, and stating that only one Lifeline benefit is available per household. T-Mobile believes that its current procedures meet all Commission requirements, but would be willing to modify its processes going forward to reference particular other Lifeline providers by name if the Commission determines that Lifeline providers should include such additional disclosure.

Marlene H. Dortch

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For these reasons, we ask that the Commission move expeditiously to grant T-Mobile's Lifeline ETC petition. Please feel free to call me with any questions.

Sincerely,

/s/

Kathleen O'Brien Ham

cc (email): Sharon Gillett  
Kim Scardino  
Patrick Halley