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August 30, 2017

VIA eFILING

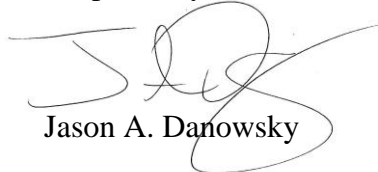
Daniel P. Wolf
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East Suite 350
St. Paul, MN 55101-2147

Re: Assist Wireless, Inc. Petition for ETC Designation in Minnesota
Docket No. P6978/M-17-213

Dear Mr. Wolf,

Enclosed please find, for filing, Assist Wireless, Inc.'s reply comments to the comments of the Minnesota Department of Commerce dated August 14, 2017. Attorneys for Assist are available to answer any questions the Commission may have.

Respectfully submitted,



Jason A. Danowsky

Enclosures

**BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION**

| | | |
|--------------------------------------|---|---------------------------|
| Petition of Assist Wireless, Inc. |) | |
| For Designation as an Eligible |) | |
| Telecommunications Carrier for the |) | Docket No. P6978/M-17-213 |
| Purpose of Offering Lifeline Service |) | |
| on a Wireless Basis |) | |

**ASSIST WIRELESS’S REPLIES TO THE PUBLIC COMMENTS
OF THE MINNESOTA DEPARTMENT OF COMMERCE**

I. PROCEDURAL BACKGROUND

On March 16, 2017, Assist Wireless, Inc. (Assist) filed a petition seeking designation as an Eligible Telecommunication Carrier (ETC) in Minnesota for the purpose of receiving federal universal service support solely for providing Lifeline service to qualified customers. Assist did not request high-cost support. On August 14, 2017, the Minnesota Department of Commerce (Department) filed the comments to which Assist replies today.¹ Specifically, Assist responds to the Department’s recommendation that the Minnesota Public Utilities Commission (Commission) issue an order requiring that Assist submit a “service improvement plan.”²

II. THE COMMISSION SHOULD CONSIDER THESE COMMENTS

On July 13, 2017, the Commission granted an extension to the comment period, requesting reply comments by August 28, 2017.³ Although Assist acknowledges that the deadline for reply comments has passed, Assist notes that the extension does not state that comments received after the comment period will be rejected. Instead, the extension states “Comments received after comment period closes **may** not be considered.”⁴ The Commission should consider Assist’s reply comments since they respond to and resolve a discrete issue, creating less work for the parties and less regulatory oversight by the Commission.

¹ See Public Comments of the Minnesota Department of Commerce.

² Public Comments of the Minnesota Department of Commerce, p. 11.

³ Minnesota Public Utilities Commission, Third Notice of Extended Comment Period.

⁴ *Id.* (emphasis added).

III. CRITERION 10: SERVICE IMPROVEMENT PLAN

The Department recommends that the Commission issue an order requiring, among other things, that Assist submit a “service improvement plan.”⁵ Such a plan must demonstrate “how signal quality, coverage, or capacity will improve due to the receipt of high-cost support.”⁶ As stated in its Petition, Assist does not request high cost support.⁷ Assist only requests reimbursement from the low-income Lifeline program.⁸

Moreover, as set forth in the *Lifeline and Link Up Reform Order*, a common carrier seeking designation as a Lifeline-only ETC is not required to submit a five-year network improvement plan as part of its application for designation as an ETC.⁹ Likewise, no “service improvement plan” should be required of a Lifeline-only applicant such as Assist.

Further, the Department of Commerce acknowledges that: “Since Assist Wireless is offering its service through agreements with other nationwide carriers, any service improvement plan may be dependent on service improvement plans of those other carriers.”¹⁰

Assist agrees with the foregoing statement by the Department of Commerce. Its service improvement will be substantially dependent on the service improvement of its national wireless network providers. However, Assist has no direct information that would enable it to discuss the service improvement plans of these national wireless network providers such as information regarding cell sites. There is simply no reason to make a “service improvement plan” a condition of the requested Lifeline-only ETC designation. As stated in its application:

[Assist’s national wireless network providers] have implemented state-of-the-art network reliability standards, and Assist and its customers benefit from their high standards. Throughout its existence, Assist’s service reliability has compared favorably with that of any operator in the CMRS industry.¹¹

⁵ Public Comments of the Minnesota Department of Commerce, p. 11.

⁶ Public Comments of the Minnesota Department of Commerce, p. 9.

⁷ Assist Wireless, Inc.’s Petition for ETC Designation in Minnesota, p. 17.

⁸ *Id.*

⁹ See *Lifeline and Link Up Reform Order* at ¶ 386 (“Second, we amend section 54.202 to clarify that a common carrier seeking designation as a Lifeline-only ETC is not required to submit a five-year network improvement plan as part of its application for designation as an ETC. In the USF/ICC Transformation Order and FNPRM, the Commission included a new requirement in section 54.202, requiring a common carrier seeking to be designated as an eligible telecommunications carrier by the Commission to submit a five-year plan describing proposed network improvements and upgrades. Given that Lifeline-only ETCs are not receiving funds to improve or extend their networks, we see little purpose in requiring such plans as part of the ETC designation process.”).

¹⁰ Public Comments of the Minnesota Department of Commerce, p. 9.

¹¹ Assist Wireless, Inc.’s Petition for ETC Designation in Minnesota, p. 11.

IV. CONCLUSION

Assist prays that the recommendation for a "service improvement plan" be rejected and not made a condition of the order designating Assist as an ETC. Assist should not be required to submit a service improvement plan as it will not receive high cost support, and the recommendation is inconsistent with the requirements of the FCC.

Respectfully submitted,

By: _____

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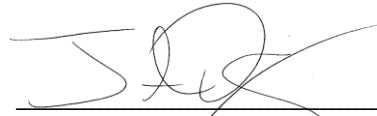
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CERTIFICATE OF SERVICE

I, Jason Danowsky, hereby certify that I have this day, served copies of the foregoing document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

Dated this 30th day of August, 2017



Jason Danowsky

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| David | Denton | david.denton@state.mn.us | DPS ECN | 445 Minnesota Street Suite 137 St. Paul, Minnesota 55101 | Electronic Service | No | OFF_SL_17-213_M-17-213 |
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| Dana | Wahlberg | dana.wahlberg@state.mn.us | Department of Public Safety | Town Square Ste 137 444 Cedar St St. Paul, MN 551012126 | Electronic Service | No | OFF_SL_17-213_M-17-213 |
| Daniel P | Wolf | dan.wolf@state.mn.us | Public Utilities Commission | 121 7th Place East Suite 350 St. Paul, MN | Electronic Service | Yes | OFF_SL_17-213_M-17-213 |