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February 21, 2013

By ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Assist Wireless, LLC Revised Compliance Plan; WC Docket Nos. 09-197, 11-42
Redacted for Public Inspection

Dear Ms. Dortch:

On June 29, 2012, Assist Wireless, LLC ("Assist" or the "Company") submitted its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*.[1] Assist submitted revised versions of its Compliance Plan on September 27, 2012 and December 12, 2012.

Assist has further revised its Compliance Plan to: (1) update the number of Assist subscribers (p. 3); (2) state that an Assist employee will be responsible for overseeing and finalizing Lifeline enrollments (pp. 8-9); (3) explain that Assist will review applicants' government-issued photo identification during the enrollment process (pp. 10, 11); (4) clarify the Company's process for de-enrollment of customers that fail to respond to the annual eligibility verification (p. 15); (5) clarify the process for verifying the accuracy of a subscriber's address (p. 17) and (6) confirm the Company will not seek Lifeline support until a subscriber has activated its service (p. 19). Nothing else in the Compliance Plan has changed.

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[1] *See Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, FCC 12-11 (Feb. 6, 2012).

This letter and the confidential version of the revised Compliance Plan are being filed by hand delivery. This redacted version of the filing is being submitted electronically for inclusion in the public record of the above-referenced proceedings.

Assist hereby submits a redacted version of its complete Compliance Plan with the above revisions and reiterates its request for the expeditious approval of its Compliance Plan. Please contact the undersigned if you have any questions regarding this filing.

Respectfully submitted,

John J. Heitmann
Denise N. Smith

Counsel to Assist Wireless, LLC

cc: Kim Scardino
Jonathan Lechter
Michelle Schaefer
Garnet Hanly

REDACTED FOR PUBLIC INSPECTION

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

In the Matter of	
Lifeline and Link Up Reform and Modernization	WC Docket No. 11-42
Telecommunications Carriers Eligible to Receive Universal Service Support	WC Docket No. 09-197
Assist Wireless, LLC	

REVISED COMPLIANCE PLAN OF ASSIST WIRELESS, LLC

Assist Wireless, LLC ("Assist Wireless" or the "Company") through its undersigned counsel, hereby seeks to avail itself of the Federal Communications Commission's (Commission's) grant of forbearance from the "own facilities" requirement set forth in 47 U.S.C. § 214(e)(1)(A) by submission of this Compliance Plan. Assist Wireless' Compliance Plan is filed in accordance with the procedures established in the *Lifeline Reform Order*[1] and clarified in the *Public Notice* issued by the Wireline Competition Bureau on February 29, 2012.[2]

Assist Wireless respectfully requests expeditious approval of its Petition and its Compliance Plan so that the Company may continue to provide essential Lifeline service to eligible low-income customers in states where it has been designated an ETC and so that it may

[1] *Lifeline and Link Up Reform and Modernization et al*., WC Docket No. 11-42 *et al*., Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (FCC rel. Feb. 6, 2012) ("*Lifeline Reform Order*").

[2] *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, DA 12-314 (WCB rel. Feb. 29, 2012) ("*Public Notice*").

provide service to additional eligible low-income consumers in the various states for which it has pending ETC petitions.

As set forth below, Assist Wireless will fully comply with all conditions set forth in the Commission's recently amended Lifeline rules and with all pertinent conditions set forth in the *Lifeline Reform Order*. This Compliance Plan describes the measures Assist Wireless has already implemented or intends to implement to achieve full compliance with the Commission's Lifeline rules and policies. For the convenience of the Commission, this Compliance Plan follows the format established by the Wireline Competition Bureau in the *Public Notice*.

I. INFORMATION ABOUT ASSIST WIRELESS AND THE LIFELINE PLANS IT OFFERS

A. Company Information

Assist Wireless is a Texas limited liability company, with headquarters in Fort Worth, Texas. The Company's managers are BBBY GP, LLC; Flagship Investment Partners, LLC; and SXCS Investments, LLC. The Manager Representatives are Byron Young for BBBY GP, LLC; Suleman Bhimani for Flagship Investment Partners, LLC; and David Dorwart for SXCS Investments, LLC.[3] The Company has no subsidiaries and operates under the name "Assist Wireless." Byron Young is President of New Talk, Inc., which is a wireline ETC that participates in the Lifeline program in Texas and New Talk Wireless, LLC, a wireless reseller seeking ETC designation in Texas. Byron Young has a minority and non-controlling interest in Express Cash and Phone, Inc. d/b/a Talk Now Telco, which is a CLEC and an ETC designated in

[3] The members of Assist that own or control 10% or more of the Company, report that they, or their individual principals, also own or control 10% or more of the companies listed in Confidential Exhibit 1, attached hereto, which companies may be deemed to be 'affiliates' as that term is defined in 47 U.S.C. § 153(2). The Company does not have a holding or operating company and does not own or control any other entities. The Company also reports its corporate and trade names and identifiers.

Texas. Byron Young is also President of Telecom Ventures, LLC, which is a competitive local exchange carrier in New York and Oklahoma. Suleman Bhimani is the Chief Executive Officer of U.S. Connect, which is wholly owned by Great Wireless, LLC, which, in turn, is 100% owned by Suleman Bhimani. U.S. Connect is designated as an ETC in Maryland, West Virginia, and Arkansas, and has ETC applications pending for other states as well.

B. Assist Wireless' Financial and Technical Capabilities to Provide Lifeline Service

Assist Wireless is a wireless Lifeline-only ETC designated as such by the States of Arkansas, Maryland, Missouri, and Oklahoma. The Company has ETC applications pending in Illinois, Louisiana, Mississippi, and Pennsylvania. Assist Wireless provides service to its end users via a combination of facilities that it owns and through resale of telecommunications services.[4] The Company has been providing service since January 2011, with its principal offices in Fort Worth, Texas. Assist Wireless serves approximately 57,000 Lifeline customers; including nearly 55,000 in Oklahoma, and the remainder in Arkansas and Maryland. In addition, the Company plans to file with the Commission a petition for ETC designation in the ten federal jurisdiction states. Assist Wireless did not seek High Cost support in any of the states for which it has been designated an ETC, or has not sought High Cost support in any pending ETC application.

[4] Although the Company qualifies for and seeks to avail itself of the Commission's grant of forbearance from the facilities requirement of section 214(e)(1)(A) for purposes of the federal Lifeline program, the Company reserves the right to demonstrate to a state public utilities commission that it provides service using its own facilities in a state for purposes of state universal service funding under state program rules and requirements. The Company will follow the requirements of the Commission's Lifeline rules and this Compliance Plan in all states in which it provides Lifeline service and receives reimbursements from the federal Low-Income Fund, including in any state where the public utilities commission determines that Assist Wireless provides service using its own facilities for purposes of a state universal service program.

Assist Wireless is successfully providing Lifeline-supported services and has a steadily increasing customer base. Assist Wireless owns and operates its own switching facilities,[5] and has back-office and operations support systems (OSS) that are ideally suited to serve lower revenue subscribers. Assist Wireless has invested substantial sums to evaluate, design, develop and integrate these systems.

Assist Wireless is financially stable and fully capable of honoring its service obligations to customers, as well as federal and state regulatory obligations. Although Assist Wireless derives revenues from the sale of Lifeline services, the Company does not rely exclusively on USF disbursements to operate. For example, the Company derives additional revenue from the sale of wireless services beyond its free Lifeline offerings, including the sale of replenishment airtime minutes, and the sale of optional service packages (*e.g.*, Internet and SMS text services).

Finally, Assist Wireless has not been subject to any enforcement action or ETC revocation proceeding in any state.

C. Geographic Area of Assist Wireless' Service Offerings

Assist Wireless is a wireless Lifeline-only ETC designated as such by the States of Arkansas, Maryland, Missouri, and Oklahoma. The Company has Lifeline-only ETC applications pending in Illinois, Louisiana, Mississippi, and Pennsylvania. Also, the Company plans to file a petition with the Commission shortly to be designated a limited-ETC for the States of Alabama, Connecticut, Delaware, Florida, New Hampshire, New York, North Carolina, Tennessee, the Commonwealth of Virginia, and the District of Columbia.

[5] The company reserves the right to utilize its own facilities for the provision of voice telephony for purposes of state universal service funding under state program rules and requirements.

D. Assist Wireless' Lifeline Service Plans

Exhibit 2 to this Compliance Plan contains the Company's Lifeline offerings.

E. Other Certifications Required by 47 C.F.R. § 54.202

The *Public Notice* requires carriers to include certifications required under newly amended 47 C.F.R. § 54.202. Assist Wireless hereby certifies that it will comply with the service requirements applicable to the support it receives.[6] Specifically, Assist Wireless' Lifeline services: (i) include voice telephony services that provide voice grade access to the public switched network or its functional equivalent; (ii) provide subscribers with a defined number of minutes of usage for local service at no additional charges (as described above in Section I(D)); (iii) provide subscribers with access to the emergency services provided by local government or other public safety organizations, such as 911/E911, to the extent the local government in Assist Wireless' service area has implemented 911/E911 systems (as described below in Section III); and (iv) toll limitation for qualifying low-income consumers.[7]

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[6] 47 C.F.R. § 54.202(a)(1)(i).

[7] 47 C.F.R. § 54.101(a); also, toll limitation means both toll blocking and toll control, or, if a carrier is not capable of providing both toll blocking and toll control, then toll limitation is defined as either toll blocking or toll control. Assist Wireless commits to meeting this requirement by offering service on a prepaid, or pay-as-you-go, basis. As the Commission found in its grant of ETC designation to Virgin Mobile, "the prepaid nature of [a prepaid wireless carrier's] service offering works as an effective toll control." *Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A)*, Order, 24 FCC Rcd 3381, 3394 at ¶ 34 (2009). Moreover, Assist Wireless' calling plans do not distinguish between local or toll services, and offer nationwide calling. Assist Wireless will provide this toll control to qualifying low-income consumers at no additional charge. Assist will not provide toll limitation service for its wireless service offerings. Assist, like most wireless carriers, does not differentiate between domestic long distance toll usage and local usage and all usage is paid in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS. *See Lifeline Reform Order*, ¶ 230.

II. ASSIST WIRELESS' PLANS FOR COMPLIANCE WITH NEW COMMISSION RULES RELATING TO DETERMINATIONS OF SUBSCRIBER ELIGIBILITY FOR LIFELINE SERVICES

Assist Wireless will comply with the requirements pertaining to consumer qualifications for Lifeline set forth in new section 54.409 of the Commission's rules[8] and any state-specific requirements in the various states in which Assist Wireless has been (or will be) designated an ETC. More specifically, Assist Wireless will require all subscribers to demonstrate eligibility based at least on: (1) household income at or below 135% of the Federal Poverty Guidelines for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in new 47 C.F.R. § 54.409(a)(2) or 47 C.F.R. § 54.409(a)(3). Assist Wireless also will confirm that the subscriber is not already receiving a Lifeline service and that no one else in the subscriber's household is subscribed to a Lifeline service.[9]

A. Assist Wireless' Procedures to Determine Consumer Eligibility for the Lifeline Program

If Assist Wireless cannot determine an applicant's eligibility for Lifeline by accessing income or program eligibility databases, Assist Wireless personnel (either employees or third party customer service representatives) will review documents to establish eligibility in accordance with the criteria set forth in 47 C.F.R. §§ 54.409, 54.410. All Assist Wireless personnel who interact with existing Lifeline customers or Lifeline applicants will be fully trained on the Commission's revised Lifeline eligibility rules and Assist Wireless' practices and policies designed to implement these new rules.

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[8] 47 C.F.R. § 54.409.

[9] 47 C.F.R. § 54.409(c).

Assist Wireless will follow the Commission's requirements pertaining to acceptable documentation to establish eligibility based either on income level or participation in a qualified government assistance program, unless otherwise established by a state Lifeline administrator or other state agency.[10] Specifically, acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice or letter of participation in a qualifying state, federal or Tribal program; (3) program participation documents (*e.g.*, the consumer's Supplemental Nutrition Assistance Program ("SNAP") electronic benefit transfer card or Medicaid participation card (or copy thereof); or (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.[11]

Acceptable documentation of income eligibility includes: (1) the prior year's state, federal, or Tribal tax return; (2) current income statement from an employer or paycheck stub; (3) a Social Security statement of benefits; (4) a Veterans Administration statement of benefits; (5) a retirement/pension statement of benefits; (6) an Unemployment/Workers' Compensation statement of benefit; (7) federal or Tribal notice letter of participation in General Assistance; or (8) a divorce decree, child support award, or other official document containing income information.[12] If the prospective subscriber presents Assist Wireless with documentation of income that does not cover a full year, the prospective subscriber must present the same type of documentation covering three consecutive months within the previous twelve months.[13]

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[10] *See* USAC Guidance available at www.usac.org/li/telecom-carriers/steop06/default.aspx.

[11] 47 C.F.R. § 54.410(c)(1)(i)(B).

[12] 47 C.F.R. § 54.410(b)(1)(i)(B).

[13] *Id*.

Assist Wireless personnel will examine and record the type of documentation presented by each prospective Lifeline subscriber pursuant to a mandatory field in the electronic enrollment process, but will not retain copies of these documents unless required by a state.[14] If an applicant is unable to provide documentary proof of eligibility based on either household income level or current participation in a qualified program, Assist Wireless will deny that application. In addition, an Assist Wireless employee will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement. The Company will comply with all applicable state and federal regulations concerning the protection of subscriber customer proprietary network information (CPNI).

In addition, Assist Wireless will not enroll customers at retail locations where the Company does not have an agency agreement with the retailer. Further, Assist Wireless will require an agent retailer to have any employees involved in the enrollment process go through the standard Assist Wireless field representative training, same as it would for any other agent. By establishing agency relationships with all of its field representatives, including future retail outlets, Assist Wireless meets the "deal directly" requirement adopted in the *TracFone Forbearance Order*.[15]

The Commission determined in the *Lifeline Reform Order* that ETCs may permit agents or representatives to review documentation of consumer program eligibility for Lifeline because "the Commission has consistently found that '[l]icensees and other Commission regulatees are

[14] 47 C.F.R. § 54.410(b)(1)(ii) - (iii); 47 C.F.R. § 54.410(c)(1)(ii)-(iii).

[15] *See* Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i), 20 FCC Rcd 15095, ¶19 (2005).

responsible for the acts and omissions of their employees and independent contractors.'"[16] Because Assist Wireless is responsible for the actions of all of its employees and agents, including those enrolling customers in any Assist Wireless owned or affiliated retail locations, and an Assist Wireless employee will be responsible for overseeing and finalizing every Lifeline enrollment prior to including that customer on an FCC Form 497 for reimbursement, the Company always "deals directly" with its customers to certify and verify the customer's Lifeline eligibility.

B. Assist Wireless' Procedures for Subscriber Certifications

In the *Lifeline Reform Order*, the Commission established a path for a transition to a national database that will be used to confirm the initial and continued eligibility of a Lifeline customer.[17] Assist Wireless will utilize that database when it becomes operational. Until that time, however, Assist Wireless will continue to use any relevant state databases where available, and will otherwise adhere to the following procedures for enrolling prospective customers into the Lifeline program.

Assist Wireless will implement certification procedures that will enable prospective customers to demonstrate their eligibility by contacting Assist Wireless either in person or by sending proof by mail, facsimile or by email. Except in states in which applicants are enrolled through a designated state agency, Assist Wireless will have direct contact with all prospective customers applying for Lifeline service, either in person through its employees or third party representatives, or by telephone, facsimile or over the Internet. Almost all Assist Wireless enrollments are currently completed in-person with applicants.

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[16] *Lifeline Reform Order*, ¶ 110.

[17] *See Lifeline Reform Order*, ¶ 403.

Assist Wireless sets up enrollment operations with permission at public events and in local neighborhood parking lots or street corners where eligible Lifeline customers are likely to be located. In addition, Assist Wireless has worked closely with government agencies and Tribal authorities to set up Assist Wireless enrollment stations at such locations. This includes public housing locations and food stamp offices. Finally, Assist Wireless offers service and enrolls customers at various storefronts.

The Company operates an electronic enrollment process supported by BeQuick Software, Inc. whereby applicants provide information and make the required certification on a tablet computer. Paper forms are also available at each event or location for reference. Assist Wireless checks each customer's government-issued photo identification for identity verification and address normalization, which is entered into the enrollment application. The address is checked against the USPS database and the customer's information is checked against the Company's own list of existing customers and databases of other companies with whom Assist management has relationships to ensure it is not a duplicate. If the address is verified and the customer passes the internal duplicate check, they can proceed with the enrollment process whereby the applicant provides the required information, receives the required disclosures and makes the required certifications for enrollment. Assist Wireless will accept electronic signatures that meet the requirements of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001-7006 and any applicable state laws.[18]

Applicants can also download the Company's Lifeline application form from its website at www.assistwireless.com and submit the form, along with copies of the appropriate proof of

[18] 47 C.F.R. § 54.419.

eligibility and government-issued photo identification, by mail, fax or email. Customer will not receive a phone until the application and proof of eligibility is reviewed.

Every prospective subscriber will be required to complete Assist Wireless' revised "Lifeline Application. Exhibit 3 contains a sample Lifeline Application. The Company's revised Lifeline Applications conform to the subscriber certification requirements of the *Lifeline Reform Order* and 47 C.F.R. § 54.410.

Assist Wireless collects the following information from prospective subscribers in its Lifeline Application forms: (1) the subscriber's full name; (2) the subscriber's full residential address (P.O. Boxes are not permitted); (3) whether the residential address is permanent or temporary; (4) the subscriber's billing address, if different; (5) the subscriber's date of birth; (6) the last four digits of the subscriber's Social Security number (or Tribal identification number if the subscriber is a member of a Tribal nation and does not have a Social Security number[19]); (7) if the subscriber is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the subscriber, or his or her dependents, or his or her household receives benefits; and (8) if the subscriber is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.[20] The applicant must also authorize the Company to release any records required for the administration of the Company Lifeline credit program, including to USAC to be used in a Lifeline program database.[21]

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[19] Assist Wireless will only include language regarding a Tribal identification number on forms used in states with Tribal areas. *See* Oklahoma forms in Exhibit 3. Currently, Assist Wireless only serves Tribal communities in one state, Oklahoma.

[20] 47 C.F.R. § 54.410(d)(2).

[21] *See* 47 C.F.R. § 54.404(b)(9). The application/certification form will also describe the information that

In accordance with 47 C.F.R. § 54.410(d), in its Lifeline Applications, Assist Wireless requires all Lifeline applicants to certify, under penalty of perjury, that: (1) the subscriber meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the subscriber will notify Assist Wireless within 30 days if, for any reason, he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the subscriber is receiving more than one Lifeline benefit, or another member of the subscriber's household is receiving a Lifeline benefit; (3) if the subscriber is seeking to qualify for Lifeline as an eligible resident of Tribal lands, that he or she lives on Tribal lands;[22] (4) if the subscriber moves to a new address, that he or she will provide that new address to Assist Wireless within 30 days; (5) if the subscriber provided a temporary residential address to Assist Wireless, the subscriber will verify his or her temporary residential address every 90 days; (6) the subscriber's household will receive only one Lifeline service and, to the best of the applicant's knowledge, the subscriber's household is not already receiving a Lifeline service; (7) the information contained in the subscriber's application/certification form is true and correct to the best of the subscriber's knowledge; (8) the subscriber acknowledges that providing false or fraudulent information to receive Lifeline benefits is punishable by law; and (9) the subscriber acknowledges that he or she may be required to re-certify his or her continued eligibility for Lifeline at any time, and that his or her failure to re-certify as to continued eligibility will result in de-enrollment and the termination of

will be transmitted, that the information is being transmitted to USAC to ensure the proper administration of the Lifeline program and that failure to provide consent will result in the applicant being denied the Lifeline service. *See id*. *See also* Cricket Compliance Plan at 5.

[22] Because Assist Wireless' current designated service areas includes only includes Tribal areas in one state (Oklahoma), only Assist Wireless' Lifeline Application specifically for Oklahoma will include this certification. *See* Oklahoma forms in Exhibit 3.

the subscriber's Lifeline benefits.[23] If a customer contacts the Company and states that he or she is not eligible for Lifeline or wishes to de-enroll for any reason, the Company will de-enroll the customer within five business days. Customers can make this request by calling the Company's customer service number and will not be required to submit any documents.

In accordance with 47 C.F.R. § 54.410(d)(1), Assist Wireless' Lifeline Application discloses the following information: (1) Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the subscriber's de-enrollment from the program; and (6) Lifeline is a non-transferable benefit and the subscriber may not transfer his or her benefit to any other person.[24]

Finally, in accordance with 47 C.F.R. § 54.405(c), Assist Wireless' Lifeline Application indicates, using easily understood language, (1) that Assist Wireless' low-income targeted service is a Lifeline service; (2) that Lifeline is a government assistance program; (3) that the service is non-transferable; (4) that only eligible consumers may enroll in the program; and (5) that the program is limited to one discount per household.[25] In addition, the Company notifies applicants that the prepaid Lifeline service must be personally activated by the subscriber and the

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[23] 47 C.F.R. § 54.410; *also see* Exhibit 3.

[24] *Id.*

[25] *See Lifeline Reform Order*, ¶ 275; 47 C.F.R. § 54.405(c).

service will be deactivated and the subscriber de-enrolled if the subscriber does not use the service for 60 days.

C. Assist Wireless' Procedures for Annual Verification of Lifeline Customers

In accordance with the requirements of the *Lifeline Reform Order* and 47 C.F.R. § 54.410(f), Assist Wireless will annually re-certify all of its Lifeline subscribers by (1) querying the appropriate eligibility or income databases, confirming that the subscriber continues to meet the program- or income-based eligibility requirements for Lifeline and documenting the results of that review, (2) obtaining a signed certification from the subscriber that meets the certification requirements set forth in 47 C.F.R. § 54.410(d) or (3) having subscribers utilize Assist's automated interactive voice response ("IVR") system to self-certify that the subscriber continues to be eligible for participation in the Lifeline program.[26] The verification materials will inform the subscriber that he or she is being contacted to re-certify his or her continuing eligibility for Lifeline and if the subscriber fails to respond, he or she will be de-enrolled in the program.[27]

For 2012, Assist Wireless will re-certify the eligibility of its Lifeline subscriber base as of June 1, 2012, to be completed by the end of 2012, and report the results to USAC by January 31, 2013.[28] Assist Wireless will notify its subscribers in writing that a failure to respond to the recertification request will result in de-enrollment in the Lifeline program.[29] The Company will contact its subscribers via text message to their Lifeline supported telephone, or by mail, phone,

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[26] *See Lifeline Reform Order*, ¶ 132.

[27] *See Lifeline Reform Order*, ¶ 145.

[28] *See id.*, ¶ 130.

[29] 47 C.F.R. § 54.405.

email or other Internet communication. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact the Company.

Assist Wireless will de-enroll subscribers who do not respond to the annual verification or fail to provide the required certification.[30] The Company will send a single written notice explaining that failure to respond to the re-certification request within 30 days will result in the subscriber's de-enrollment from the Lifeline program. If the subscriber does not respond within 30 days, the Company will de-enroll the subscriber within five business days.

III. ASSIST WIRELESS' PLANS FOR COMPLIANCE WITH THE FORBEARANCE CONDITIONS RELATING TO PUBLIC SAFETY AND 911/E911 ACCESS

Assist Wireless' existing practices comply with the 911/E911 access conditions set forth in paragraph 373 of the *Lifeline Reform Order*. Specifically, Assist Wireless currently: (1) provides its Lifeline subscribers with 911/E911 access at the time Lifeline service is initiated, regardless of activation status and availability of minutes, and (2) provides its Lifeline subscribers with E911-compliant handsets and replaces, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services. Assist Wireless' existing practices currently provide access to 911 and E911 services to the extent that these services have been deployed by its underlying wireless carrier. Assist Wireless commits to continue these practices going forward.

Assist Wireless will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission and consumers are hereby assured that all Company customers will have available access to emergency calling services at the time that

[30] *See Lifeline Reform Order*, ¶ 257; § 54.405(e)(3).

Lifeline service is initiated, and that such 911 and E911 access will be available from Company handsets, even if the account associated with the handset has no minutes remaining.

Assist Wireless will provide access to 911 and E911 services for all customers. The Company will use Sprint Nextel and Verizon Wireless as its underlying network providers/carriers.[31] Sprint Nextel and Verizon Wireless route 911 calls from the Company's customers in the same manner as 911 calls from their own retail customers. To the extent that Sprint Nextel or Verizon Wireless is certified in a given PSAP territory, this 911 capability will function the same for the Company. Assist Wireless also will enable 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active or suspended. Finally, the Company will transmit all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

E911-Compliant Handsets. Assist Wireless will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. The Company will use phones purchased from companies such as Ready Mobile, CWG and HTH that have been through a stringent certification process with Sprint Nextel and Verizon Wireless, which ensures that the handset models used meet all 911 and E911 requirements. As a result, any customer that qualifies for and elects Lifeline service will already have a 911/E911-compliant handset, which will be confirmed at the time of enrollment in the Lifeline program. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

[31] Assist Wireless purchases wireless services directly from intermediaries including Ready Mobile, Liberty Wireless and Natel Networks, LLC, which resell the wireless services of Sprint Nextel and Verizon Wireless.

IV. ASSIST WIRELESS' PLANS FOR COMPLIANCE WITH THE COMMISSION'S MARKETING AND DISCLOSURE REQUIREMENTS FOR PARTICIPATION IN THE LIFELINE PROGRAM

Assist Wireless' marketing materials[32] for its Lifeline services will state in clear, easily understood language: (1) that the service is supported by Lifeline; (2) that Lifeline is a government assistance program; (3) that the service is non-transferable; (4) that only eligible consumers may enroll in the program; (5) that the program is limited to one discount per household; (6) that documentation is necessary for enrollment; and (7) the Company's Lifeline Application will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.[33] Assist Wireless also will disclose its name on all marketing materials.[34] *See* Exhibit 4.

V. ASSIST WIRELESS' PROCEDURES AND EFFORTS TO PREVENT WASTE, FRAUD AND ABUSE IN CONNECTION WITH LIFELINE FUNDS

Assist Wireless shares the Commission's commitment to minimize waste, fraud and abuse of Lifeline benefits. According, Assist Wireless commits to implement a variety of measures and procedures intended to prevent duplicate Lifeline benefits from being awarded to the same household or individual.

Prevention of Duplicates within Assist Wireless' Subscriber Base. At the time of initial sign up of a new subscriber, the subscriber's service address is validated for accuracy against the USPS ("United States Postal Service") database. Once the address is validated for accuracy and format, it is checked against addresses for all Assist Wireless addresses and

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[32] "Marketing materials" includes, but is not limited to print, audio, video, Internet (including email, web, and social networking media), and outdoor signage, that describe the Lifeline-supported service offering, including application and certification forms. *See Lifeline Reform Order*, ¶ 276; 47 C.F.R. § 54.405(c).

[33] *Lifeline Reform Order*, ¶ 275; 47 C.F.R. § 54.405(c).

[34] 47 C.F.R. § 54.405(d).

databases of other companies with whom Assist management has relationships. If an existing Lifeline subscriber is receiving service at the same address, Assist Wireless' system will not permit any order for Lifeline service to proceed unless the customer completes the process described below regarding multiple households at an address.

If the applicant lives at an address with multiple households, the Company will require the applicant to complete and submit the written USAC document containing the following: (1) an explanation of the Commission's one-per-household rule; (2) a check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households; (3) a space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant's household and share in the household's expenses or benefit from the applicant's income, pursuant to the Commission's definition; and (4) the penalty for a consumer's failure to make the required one-per-household certification (*i.e.*, de-enrollment).[35] If an applicant completes this worksheet, the applicant's application and the worksheet undergo further review before the order is completed and the customer receives a phone. This is done to check to make sure that there is not a pattern of the same address being used for a large number of enrollments.

Assist Wireless also conducts additional checks to ensure that the same household is not receiving more than one Lifeline service by checking its database for the same subscriber name, date of birth and the last four digits of the person's social security number. Moreover, all orders for Lifeline service are subjected to a secondary USPS accuracy and format check. Any corrections needed as a result of the secondary check, such as correcting address format, are

[35] *See Lifeline Reform Order*, ¶ 78. The USAC worksheet is available at http://www.usac.org/li/tools/news/default.aspx#582.

promptly entered into Assist Wireless' system. Assist Wireless also conducts real-time scans of its database to flag any duplicate addresses, dates of birth, etc. in addition to conducting manual reviews of its subscriber lists prior to filing its FCC Form 497s in order to ensure that it does not claim subsidies for any duplicate addresses without having the accompanying USAC worksheet.

Service Activation. Assist Wireless will not seek reimbursement for any Lifeline service for any subscriber until the subscriber activates the service by completing an outbound call at the time of enrollment. If the subscriber completes the enrollment process in person, they will be provided with a partially activated handset. The customer will be directed to use the handset to complete a telephone call in the presence of the Assist employee or agent. When a subscriber applies for Lifeline service by sending in the application form and proof of eligibility through the mail, by facsimile or by email, the subscriber is mailed a partially-activated handset once enrolled.[36] When the subscriber attempts to make any outbound call, the call is routed to the Assist interactive voice response system. The phone is activated once the customer replies to the IVR prompts. Assist is committed to ensuring handsets are utilized by the intended subscribers and has requested its operating system provider include a subscriber identification component in the handset activation process.

Non-Usage Policy. Assist Wireless voluntarily adopted a policy whereby a prepaid subscriber who has not used his or her handset within 60 days is de-enrolled from the Lifeline program (after a 30-day notice period). Assist Wireless' non-usage policy ensures that only subscribers who actually utilize their wireless service continue to receive Lifeline-subsidized service, and that Assist Wireless only receives Lifeline support for those subscribers who remain

[36] 47 C.F.R. § 54.407(c).

enrolled in the program. Assist Wireless commits to continuing this practice in strict conformance with the requirements of 47 C.F.R. § 54.405(e)(3).

Specifically, after 30 days of non-use,[37] Assist Wireless will provide notice to the prepaid subscriber that failure to use the Lifeline service or provide other confirmation to Assist Wireless that the prepaid subscriber wishes to retain their Lifeline service within 30 days from the date of the de-enrollment notice will result in de-enrollment from the Lifeline program.[38] If the subscriber does not respond to the notice, the subscriber will be de-enrolled. Assist Wireless will not request further Lifeline reimbursement for any de-enrolled customer and Assist Wireless will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.[39]

One Per Household Rule. Assist Wireless will implement policies and practices in accordance with the Commission's rules and the *Lifeline Reform Order* to ensure that it provides only one Lifeline service per household.[40] As described above, Assist Wireless has already

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[37] Subscribers can "use" the service by: (1) completing an outbound call; (2) purchasing minutes from Assist Wireless to add to the subscriber's plan; (3) answering an incoming call from a party other than Assist Wireless; or (4) responding to a direct contact from Assist Wireless confirming that the subscriber wants to continue receiving the service. 47 C.F.R. § 54.407(c)(2).

[38] 47 C.F.R. § 54.405(e)(3).

[39] *Id*.

[40] A "household" is any individual or group of individuals who are living together at the same address as one economic unit. A household may include related and unrelated persons. An "economic unit" consists of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. *See Lifeline Reform Order*, ¶ 74; section 54.400(h).

implemented procedures to ensure that Assist Wireless itself only provides one Lifeline service per household. Specifically, upon receiving an application for the Company's Lifeline service, the Company will search its own internal records and records of other companies with whom Company management has relationships to ensure that it does not already provide Lifeline-supported service to someone at the same residential address.[41] When the National Lifeline Accountability Database becomes available, Assist Wireless will fully comply with the requirements of 47 C.F.R. § 54.404 and will utilize the database to determine if an applicant is currently receiving Lifeline service from another carrier or if another person residing at the applicant's residential address is receiving Lifeline service.[42]

In addition to checking the database when it becomes available, Company personnel emphasize the "one Lifeline phone per household" restriction in their direct sales contacts with potential customers. Training materials include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction. All employees and agents who deal with customers must demonstrate understanding of the Commission's and Assist Wireless' rules and policies by completing the Company's Lifeline training. Assist Wireless' employees and agents will inform each Lifeline applicant that he or she may be receiving Lifeline support under another name and ask applicants if they are receiving Lifeline services from another major Lifeline provider (e.g., SafeLink, Assurance,

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[41] *See Lifeline Reform Order*, ¶ 78.

[42] *See Lifeline Reform Order*, ¶ 203. The Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. *See Lifeline Reform Order*, ¶¶ 189-195; section 54.404(b)(6). Further, the Company will update each subscriber's information in the National Database within ten business days of any change, except for de-enrollment, which will be transmitted within one business day. *See* § 54.404(b)(8),(10).

etc.). Assist commits to ensuring employees and agents receive refresher training regarding changes to the Lifeline program and applicant qualification requirements.

Finally, if Assist Wireless has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, for example, due to a violation of the one-per-household rule, Assist Wireless will initiate its termination process in accordance with the procedures set forth in 47 C.F.R. § 54.405(e)(1).

Company Reimbursements from the Fund. To ensure that the Company does not seek reimbursement from the Fund without a subscriber's consent, Assist Wireless will certify, as part of each reimbursement request, that it is in compliance with all of the Commission's Lifeline rules and, to the extent required, has obtained valid certification and verification forms from each of the subscribers for whom it is seeking reimbursement.[43] Further, the Company will submit its FCC Forms 497 by the eighth day of each month in order to be reimbursed the same month.[44] In addition, the Company will keep accurate records as directed by USAC[45] and as required by new section 54.417 of the Commission's rules.

Annual Company Certifications. Assist Wireless will submit an annual certification to USAC, signed by a Company officer under penalty of perjury, that the Company: (1) has policies and procedures in place to review consumers' documentation of income- and program-based eligibility and ensure that its Lifeline subscribers are eligible to receive Lifeline services;[46] (2) is

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[43] *See Lifeline Reform Order*, ¶ 128; 47 C.F.R. § 54.407(d).

[44] *See Lifeline Reform Order*, ¶¶ 302-306.

[45] *See* 47 C.F.R. § 54.407(e).

[46] *See Lifeline Reform Order*, ¶ 126; 47 C.F.R. §54.416(a)(1).

in compliance with all federal Lifeline certification procedures;[47] and (3) has obtained a valid certification form for each subscriber for whom the carrier seeks Lifeline reimbursement.[48]

In addition, the Company will provide the results of its annual recertifications/verifications on an annual basis to the Commission, USAC, the applicable state commission and the relevant Tribal governments (for subscribers residing on Tribal lands).[49] Further, the Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.[50]

The Company will also annually report to the Commission, USAC, and relevant state commissions and the relevant authority in a U.S. territory or Tribal government as appropriate,[51] the company name, names of the company's holding company, operating companies and affiliates, and any branding (such as a "dba" or brand designation) as well as relevant universal service identifiers for each entity by Study Area Code.[52] The Company will report annually information regarding the terms and conditions of its Lifeline plans for voice telephony service offered specifically for low income consumers during the previous year, including the number of minutes provided and whether there are additional charges to the consumer for service, including minutes of use and/or toll calls.[53] Finally, the Company will annually provide detailed information regarding service outages in the previous year, the number of complaints received

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[47] *See Lifeline Reform Order*, ¶ 127; 47 C.F.R. §54.416(a)(2).

[48] *See* 47 C.F.R. §54.416(a)(3).

[49] *See Lifeline Reform Order*, ¶¶ 132,148; 47 C.F.R. §54.416(b).

[50] *See Lifeline Reform Order*, ¶ 257; 47 C.F.R. §54.405(e)(3).

[51] *See* 47 C.F.R. §54.422(c).

[52] *See Lifeline Reform Order*, ¶¶ 296, 390; 47 C.F.R. §54.422(a).

[53] *See Lifeline Reform Order*, ¶ 390; 47 C.F.R. §54.422(b)(5).

and certification of compliance with applicable service quality standards and consumer protection rules, as well as a certification that the Company is able to function in emergency situations.[54]

Cooperation with State and Federal Regulators. Assist Wireless has cooperated and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse. More specifically, the Company will:

- Make available state-specific subscriber data, including the names and addresses of Lifeline subscribers, to USAC and to each state public utilities commission where the Company operates for the purpose of determining whether an existing Lifeline subscriber receives Lifeline service from another carrier;[55]

- Assist the Commission, USAC, state commissions, and other ETCs in resolving instances of duplicative enrollment by Lifeline subscribers, including by providing to USAC and/or any state commission, upon request, the necessary information to detect and resolve duplicative Lifeline claims;

- Promptly investigate any notification that it receives from the Commission, USAC, or a state commission to the effect that one of its customers already receives Lifeline services from another carrier; and

- Immediately de-enroll any subscriber whom the Company has a reasonable basis to believe[56] is receiving Lifeline-supported service from another ETC or is no longer eligible – whether or not such information is provided by the Commission, USAC, or a state commission.

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[54] *See Lifeline Reform Order*, ¶ 389; 47 C.F.R. §54.422(b)(1)-(4).

[55] The Company anticipates that the need to provide such information will sunset following the implementation of the national duplicates database.

[56] *See* 47 C.F.R. § 54.405(e)(1).

VI. CONCLUSION

Assist Wireless submits that the foregoing Compliance Plan fully satisfies the conditions set forth in the *Lifeline Reform Order*, the *Public Notice* and the Commission's rules pertaining to Lifeline. Accordingly, Assist Wireless respectfully requests expeditious approval of its this Compliance Plan so that Assist Wireless may continue to provide essential Lifeline service to eligible low-income customers in states where it has previously been designated an ETC and may provide service to additional eligible low-income consumers in states in which it becomes a designated ETC.

Respectfully submitted,

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Counsel to Assist Wireless, LLC

February 21, 2013

Exhibit 1

Confidential Exhibit

REDACTED FOR PUBLIC INSPECTION

Exhibit 1

Section 54.422(a)(1) Report

The Company's three managing members, who are the only members owning 10% or more of the company, report that they, or their individual principals, also own or control 10% or more of companies listed below, which companies may be deemed to be 'affiliates' as that term is defined in 47 U.S.C. § 153(2), as well as its corporate and trade names, identifiers, holding company, and operating companies: **[Begin Confidential]**

[End Confidential] Flagship Equity Partners, LLC; SXCS Investments, LLC; Ambient Ventures, LLC; New Talk, Inc.; New Talk Wireless, LLC; Express Cash and Phone, Inc.; Young Energy, LLC; Telecom Ventures, LLC; Zip Networks, LLC; BBBY, Ltd.; U.S. Connect; Great Wireless, LLC; Sell More, LLC; Ally Power & Light, LLC; and Acacia Energy, LLC.

Assist reports that it does not own or control any entities and has no holding or operating companies.

The Company's corporate name is Assist Wireless, LLC and the Company has no trade names.

Exhibit 2

Lifeline Offerings

REDACTED FOR PUBLIC INSPECTION

Plan Description	Retail Price

Lifeline Free Plan 68* **Free**

Customers receive 68 free voice minutes per month with rollover for 90 days. Text messaging is assessed at a rate of 1 minute per text message for sending and 1 minute per text message for receiving text messages.

Customers receive free voicemail, caller ID, call waiting, call forwarding, 3-way calling and domestic long distance.

Lifeline Free Plan 125 **Free**

Customers receive 125 free voice minutes per month. Text messaging will be assessed at a rate of 1 minute per text message for sending and 1 minute per text message for receiving text messages. Unused minutes will rollover from month to month and are available for a maximum of sixty (60) days.

Customers receive free voicemail, caller ID, call waiting, call forwarding, 3-way calling and domestic long distance.

Lifeline Free Plan 250 **Free**

Customers receive 250 free voice minutes per month. Text messaging will be assessed at a rate of 1 minute per text message for sending and 1 minute per text message for receiving text messages. There are no rollover minutes with this plan. Unused minutes will expire each month on the service expiration date.

Customers receive free voicemail, caller ID, call waiting, call forwarding, 3-way calling and domestic long distance.

*Assist now offers for all new customers 125 or 250 free voice minutes per month. Existing customers remain on the 68 minute plan. The 68-minute plan has been grandfathered to existing customers only and is not offered to new customers.

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Plan Description (Tribal)	Retail Price
Tribal Unlimited Minute Plan	**$5.00****

Unlimited free voice minutes.

Tribal 1,000 Minute Plan	**$1.00****

1,000 free voice minutes per month with no rollover. Text messaging is assessed at a rate of 1 minute per text message for sending and 1 minute per text message for receiving text messages.

**After application of standard $34.25 Tribal Lifeline discounts.

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Plan Additions	**Retail Price*** **

Additional Minutes Offering Plans come in increments of $5, $10, $15, $20, $25, $30, and $50

60 Minutes/Texts	$5
200 Minutes/Texts	$10
300 Minutes/Texts	$15
400 Minutes/Texts	$20
500 Minutes/Texts	$25
600 Minutes/Texts	$30
1300 Minutes/Texts	$50
1700 Minutes/Texts	$60

***Applicable taxes and government fees are assessed to the above Plan Additions.

Exhibit 3

Lifeline Application Form (Oklahoma)

ASSISTwireless
WIRELESS SERVICE ASSISTANCE

Oklahoma Lifeline
When completed, mail, fax or e-mail to:
2330 Gravel Drive, Ft. Worth, TX 76118
Customer Service: 855-392-7747
Fax: 866-229-6433
Email: newservice@assistwireless.com

IF MAILING, FAXING OR E-MAIL YOU MUST SEND PROOF OF ELIGIBILITY WITH APPLICATION

REFERRING CELL PHONE NUMBER (INCLUDING AREA CODE)
___ - ___ - ____

Section 1 – Rules

IMPORTANT: Please read all of this form carefully and fill it out completely. If you have questions, please ask for help. Forms that are not completed accurately will be rejected resulting in a delay in your service or rejection of your application.

Lifeline is a Federal government benefit program that offers a discount on your monthly phone service. Lifeline service is available for only one line per household; a household is defined as any individual or group of individuals who live together at the same address and share income and expenses. Households are not permitted to receive benefits from multiple providers and you may not receive multiple Lifeline discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both.

Violation of the one-per-household requirement is a violation of Federal Rules will result in your removal from the program and potential prosecution by the United States government. Applicants who willfully make false statements in order to obtain the benefit can be punished by fine or imprisonment or can be barred from the program.

You will be required to annually re-certify that you continue to qualify for Lifeline benefits.

Section 2 – Eligibility by Program (complete either Section 2 or 3)

If you or a dependent residing in your household are receiving benefits from one or more of the programs listed below, please check all that apply:

☐ Temporary Assistance for Needy Families ☐ State Supplemental Security Income (SSI) ☐ Medicaid ☐ Federal Public Housing Assistance
☐ Supplemental Nutrition Assistance Program (SNAP), f/k/a Food Stamps ☐ Low Income Home Energy Assistance Program (LIHEAP)
☐ National School Lunch Program's Free Lunch Program ☐ Tribally Administered Temporary Assistance for Needy Families
☐ State Program 1 ☐ State Program 2 ☐ State Program 3 ☐ State Program 4 ☐ Head Start (must meet income qualifying standard)
☐ Bureau of Indian Affairs General Assistance ☐ Food Distribution Program on Indian Reservations

Section 3 – Eligibility by Income (complete either Section 2 or 3)

If your income is at or below 135% of the federal poverty guidelines, as shown below, you can qualify for Lifeline.
How many people are in your Household? _____

Number of People in Household:	Total Annual Income At:	Number of People Household:	Total Annual Income At:
1 Person	$15,080	4 Person	$31,118
2 People	$20,426	5 People	$36,464
3 People	$25,772	Each additional person 5 People	$5,346

TO QUALIFY FOR INCOME ELIGIBILITY, YOU MUST PROVIDE COPIES OF ONE OR MORE OF THE DOCUMENTS LISTED BELOW. IF YOU PROVIDE DOCUMENTATION THAT DOES NOT COVER A FULL YEAR (SUCH AS CURRENT PAY STUBS), YOU MUST SUBMIT THREE (3) CONSECUTIVE MONTHS OF THE SAME TYPE OF DOCUMENT WITHIN THE CURRENT CALENDAR YEAR.

- Prior year's state, federal or tribal tax return
- Retirement/Pension benefit statement
- Unemployment/Workers Compensation benefits statement
- Divorce decree or child support document
- Social Security benefits statement
- Current income statement from employer or paycheck stub
- Federal or tribal notice letter of participation in Bureau of Indian Affairs General Assistance
- Veterans Administration benefits statement

Section 4 – Customer Information

FIRST NAME _____ LAST NAME _____

FULL PHYSICAL ADDRESS (NO P.O. BOXES – *This address must be your principal residence!*) **APT / FLOOR**

☐ **TEMPORARY** ☐ **PERMANENT**

CITY _____ **STATE** _____ **ZIP CODE** _____

FULL MAILING ADDRESS (*If different from above*) **APT / FLOOR**

☐ **TEMPORARY** ☐ **PERMANENT**

CITY _____ **STATE** _____ **ZIP CODE** _____

CONTACT PHONE NUMBER (*Including Area Code*) ___ - ___ - ____

DATE OF BIRTH (MM-DD-YYYY) ___ - ___ - ____

SOCIAL SECURITY OR TRIBAL ID NUMBER (if no SS #) ___ - ___ - ____

EMAIL ADDRESS: _____

ASSIST wireless
WIRELESS SERVICE ASSISTANCE

Section 5 – Qualifying Beneficiary (Complete if Section 2 benefits are in a name other than applicant - ie Free Lunch Program)

First name_____ Middle _____ Last Name_____

Section 6 – State Required Customer Information

State Specific Required ID Number_____

Section 7 – One Per Household

_____ (Customer Initials) I acknowledge that, to the best of my knowledge, no one at my household is receiving a Lifeline-supported service from any other provider.

Section 8 – Customer Signature

PLEASE READ THE FOLLOWING AND INITIAL. BY SIGNING BELOW YOU ARE AGREEING TO THE FOLLOWING PROGRAM RULES:

•____ I certify under penalty of perjury that I either participate in the indicated qualifying federal program or I meet the income qualification to establish my eligibility for Lifeline.

•____If required to do so, I have provided accurate documentation of my eligibility.

•____I certify I am head of the household, I am not listed as a dependent on another person's tax return (unless over the age of 60) and the address listed is my primary residence.

•____I confirm local voice service discounts under the low income programs are limited to one per household and that my household is receiving no more than one Lifeline supported service. If I am participating in another Lifeline program at the time I apply for Assist Wireless Lifeline service, I agree to cancel that Lifeline service with any other provider. I certify that I will only receive one Lifeline connection, will not have simultaneous or multiple Lifeline discounts with another provider.

•____I acknowledge that I may be required to re-certify my continued eligibility for Lifeline at any time, and that failure to do so will result in the termination of the my Lifeline benefits.

•____ I understand that I must inform Assist Wireless within 30 days if I (1) no longer participate in a federal qualifying program or programs or my annual household income exceeds 135% of the Federal Poverty Guidelines; (2) I am receiving more than one Lifeline-supported service per household; or (3) I, for any other reason, no longer satisfy the criteria for receiving Lifeline support. I attest under penalty of perjury that I understand this notification requirement, and that I may be subject to penalties if I fail to follow this rule.

•____I understand that Lifeline service is a non-transferable benefit, and that I may not transfer my service to any other individual, including another eligible low-income consumer.

•____ I acknowledge and consent to the use of my name, telephone number, and address to be given to the Universal Service Administrative Company (USAC) (the administrator of the program) and/or its agents for the purpose of verifying that I 'm not receive more than one Lifeline benefit. I understand that refusal to grant this permission will mean I am not eligible for Lifeline service. I also authorize Assist Wireless to access any records required to verify my statements herein and to confirm my continued eligibility for Lifeline assistance.

•_____I understand that if I move, I must provide a new address to Assist Wireless within 30 days of my move.

•_____ I understand that if I provided a Temporary Address, I must verify with Assist Wireless every 90 days that I am using the same address. I understand that if I fail to do so, I will lose my Lifeline discount.

By my signature below, I certify under penalty of perjury that I have read and understood this form and that I attest that the information contained in this application that I have provided is true and correct to the best of my knowledge and that I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law.

Signature _____ Date_____

Section 9 – Tribal Certification

_____ BY CHECKING HERE AND MY SIGNATURE ABOVE I CERTIFY THAT MY ADDRESS IS ON FEDERALLY RECOGNIZED TRIBAL LAND

COMPANY USE ONLY

I hereby certify that I have reviewed and verified the required documentation for the program(s) indicated by the applicant for the use of Lifeline eligibility or verified the applicant's eligibility via the available state database. I also certify that I have reviewed the necessary documentation to verify identity and address of the applicant, and I am aware that falsification of this is subject to termination or legal action by the company.

_____ _____

Company Representative - Print Full Name (No Initials) Company Representative Signature

Place Label Bar Code Here

_____

Customer Account Number

_____ Date Agent Number _____

Exhibit 4

Sample Marketing Materials (Oklahoma)

FREE ASSIST PHONE

ARE YOU ELIGIBLE TO RECEIVE WIRELESS SERVICE?

NO CREDIT CHECK, NO CONTRACT, NO BACKGROUND CHECK

WANT TO KNOW IF YOU ARE ELIGIBLE FOR LIFELINE ASSISTANCE?

IF YOU RECEIVE ANY ASSISTANCE FROM THESE PROGRAMS YOU MAY BE ELIGIBLE!

- ✓ Supplemental Security Income
- ✓ Section 8 Housing Assistance
- ✓ Low Income Home Energy Assistance Program
- ✓ MEDICAID
- ✓ Temporary Assistance for Needy Families
- ✓ SNAP Food Stamps
- ✓ National School Lunch Program

Program eligibility requirements vary from state to state. Call or visit www.Assistwireless.com for specific elgibility requirements for your state.

What is Lifeline?

LIFELINE is a government assistance program. Service is non-transferable and only eligible customers may enroll in the program. The program is limited to one discount per household. Documentation is necessary for enrollment. Customers who willfully make a false statement in order to obtain the lifeline benefit can be punished by fine, imprisonment or can be barred from the program.

CALL OUR TOLL FREE NUMBER

855-EZ-ASSIST

(392-7747)

www.assistwireless.com

ASSISTwireless

WIRELESS SERVICE ASSISTANCE