

8300 Greensboro Dr.  
Suite 1200  
McLean, VA 22102

(703) 584-8666  
WWW.FCCLAW.COM

**LNGS** | LUKAS,  
NACE,  
GUTIERREZ  
& SACHS, LLP

January 31, 2014

**FILED VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, SW, Room TW-B204  
Washington, D.C. 20554

**FILED VIA E-MAIL**

USAC  
Customer Operations  
Lifeline Program  
2000 L Street NW, Suite 200  
Washington, DC 20036

**Re: FCC Form 555 Annual Lifeline Report and Certification  
WCB Docket No. 11-42**

Dear Ms. Dortch:

Enclosed is the FCC Form 555 Annual Lifeline Report and Certification on behalf of Smith Bagley, Inc. (SBI) for New Mexico SAC 499001.

In an Order released November 30, 2012 (DA 12-1927), the Chief of the Wireline Competition Bureau granted SBI a 90-day waiver of the 2012 re-certification requirement with respect to SBI's subscribers in Tribal areas. In accordance with the Order, some subscribers in Tribal areas were not de-enrolled until March or April 2013, and thus were included in the numbers reported on the February 2013 Form 497. To avoid double-counting these de-enrollments, SBI has excluded from Column D the 1,975 subscribers who were de-enrolled in March or April 2013 as a result of the 2012 re-certification process. Accordingly, the number in Column D is lower than the difference between the numbers in Columns A and C.

Please contact the undersigned if any questions arise.

Respectfully submitted,



David A. LaFuria  
Steven M. Chernoff

*Attorneys for Smith Bagley, Inc.*

Encl.

**Annual Lifeline Eligible Telecommunications Carrier Certification Form**

All carriers must complete all or portions of all sections  
Form must be submitted to USAC and filed with the Federal Communications Commission

**IMPORTANT: PLEASE READ INSTRUCTIONS FIRST**

*Deadline: January 31<sup>st</sup> (Annually)*

NM

State

*(An Eligible Telecommunications Carrier (ETC) must provide a certification form for each state in which it provides Lifeline service).*

499001

Smith Bagley, Inc

Study Area Code(s) (SAC)

ETC Name(s)

N/A

CellularOne of NE AZ, CellularOne

Holding Company Name(s)

DBA, Marketing or Other Branding Name(s)

Affiliated ETCs (include names and SACs, attach additional sheets if necessary)

*Provide a list of all ETCs that are affiliated with the reporting ETC. Affiliation shall be determined in accordance with section 3(2) of the Communications Act. That Section defines "affiliate" as "a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person." 47 U.S.C. § 153(2). See also 47 C.F.R. § 76.1200.*

For purposes of this filing, an officer is an occupant of a position listed in the article of incorporation, articles of formation, or other similar legal document. An officer is a person who occupies a position specified in the corporate by-laws (or partnership agreement), and would typically be president, vice president for operations, vice president for finance, comptroller, treasurer, or a comparable position. If the filer is a sole proprietorship, the owner must sign the certification

**Section 1: All ETCs MUST COMPLETE SECTION 1- Initial Certification**

I certify that the company listed above has certification procedures in place either to:

A) Review income and program-based eligibility documentation prior to enrolling a consumer in the Lifeline program, and that, to the best of my knowledge, the company was presented with documentation of each consumer's household income and/or program-based eligibility prior to his or her enrollment in Lifeline or

B) Confirm consumer eligibility by relying upon access to a state database and/or notice of eligibility from the state Lifeline administrator prior to enrolling a consumer in the Lifeline program.

I am an officer of the company named above. I am authorized to make this certification for the Study Area(s) listed above. Initial 

**Section 2: All ETCs MUST COMPLETE SECTION 2- Annual Recertification**

Do not leave empty columns. If an ETC has nothing to report in a column, enter a zero.

| A   | B  | C  |
|---|--|--|
| Number of Subscribers Claimed on February FCC Form(s) 497 of current Form 555 calendar year | Number of Lines Claimed on February FCC Form(s) 497 of current Form 555 calendar year provided to Wireline Resellers | Number of Subscribers claimed on the February FCC Form(s) 497 that were initially enrolled in current Form 555 calendar year |
| 22162   | 0  | 997  |

Initial the certifications below that apply to your ETC and complete the tables corresponding to the certification below. Depending on the state, BOTH CERTIFICATION A AND B MAY APPLY.

A) I certify that the company listed above has procedures in place to recertify the continued eligibility of all of its Lifeline subscribers, and that, to the best of my knowledge, the company obtained signed certifications from all subscribers attesting to their continuing eligibility for Lifeline. Results are provided in the chart below. I am an officer of the company named above. I am authorized to make this certification for the Study Area(s) listed above.

Initial 

| D   | E   | F =D-E                               | G   | H = (F+G)   | I  |
|---|---|--------------------------------------|---|---|--|
| Number of Subscribers ETC Contacted Directly to Recertify Eligibility Through Attestation | Number of Subscribers Responding to ETC Contact | Number of Non-Responding Subscribers | Number of Subscribers Responding That They Are No Longer Eligible | Number of Subscribers De-enrolled or Scheduled to be De-Enrolled as a Result of Non-Response or Ineligibility | Number of Subscribers Who De-Enrolled Prior to Recertification Attempt |
| 19190   | 14429   | 4761                                 | 137   | 4898  | 3130   |

AND/OR

In the space below, please list the program eligibility data sources, such as ETC access to a state database and/or notice of eligibility from the state Lifeline administrator or the Universal Service Administrative Company (USAC), and indicate for which qualifying programs (e.g., SNAP, SSI) these sources are used to verify subscriber eligibility. If any of subscribers are subsequently contacted directly by the ETC in an attempt to recertify eligibility, those subscribers should be listed in columns D through I as appropriate and not in columns J through L.

B) I certify that the company listed above has procedures in place to re-certify consumer eligibility by relying on N/A. Results are provided in the chart below. I am an officer of the company named above. I am authorized to make this certification for the Study Area(s) listed above. Initial \_\_\_\_\_

| J   | K   | L  |
|---|---|--|
| Number of Subscribers Whose Eligibility was Reviewed By State Administrator ETC Access to Eligibility Data or by USAC | Number of Subscribers De-Enrolled or Scheduled to be De-Enrolled as a Result of Finding of Ineligibility by State Administrator, ETC Access to Eligibility Data or USAC | Number of Subscribers Who De-Enrolled Prior to Recertification Attempt |
| 0   | 0   | 0  |

OR

C) I certify that my company did not claim federal low income support for any Lifeline subscribers for the February Form 497 data month for the current Form 555 calendar year. I am an officer of the company named above. I am authorized to make this certification for the Study Area(s) listed above. Initial \_\_\_\_\_

**Section 3: ALL ETCS MUST COMPLETE SECTION 3 – De-enroll percentage**

**What is the percentage of subscribers de-enrolled for this ETC?**

| M   | N   | O  | P = N + O  | Q = ((P + M) * 100)  |
|---|---|--|--|--|
| Number of Subscribers Claimed on February FCC Form(s) 497<br><i>(From Column A)</i> | Number of Subscribers De-Enrolled or Scheduled to be De-Enrolled as a Result of Non-Response or Ineligibility<br><i>(From Column H)</i> | Number of Subscribers De-Enrolled or Scheduled to be De-Enrolled as a Result of a Finding of Ineligibility<br><i>(From Column K)</i> | Total Number of Subscribers De-Enrolled or Scheduled to be De-Enrolled | Percentage of Subscribers De-Enrolled or Scheduled to be De-Enrolled that were Claimed on the February FCC Form(s) 497 |
| 22162   | 4898  | 0  | 4898   | 22   |

**Section 4: ALL ETCS MUST COMPLETE APPROPRIATE CHECK BOX; PRE-PAID ETCS MUST COMPLETE ALL OF SECTION 4**

**Is the ETC Pre-Paid?**

Yes  No  *(A Pre-Paid ETC does not assess or collect a monthly fee from its Lifeline subscribers)*

*If yes, record the number of subscribers de-enrolled for non-usage by month in column S below.*

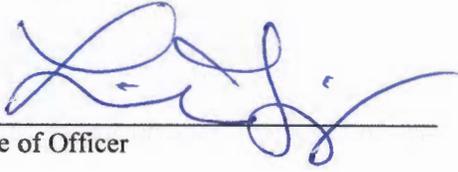
**Non-Usage Results Applicable to Pre-Paid ETCs:**

| R         | S                                     |
|-----------|---------------------------------------|
| Month     | Subscribers De-Enrolled for Non-Usage |
| January   | 426                                   |
| February  | 252                                   |
| March     | 209                                   |
| April     | 218                                   |
| May       | 186                                   |
| June      | 252                                   |
| July      | 220                                   |
| August    | 220                                   |
| September | 244                                   |
| October   | 227                                   |
| November  | 277                                   |
| December  | 284                                   |

**Signature Block: ALL ETCS MUST COMPLETE SIGNATURE FIELDS**

By signing below, I certify that the company listed above is in compliance with all federal Lifeline certification procedures. I am an officer of the company named above. I am authorized to make this certification for the Study Area(s) listed above.

Signed,



Signature of Officer

Louise Finnigan

Printed Name of Officer

CEO

1/31/2014

Title of Officer

Date

Annette Weidle/Anita Garrison

(928) 537-0690

Person Completing this Certification Form

Contact Phone Number

**ETC Identification**

| SAC    | ETC Name          |
|--------|-------------------|
| 499001 | Smith Bagley, Inc |
|        |                   |
|        |                   |
|        |                   |
|        |                   |
|        |                   |
|        |                   |
|        |                   |
|        |                   |

**Holding Company Name(s)**

| SAC | Holding Company Name |
|-----|----------------------|
| N/A | N/A                  |
|     |                      |
|     |                      |
|     |                      |
|     |                      |
|     |                      |
|     |                      |
|     |                      |
|     |                      |

**DBA, Marketing or Other Branding Name(s)**

| SAC    | Name                              |
|--------|-----------------------------------|
| 499001 | CellularOne of NE AZ, CellularOne |
|        |                                   |
|        |                                   |
|        |                                   |
|        |                                   |
|        |                                   |
|        |                                   |
|        |                                   |

