

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

In the Matter of)
)
UTPhone, Inc.) File No. _____
)
Request for participation in the Broadband)
Adoption Lifeline Pilot Program)

I. INTRODUCTION

UtPhone, Inc. applies for Pilot Program funding. UTPhone, Inc. (“hereafter referred to UTPhone”) is an ETC located in Oklahoma providing lifeline telephone service to over 25,000 Oklahoma low income residents. UTPhone maintains the following identifiers: a Service Provider Identification Number (“SPIN”) of 143030828, Study Area Code(“SAC”) is 439021, FCC Registration Number (“FRN”) is 0015-4085-52. UTPhone’s mailing address is 4900-Richmond Square , Suite 110, Oklahoma City, OK 73118. UTPhone’s Telephone Number is 405-842-8844. UTPhone’s fax number is 888-533-6336. The UTPhone Company Contact is Jason Ledlow.

UTPhone is a small, primarily wireline competitive telecommunications carrier (CLEC) in the state of Oklahoma, founded in 2004. Since August 2006, it has also been a Low Income Eligible Telecommunications Carrier (ETC), serving about 25,000 customers in Oklahoma.¹

¹ Okla. Corp. Comm. Order No. 527973, Cause No. PUD 200600090 (granted Aug. 2, 2006).

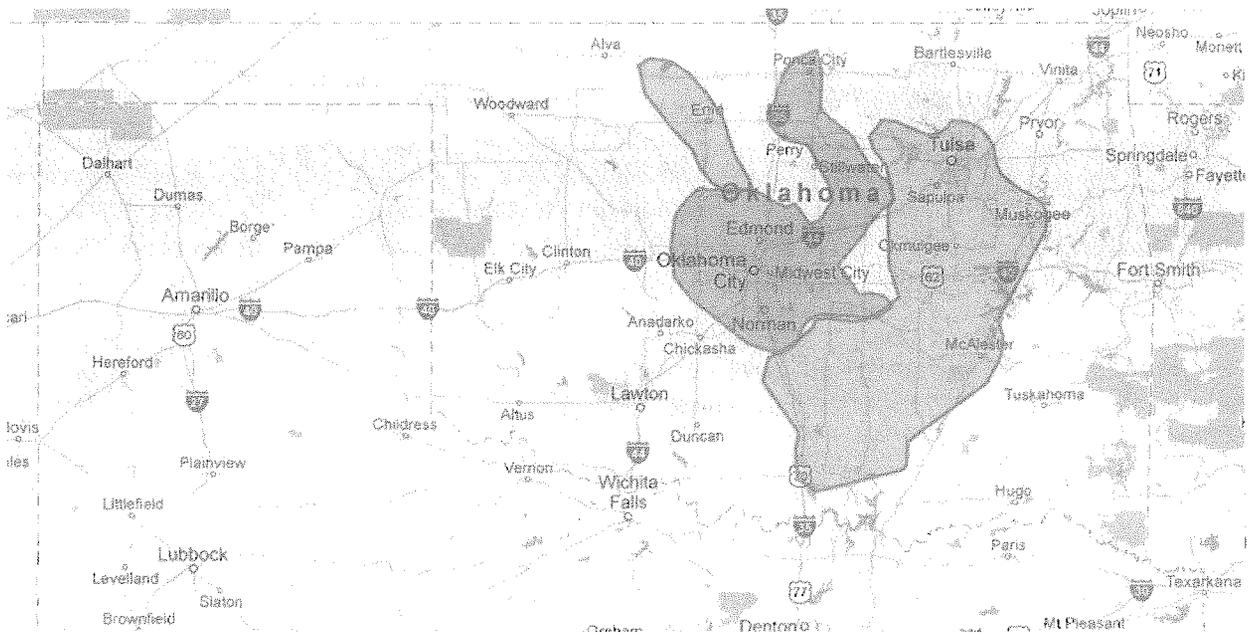
Ninety-five percent (95%) of UTPhone's customers are low income wireline subscribers in Oklahoma, residing almost entirely on Tribal lands, who qualify for service under the Commission's Lifeline and (until now) Link Up programs.

Recently, UTPhone has acquired and constructed significant broadband network facilities, becoming a facilities-based CLEC for the first time. To date, UTPhone has been a Low Income-only and wireline-only ETC, not participating in or drawing support from the High Cost Fund of the Universal Service Fund (USF). Now that it has established broadband facilities infrastructure, however, it hopes to participate in the new Connect America Fund and possibly the Mobility Fund and this Low-Income Broadband Pilot Program² authorized under the Commission's recent *Lifeline and Link Up Reform and Modernization* Report and Order. As a small Low Income ETC serving consumers in predominantly Tribal lands in Oklahoma, UTPhone is a local company that has fulfilled the statutory and public interest objectives of the Commission's Low Income program by filling a valuable niche in offering competitive, high-quality, locally-oriented wireline telecommunications services focused specifically on the particular needs and demographics of low income Oklahomans residing on Tribal lands; and, now, with its new and growing broadband network infrastructure, UTPhone is poised to add a high speed broadband service component to its bundle of offerings to these low income consumers who are struggling to move into the Internet age. Oklahoma has a very low adoption rate of broadband on its Tribal lands; indeed, high speed broadband has been unavailable to many of these consumers until now.

UTPhone and its customers are the very archetypes of the kind of service provider and low income consumers that were contemplated by the Commission in establishing this Broadband Pilot Lifeline program.

² See Public Notice DA 12-683, rel. April 30, 2012.

UTPhone has partnered with experts in the design and operation of broadband networks to be able to make this application. The primary partner UTPhone has partnered with is @Link Services, LLC (“@Link”). @Link was formed in January 2005 by experienced telecommunications professionals with a plan to provide rural areas with high-quality, high-speed Internet access at a reasonable price. @Link has been successfully implementing this plan and provides broadband service to 6000 rural Oklahomans. By partnering together with @Link, UTPhone is now able to offer both high speed broadband data and digital telephone service to the tribal lands of Oklahoma.



The technology used to serve broadband to the above geographical locations has been tried and tested. Last mile broadband access has been a challenge for existing and developing technologies in low density, rural geographies. With the advent of high speed wireless networks and standards, the capability to provide broadband access to rural areas has become a significant opportunity for Internet Service Providers, CLEC's and local telephone providers. With the

existing infrastructure of the UTPhone and @Link network and the current back office support and personnel, UTPhone needs minimal expansion.

UTPhone and @Link has employed multiple technologies to reach the existing 6,000+ subscribers and based on history and success, has chosen a proven approach to deployment for the state of Oklahoma

The retail rate for this premium internet speed is 46.95 and UTPhone is requesting a \$40.00 per month subsidy to the qualified participants on tribal land. This will bring the participants monthly recurring charge to \$6.95 per month and if bundled with the digital telephone will bring it to \$10.95 per month. This price point is significant as it is in line with the amount low income consumers residing on tribal land are currently being asked to pay for unlimited wireless telephone service with no data access. To provide this service to the low income participant a non-recurring subsidy of \$325.00 per installation is being requested that will include all of the customer installation and premise equipment including a wireless router and Voip ATA necessary to provide broadband accessible to an entire household as well as digital telephone service to the participant's home. UTPhone's digital telephone service will be made available to the participant for an additional monthly fee of \$4.00. The participant will be able to use a standard telephone to access unlimited local calling and up to 500 minutes of long distance calling per month. By removing this significant barrier to the participant's ability to access broadband UTPhone will be able to provide Oklahoma low income households with service they can really use.

The total requested funds for the proposed pilot is \$2,829,750.00. Because this pilot is subscriber driven the total cost will ultimately depend on the total number of participants.

This pilot project UTPhone is proposing will focus on bringing broadband to low income consumers that not only face tall barriers in paying for installation and the recurring monthly costs associated with broadband, but also focuses on the lack of access in their neighborhoods and the lack of education on the life changing impact that access to high speed broadband will have on their lives. UTPhone expects to be successful in reaching its goal of 3150 participants by leveraging its current customer service staff and monthly statements to tap into its existing 25000 low income customers as well as leveraging current agent relationships to access the more than 64,000 low income households that fall within the reach of its current high speed network. By providing participants up to 2 hours of online tele-learning UTPhone expects to increase broadband adoption rate of the participants. Another significant barrier that low income users face is the lack of networking skills to connect to their computer or personal communications devices to the internet. By providing participants in this pilot with a wireless router UTPhone hopes to streamline the adoption of broadband by providing a service that can be used by multiple family members at the same time thereby increasing the overall impact this single broadband connection.

UTPhone will only admit low income participants to the pilot program that qualify under the current eligibility criteria as established by the Oklahoma Corporation Commission and the FCC. Participants will be required to self-certify and provide proof of eligibility as required by the FCC. Participants will also be educated that only one broadband subsidy per household is allowed.

By using the current reporting capabilities of UTPhone's billing, customer service, and telecommunications technology, providing statistical data on activations, retention, and @Links reporting capability at the network level reporting will be able to be done both monthly as well

as at the end of the pilot. UTPhone also plans to conduct customer surveys at the point of engagement, installation, training, and then at the end of the pilot as to provide data on how this pilot has impacted their lives as well as the lives of those in their household.

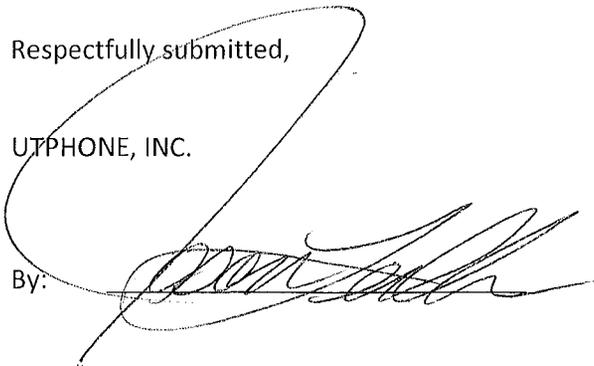
30 days prior to the participant reaching the end of their 12 month period the customer will be given the option to enroll in UTPhone's lifeline telephone program with the ability to use the broadband at a lowered speed or retain the same internet speeds for an additional cost of 20.00 per month. The participant will also have the options to disconnect service without penalty.

UTPhone currently provides full customer support for it's Lifeline telephone customers via a well-staffed and well equipped customer service center that serves both English and Spanish speaking customers. The hours for non-technical support are Monday through Friday between the hours of 8:00 am to 6:00pm and Saturday between the hours of 9:00 am to 5:00 pm. Technical support is provided 24 hours a day seven days a week.

Accordingly, UTPhone respectfully applies to participate in the Broadband Adoption Lifeline Pilot Program.

Respectfully submitted,

UTPHONE, INC.

By: 

July 2, 2012

CERTIFICATION

I, Jason Ledlow, do certify under penalty of perjury that I am President of UTPhone, Inc., the Applicant in this matter; that I have the requisite authority to make the representations contained herein; that

- (A) UTPhone intends to offer broadband service pursuant to the Commission's rules and regulations for the Lifeline program;
- (B) UTPhone will implement all necessary procedures and efforts to prevent waste, fraud and abuse in connection with its participation in the Pilot Program, including but not limited to procedures that UTPhone will have in place to prevent duplicate broadband subsidies within its subscriber base, and procedures the carrier undertakes to de-enroll subscribers receiving more than one broadband discount per household;
- (C) UTPhone's broadband service offering(s) will provide sufficiently low latency to enable use of real-time applications such as Voice over Internet Protocol (VoIP) and if there are usage limits for each plan, that they are reasonably comparable to usage limits for comparable broadband offerings in urban areas; and
- (D) UTPhone will participate in the collection and sharing of anonymized qualitative and quantitative data with standardized data elements, formatting, and submission requirements, and that it will participate in workshops to discuss interim and final results of the project, and how best to use limited universal service funds to increase low-income consumers' adoption of broadband services.

I further certify that the statements contained herein are true and correct to the best of my knowledge, information and belief.

Attested this 2nd day of July, 2012

Signed: 

Jason Ledlow