BEFORE THE
GEORGIA PUBLIC SERVICE COMMISSION

DISH Wireless L.L.C. Application for Designation as an Eligible Telecommunications Carrier in the State of Georgia for the Limited Purpose of Providing Lifeline Service to Qualifying Customers	)))))))	Docket No. _____

APPLICATION

Alison Minea
Vice President and Associate General Counsel
DISH Wireless L.L.C.
1110 Vermont Ave NW Ste. 450
Washington, DC 20005
(202) 463-3709
Alison.Minea@dish.com

March 6, 2023

TABLE OF CONTENTS

I. INTRODUCTION 1

II. COMPANY OVERVIEW 2

III. THE COMMISSION HAS JURISDICTION OVER DESIGNATION OF WIRELESS ETCS 4

IV. THE COMPANY MEETS THE FEDERAL STATUTORY AND REGULATORY REQUIREMENTS FOR ETC DESIGNATION 4

A. DISH Wireless Is a Common Carrier 6

B. DISH Wireless Will Offer the Services Supported by Federal Universal Service . 6

C. DISH Wireless Will Offer the Services Designated for Support Using a Combination of Its Own Facilities and Resale 6

D. DISH Wireless Will Provide Gen Mobile-Branded Service Throughout Its Designated Service Area 8

E. The Company Will Advertise the Availability of Gen Mobile Services and Charges Using Media of General Distribution 8

F. DISH Wireless Will Comply with Service Requirements Applicable to the Support It Receives. 9

G. DISH Wireless Will Comply with Any Applicable Two-Year and Five-Year Plan Requirements 9

H. Consumer Protection and Service Quality Standards 10

I. Ability to Remain Functional During Emergencies 10

J. DISH Wireless Is Financially and Technically Capable 10

K. Terms and Conditions of Proposed Lifeline Offering 11

L. Gen Mobile's Offerings Will Comply with Lifeline Certification and Annual Re-certification Requirements 12

M. DISH Wireless Will Comply With All Regulations Imposed by the Commission 13

N. Prevention of Waste, Fraud and Abuse 14

V. DISH WIRELESS MEETS THE COMMISSION'S REQUIREMENTS FOR DESIGNATION AS AN ETC 15

A. DISH Wireless Will Comply with Georgia Compiled Rules and Regulations Rule 515-12-1-.35 16

B. DISH Wireless Will Comply with the Commission's Certification Requirement 17

VI. DESIGNATING DISH WIRELESS AS AN ETC WOULD PROMOTE THE PUBLIC INTEREST 18

A. Advantages of Gen Mobile Lifeline Plans 18

B. Benefits of Competitive Choice 19

VII. ANTI-DRUG ABUSE CERTIFICATION 20

VIII. CONCLUSION 20

LIST OF EXHIBITS:

Exhibit 1: Certification

Exhibit 2: Proposed Lifeline Plans

Exhibit 3: Georgia Service Area

Exhibit 4: Sample Advertisement

Exhibit 5: Key Personnel Bios

BEFORE THE
GEORGIA STATE PUBLIC SERVICE COMMISSION

DISH Wireless L.L.C. d/b/a Gen Mobile Application for Designation as an Eligible Telecommunications Carrier in the State of Georgia for the Limited Purpose of Providing Lifeline Service to Qualifying Customers	)))))	Docket No. _____

I. INTRODUCTION

DISH Wireless L.L.C. dba Gen Mobile ("DISH Wireless" or the "Company"), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the "Act"),[1] Sections 54.101 through 54.207[2] of the Rules of the Federal Communications Commission ("FCC"),[3] and the rules and regulations of the Georgia Public Service Commission (the "Commission") including Georgia Compiled Rules and Regulations Rule 515-12-1-.35,[4] hereby submits this Application for Designation as an Eligible Telecommunications Carrier ("ETC") in the State of Georgia. The Company seeks ETC designation for the limited purpose of providing Lifeline service under the brand name "Gen Mobile" to qualifying Georgia consumers.

As demonstrated herein, and as certified in Exhibit 1 to this Application, the Company meets all the federal and state statutory and regulatory requirements for designation as an ETC in

---

[1] 47 U.S.C. § 214(e)(2).

[2] 47 C.F.R. §§ 54.101-54.207.

[3] DISH Wireless files this Application in accordance with the rules adopted by the FCC in the *2012 Lifeline Reform Order*. *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 Nos. 11-42 and 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012) ("*2012 Lifeline Reform Order*").

[4] Ga. Comp. R. & Regs. R. 515-12-1-.35 (2021).

Georgia. Grant of this Application, moreover, would advance the public interest because it would enable the Company to commence much needed Lifeline services to low-income Georgia residents as soon as possible. Accordingly, the Company respectfully requests that the Commission expeditiously approve this Application.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

Alison Minea
Vice President and Associate General Counsel
DISH Wireless L.L.C.
1110 Vermont Ave NW Ste. 450
Washington, DC 20005
(202) 463-3709
Alison.Minea@dish.com

II. COMPANY OVERVIEW

DISH Wireless L.L.C. is a Colorado limited liability company with a principal address at 9601 S. Meridian Blvd, Englewood, CO 80112. DISH Wireless provides, among other things, resold wireless telecommunications services operating in Georgia and other states, using the Gen Mobile brand name and other brand names.

DISH Wireless's parent company, DISH Network Corporation ("DISH Network"), is a connectivity company headquartered in Colorado that has served as a disruptive force in the pay-TV market since 1980. In 2020, DISH Wireless entered the retail wireless business by acquiring the Boost Mobile brand and in 2021, acquiring the Gen Mobile brand as well as other brands and customer assets. Now, using its own licensed wireless spectrum assets, DISH Wireless is building the nation's first virtualized, cloud-native, Open RAN-based 5G broadband network. To facilitate the buildout, DISH Wireless has entered into multi-year agreements with over 30 partners, including Mavenir, Amazon, Dell, CISCO, VM Ware, IBM, Oracle, Nokia, Fujitsu, MTI, Intel, Altiostar, Samsung, and Qualcomm. Because DISH Wireless is actively constructing

wireless facilities around the country, it is well positioned to identify opportunities to target buildouts in underserved areas.

Even as the 5G network is under construction, DISH Wireless has already been competing in the retail wireless space and is an approved provider in the Federal Communications Commission's Affordable Connectivity Program ("ACP"). Under the Gen Mobile and other brand names, DISH Wireless currently uses AT&T and T-Mobile wireless facilities to provide discounted mobile broadband service in all 50 states and the territories of Washington D.C. and Puerto Rico, including plans bundling voice, text messaging, and broadband service.[5] Available Gen Mobile plans include talk, text, and data at various data speeds under the ACP's monthly $30 subsidy for eligible consumers. DISH Wireless has an application for ETC designation pending with the FCC (for the states of Alabama, Connecticut, Delaware, Florida, New Hampshire, North Carolina, and the District of Columbia, including Tribal areas, the "Non-Jurisdictional States"). DISH Wireless is currently designated as a wireless ETC in Colorado, New York, and Oklahoma and authorized by the California Public Utilities Commission to provide California LifeLine service and plans to file for ETC status in other states over time.

DISH Wireless now seeks an ETC designation in Georgia so that it can (i) serve low-income Georgia customers, (ii) supplement the amount of support available to its current ACP customers, and (iii) invite new, underserved customers to benefit from Lifeline and other federal support programs. DISH Wireless's Lifeline-supported plans will be offered to prepaid customers under the Gen Mobile brand, a recognized and trusted provider in this market

[5] *See* 47 C.F.R. § 54.1802(b) ("a bundle of broadband internet access service along with fixed or mobile voice telephony service, text messaging service, or both" is an ACP-eligible plan).

segment. Gen Mobile prepaid wireless plans are affordable, easy to use, and attractive to low-income consumers, providing them with connectivity that has become indispensable to participating in 21st century society and opportunities. Gen Mobile customers can choose from several affordable prepaid calling plans and handsets and have access to high-quality, responsive customer service. Gen Mobile prepaid plans start as low as $10 per month and can be refilled at an estimated 10,000 retail locations nationwide.

III. THE COMMISSION HAS JURISDICTION OVER DESIGNATION OF WIRELESS ETCS

Section 214(e)(2) of the Act provides state public utility commissions with the primary responsibility for the designation of ETCs.[6] Under the Act, a state public utility commission, like the Commission, with jurisdictional authority over ETC designations must designate a common carrier as an ETC if the carrier satisfies the requirements of Section 214(e)(1). Therefore, the Commission has the authority to designate DISH Wireless as an ETC. As demonstrated below, DISH Wireless fulfills the federal and State requirements to be designated as an ETC in Georgia.

IV. THE COMPANY MEETS THE FEDERAL STATUTORY AND REGULATORY REQUIREMENTS FOR ETC DESIGNATION

An application for ETC designation in Georgia must meet specific federal statutory and regulatory requirements. As demonstrated below, DISH Wireless meets the requirements for ETC designation by the FCC pursuant to Section 214(e)(2) of the Communications Act. These include: (1) a certification that the applicant offers or intends to offer all services designated for support by the FCC pursuant to section 254(c) of the Communications Act; (2) a certification that the applicant offers or intends to offer the supported services on a common carrier basis either using its own facilities or a combination of its own facilities and/or resale of another

[6] 47 U.S.C. § 214(e)(2).

carrier's services; (3) a description of how the applicant advertises the availability of the supported services and the charges therefor using media of general distribution; (4) a detailed description of the geographic service area for which the applicant requests to be designated as an ETC; and (5) a certification that neither the applicant, nor any party to the application, is subject to a denial of federal benefits pursuant to the Anti-Drug Abuse Act of 1988.[7]

In addition, an applicant seeking designation as an ETC solely for the purpose of offering Lifeline service must: (1) certify that it will comply with the service requirements applicable to the support that it receives; (2) demonstrate its ability to remain functional in emergency situations; (3) demonstrate its ability to satisfy applicable consumer protection and service quality standards; and (4) demonstrate that it is financially and technically capable of providing Lifeline service.[8]

Finally, prior to designating a carrier as an ETC, the Commission must determine whether such designation is in the public interest.[9] When making a public interest determination, the Commission considers the benefits of increased consumer choice and the unique advantages and disadvantages of the applicant's service offerings.[10]

---

[7] 47 U.S.C. § 214(e)(1) and (5); 47 C.F.R § 54.201(d)(1) and (2); 47 C.F.R § 54.207(a).

[8] 47 CFR § 54.202(a). Section 54.202(a)(ii) requires carriers seeking ETC designation that is not limited to Lifeline service to submit a five-year plan that describes proposed improvements to the carrier's network throughout the proposed service area. Although DISH Wireless is not seeking high cost support in this Application, it is building out its 5G network in accordance with certain FCC-approved construction deadlines as described below.

[9] 47 U.S.C. §214(e)(6); 47 C.F.R. § 54.202(b).

[10] *See, e.g., Virgin Mobile ETC Designation Order in the States of Alabama, Connecticut, Delaware, New Hampshire and the District of Columbia*, WC Docket 09-197, Order, 25 FCC Rcd 17797, 17799, ¶ 6 (WCB 2010)..

A. DISH Wireless Is a Common Carrier

DISH Wireless provides, among other things, commercial mobile radio services (CMRS) that are regulated pursuant to the common carrier requirements of the Communications Act.[11] Accordingly, the Company meets the common carrier requirement for ETC designation pursuant to Section 214(e)(1) of the Act and Section 54.201(d) of the FCC's rules.

B. DISH Wireless Will Offer the Services Supported by Federal Universal Service

Pursuant to Section 54.101(a) of the FCC's rules, DISH Wireless' voice service provides the following: (1) voice grade access to the public switched network or its functional equivalent; (2) minutes of use for local service at no additional charge to end users; (3) access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and (4) toll limitation services to qualifying low-income consumers.[12] As defined in Section 8.1(b) of the FCC's rules, DISH Wireless also provides broadband internet access service to consumers.[13]

C. DISH Wireless Will Offer the Services Designated for Support Using a Combination of Its Own Facilities and Resale

DISH Wireless, through the Gen Mobile brand, offers the supported services - voice telephony service and broadband Internet access service - meeting the standards set in the FCC's

[11] *See* 47 U.S.C. § 153(11) (defining a common carrier as "any person engaged as a common carrier for hire, in interstate or foreign communications by wire or radio . . . ."; 47 U.S.C. §332 (c)(1)(A) (treating commercial mobile service providers as common carriers).

[12] 47 C.F.R. § 54.101(a); *see also* 47 U.S.C. § 214(e)(1)(A).

[13] *See* 47 C.F.R. § 8.1(b).

rules.[14] DISH Wireless is currently providing and will provide mobile voice, text messaging, and broadband services to low-income consumers. The various Lifeline service plans that will be available to qualifying low-income Georgia residents are described in Exhibit 2.

In general, Section 214 requires ETCs to provide services using their facilities, at least in part. DISH Wireless is in a unique position to increase wireless competition and serve low-incomer consumers. Gen Mobile service plans are currently supported by AT&T and T-Mobile's networks. This will allow DISH Wireless to immediately introduce new Lifeline options for Georgia consumers as soon as the Commission approves this Application. At the same time, DISH Wireless is building out an advanced nationwide 5G network of its own. The Company recently launched 5G broadband service in over 130 cities (including in Georgia) and currently offers service to more than 20 percent of the U.S. population.[15] In areas of Georgia where service on DISH Wireless's own network is not yet available or where DISH Wireless does not yet offer Lifeline products on its own network, DISH Wireless will provide service on a resale basis on the networks of AT&T and/or T-Mobile. Accordingly, pursuant to 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.101(b), DISH Wireless will offer Gen Mobile-branded services that are designated for federal universal support using a combination of its own facilities and/or

[14] *See* 47 C.F.R. § 54.101(a). DISH Wireless's voice service provides voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers. *Id.*; *see also* 47 U.S.C. § 214(e)(1)(A). DISH Wireless also provides broadband Internet access service (as defined at 47 C.F.R. § 8.1(a)) to consumers.

[15] *See* DISH Press Release, DISH's Smart 5G™ Wireless Network is Now Available to Over 20 Percent of the U.S. Population, June 15, 2022. *See also* Applications of American H Block Wireless L.L.C., DBSD Corporation, Gamma Acquisition L.L.C., and Manifest Wireless L.L.C. for Extension of Time, *Order of Modification and Extension of Time to Construct*, DA 20-1072 WT Docket 18-197 (rel. Sept. 11, 2020).

resale of another carrier's services. A complete description of the Gen Mobile terms, conditions and rates applicable for supported services can be found at https://www.genmobile.com. Because DISH Wireless is deploying facilities-based wireless voice and broadband service in Georgia and other states, there is no need for DISH Wireless to obtain an approved FCC Compliance Plan in accordance with the *2012 Lifeline Reform Order*.[16]

D. DISH Wireless Will Provide Gen Mobile-Branded Service Throughout Its Designated Service Area

Pursuant to 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d), as an ETC, DISH Wireless will provide service in the same 50-state footprint, including the territories of Washington D.C. and Puerto Rico, where it currently offers ACP service – this includes the entire geographic boundary of the State of Georgia subject to coverage limits of underlying carriers and DISH Wireless' own network. Further, pursuant to 47 C.F.R. § 54.202(a)(1)(i), the Company commits to provide service throughout its proposed service area on a timely basis to all customers making a reasonable request for service where facilities are available. DISH Wireless requests ETC designation that is statewide in scope to allow the Company to provide Lifeline service wherever its underlying, facilities-based providers have wireless coverage. The current Georgia coverage footprint or service area by zip code is attached hereto as Exhibit 3.

E. The Company Will Advertise the Availability of Gen Mobile Services and Charges Using Media of General Distribution

Pursuant to 47 U.S.C. § 214(e)(1)(B) and 47 C.F.R. § 54.201(d)(2), the Company will advertise the availability of Gen Mobile-branded voice, text messaging, and broadband services through various marketing channels that may include direct mail, email, local and community outreach events, and targeted online electronic advertising. In addition, the availability of Gen

[16] *See 2012 Lifeline Reform Order*, ¶ 368.

Mobile Lifeline service will be publicized in ways that are reasonably designed to reach those who will likely qualify for the service. The Company's marketing efforts will be consistent with and in compliance with Commission rules. Samples of the Company's Lifeline advertising are attached hereto as Exhibit 5.

F. DISH Wireless Will Comply with Service Requirements Applicable to the Support It Receives.

Pursuant to 47 C.F.R. § 54.202(a)(1)(i), DISH Wireless will comply with the service requirements applicable to the supported services it will be offering in the identified service areas. Gen Mobile plans will be offered in Georgia initially by reselling AT&T and/or T-Mobile service, and in the future will be supported by DISH's own 5G network facilities when feasible. These providers' networks are operational and largely built out. Thus, the Company will be able to commence offering its Lifeline service to all locations served by its underlying carriers very soon after receiving approval from the Commission.

G. DISH Wireless Will Comply with Any Applicable Two-Year and Five-Year Plan Requirements

Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), 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. DISH Wireless is in a unique position, however, because it is constructing its own facilities-based 5G wireless network subject to FCC-approved buildout milestones, including having already deployed its 5G broadband service to 20% of the U.S. population on June 14, 2022 and scheduled to deploy in 70% of the U.S. population by June 14, 2023 and (using certain low-band spectrum) to 75% of the population of each Partial Economic Area by June 14, 2025. DISH Wireless commits to providing service consistent with the requirements of any other support mechanism pursuant to which it is authorized to receive support in the future.

H. Consumer Protection and Service Quality Standards

The Company commits to comply with all applicable consumer protection and service quality standards for universal service programs. As stated in 47 C.F.R. § 54.202(a)(3), a wireless applicant's commitment to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service ("CTIA Consumer Code") will satisfy this consumer protection and service quality requirement. DISH Wireless commits to fully complying with the CTIA Consumer Code.

I. Ability to Remain Functional During Emergencies

The Company's services are able to remain functional in emergency situations as required by 47 C.F.R. Section 54.202(a)(2). DISH Wireless's greenfield 5G network operates in a cloud-native environment that is not encumbered by traditional technology and will be more flexible and resilient in the event of service outages once the construction is complete. Currently, DISH Wireless relies on mobile virtual network operator (MVNO) partner networks that are designed to remain functional even without external power sources, are able to re-route traffic around damaged facilities, and can manage traffic spikes that may occur in emergency situations.

J. DISH Wireless Is Financially and Technically Capable

As part of the *2012 Lifeline Reform Order*, the FCC amended its rules to require a carrier seeking designation as a Lifeline-only ETC to demonstrate that it is financially and technically capable of providing the supported Lifeline service in compliance with all of the low-income program rules.[17] DISH Wireless satisfies these criteria.

[17] *See 2012 Lifeline Reform Order*, ¶ 387; *see also* 47 C.F.R. § 54.202(a)(4).

DISH Wireless is financially stable and capable of honoring its service obligations to customers,[18] as well as meeting its federal and state regulatory obligations. The Company will not rely exclusively on revenues from the provision of Lifeline services for its operating revenues. The Company also has access to additional capital resources from its parent and affiliate companies. The Company's financial resources position the Company to expand its operations to serve currently unserved/underserved eligible low-income Georgia consumers and increase competition.

In addition, the proposed Lifeline offerings will be overseen by a team of personnel with substantial industry experience with the requirements of the federal Lifeline program and marketing to the low-income consumer sector. Attached as Exhibit 4 is a current list of the Company's key personnel responsible for Gen Mobile-branded Lifeline offerings, with biographical information for each, showing that the Company has the expertise necessary to provide the services detailed herein.

K. Terms and Conditions of Proposed Lifeline Offering

The Company has the ability to provide all services supported by the universal service program, as detailed in 47 C.F.R. § 54.101(a), throughout Georgia. The Company further affirms that its Lifeline-supported voice services will meet or exceed the minimum service standards set forth in 47 C.F.R. § 54.408, including as such standards are updated going forward. Gen Mobile-branded Lifeline-supported broadband services will also meet the minimum service standards set forth in 47 C.F.R. § 54.408 for mobile broadband internet access services, including for service speed and data usage allowance, as such standards are updated going

[18] *See* Form 10-K of DISH Network Corporation, DISH Wireless's parent company, https://ir.dish.com/sec-filings/sec-filing/10-k/0001558370-22-001816.

forward. To the extent DISH Wireless provides devices for use with Lifeline-supported broadband service, such devices will meet the equipment requirements set forth in 47 C.F.R. § 54.408(f), and DISH Wireless will not impose an additional or separate tethering charge for mobile data usage below the minimum standard.

Attached hereto as Exhibit 2 is a summary table of the Company's proposed Lifeline service offerings, showing that Lifeline customers can receive 1,000 voice minutes, 1,000 text messages, and 4.5 gigabytes (GB) of data per month at a net cost of $0.00 after application of Lifeline support. Customers will also be able to purchase additional minutes or data as needed. In addition to wholly-supported or discounted wireless services, prepaid Lifeline customers will be able to receive an upgraded handset at an additional charge or SIM card offer, as well as access to voice mail, caller I.D., call forwarding, 3-way calling, and call waiting features at no additional charge. Customers may use their minutes to place domestic long-distance calls at no additional charge, and calls to the Company's customer service are free with no deduction of available minutes. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes.

L. Gen Mobile's Offerings Will Comply with Lifeline Certification and Annual Re-certification Requirements

Customers interested in obtaining information on the Lifeline program will be directed to a toll-free telephone number and to the Company's website, which will contain information regarding the Company's Lifeline service plans, including a description of the Lifeline program and eligibility criteria. DISH Wireless will use multiple outreach methods including but not limited to nonprofit partnerships, phone, online, and in person enrollments through Lifeline events. Section 54.410 of the FCC's rules requires ETCs to certify and verify a Lifeline customer's initial and continued eligibility. DISH Wireless will rely on the National Verifier and

the National Lifeline Accountability Database ("NLAD"), both administered by the Universal Service Administrative Company ("USAC"), to determine an applicant's eligibility for Lifeline service. DISH Wireless will require all Gen Mobile's Lifeline applicants to complete the standard Lifeline application forms in the National Verifier environment. The standard Lifeline application complies with the disclosure, certification, and information collection requirements in 47 C.F.R. § 54.410(d).[19]

For applicants verified as being eligible by USAC's National Verifier and NLAD, DISH Wireless will complete enrollment by transmitting the required information into NLAD as required by Section 54.404(b)(6) of the FCC's rules. In addition, at the time of enrollment, the Company will notify the applicant that the prepaid service must be personally activated by the subscriber and the subscriber must use their service every thirty (30) days in order to maintain their Lifeline benefit.

DISH Wireless will also comply with Sections 54.410(f) of the FCC's rules governing annual subscriber re-certification of eligibility and will coordinate with USAC's National Verifier and NLAD systems to manage additional de-enrollments related to USAC-administered benefit transfers and failure to re-certify.[20]

M. DISH Wireless Will Comply With All Regulations Imposed by the Commission

By way of this Application, DISH Wireless hereby declares its ability and goal to comply with all the rules and regulations that the Commission may lawfully impose upon the Company's

[19] *FCC Wireline Competition Bureau Provides Guidance on Universal Forms for the Lifeline Program*, WC Docket No. 11-42, Public Notice, "Wireline Competition Bureau Provides Guidance on Universal Forms for the Lifeline Program," DA 18-161 (rel. Feb. 20, 2018). The standard application/certification forms are available on USAC's website (*see* USAC, Lifeline Forms, http://www.usac.org/li/tools/forms/default.aspx).

[20] 47 C.F.R. §§ 54.405(e), 54.410(f).

provision of service contemplated by this Application, including any reporting requirements set by the Commission. DISH Wireless will answer any questions or present additional testimony and other evidence about its services within the state upon the Commission's request. In addition, DISH wireless promises to pass on all support received from the federal Universal Service Fund ("USF") to its qualified Lifeline customers.

N. Prevention of Waste, Fraud and Abuse

The Company recognizes the importance of safeguarding the USF, and has implemented measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. Gen Mobile Lifeline offerings will comply with the requirements of the NLAD and section 54.404 of the FCC's rules. As part of the application process, the National Verifier queries the NLAD for every enrollment to determine whether a prospective subscriber is currently receiving a Lifeline service from DISH Wireless or any other ETC, and whether anyone else living at the prospective subscriber's residential address is currently receiving Lifeline service.

Consistent with federal regulations, the Company will not seek USF reimbursement for new subscribers until they have activated the service, either by initiation and/or actual use of the service, and will de-enroll any subscriber that has not used the Company's Lifeline service as set forth in 47 C.F.R. § 54.407(c)(2). An account will be considered active if the authorized subscriber establishes usage, as "usage" is defined by 47 C.F.R. § 54.407(c)(2), during the specified timeframe, currently a period of thirty (30) days, or during the notice period set forth in 47 C.F.R. § 54.405(e)(3), currently a period of fifteen (15) days. In accordance with 47 C.F.R.§ 54.405(e)(3), DISH Wireless will provide the subscriber advance notice when a subscriber's failure to use the Lifeline service within the notice period will result in service termination for

non-usage. Customers that have been deactivated may participate in the Company's Lifeline service in the future by reapplying and re-establishing eligibility.

To further protect the integrity of the USF, DISH contracts with third party vendors to backstop USAC's own processes and procedures. First, the Company will use Emerios Enterprise Services Inc. ("Emerios") software to process Lifeline applications. Among other things, Emerios uses third-party verification sources (including the Lexis Nexis LEXID service) to validate a prospective customer's identity. Emerios also validates the Company's subsidy data to prevent duplicate subsidies. In addition, the Company has established a back-office real time review ("RTR") process to be completed before a Lifeline application is passed to the National Verifier to qualify a customer. This process involves specially trained operations analysts (who have no financial stake in whether an application is successful) individually confirming the information entered into the application and supporting documentation to, among other things, confirm the identities of the sales agent and the customer by reviewing pictures of them in real time during the application process and review the customer's identification and address for anomalies. DISH Wireless has hired experienced staff and a third party company to provide RTR for the Company's Lifeline enrollments. This third party company has substantial experience running RTR for other Lifeline providers.

V. DISH WIRELESS MEETS THE COMMISSION'S REQUIREMENTS FOR DESIGNATION AS AN ETC

An application for ETC designation in Georgia also must meet Georgia statutory and regulatory requirements.[21] These requirements include compliance to Georgia Compiled Rules

[21] *See* Ga. Code § 46-2-30 (2021).

and Regulations Rule 515-12-1-.35 and the Commission's orders and reporting requirements related to ETCs.

A. DISH Wireless Will Comply with Georgia Compiled Rules and Regulations Rule 515-12-1-.35

Rule 515-12-1-.35 of the Georgia Administrative Code sets forth the minimum requirements for ETCs that seek Lifeline support.[22] Rule 515-12-1-.35(1)-(9) provides the following:

> 1) An Eligible Telecommunications Carrier must meet the requirements set forth in 47 U.S.C. § 214(e)(1)(A) and (B) and all rules and regulations duly promulgated by the [FCC] set forth in 47 C.F.R. part 54, Subpart C (Carriers Eligible for Universal Service Support), Subpart D (Universal Service Support for High Cost Areas), or Subpart E (Universal Service Support for Low-Income Consumers), except to the extent the FCC has granted a waiver of its rules and regulations.
>
> 2) An Eligible Telecommunications Carrier shall satisfactorily resolve within a reasonable time period any and all complaints filed against it with the Commission's Consumer Affairs Unit.
>
> 3) An Eligible Telecommunications Carrier shall advertise the availability of Lifeline service on its internet website.
>
> 4) An Eligible Telecommunications Carrier shall not charge usage (i.e., decrement minutes) or charge fees of any kind for calls to customer service.
>
> 5) An Eligible Telecommunications Carrier shall file the number of Lifeline subscribers that the carrier serves in the State of Georgia as of June 30th and December 31st of each year, broken down by eligibility criterion. The report shall be filed 15 days from the close of the period.
>
> 6) An Eligible Telecommunications Carrier that provides no-cost service after application of the Lifeline discount shall file with the Commission quarterly reports, due no later than 15 days from the close of each quarter, that report the number of customers who have been deactivated pursuant to 47 C.F.R. § 54.405(e)(3), the number of customers who did not pass annual verification, and the number of customers who were voluntarily deactivated.
>
> 7) Lifeline materials including advertisements, application forms, and verification forms must include the following language: "Unresolved

[22] *Id*.

complaints concerning Lifeline service can be directed to the Georgia Public Service Commission's Consumer Affairs Unit at 404) 651-8600 and toll free in GA is 800) 869-1123."

8) Any proposed increases in an Eligible Telecommunications Carrier's least cost service rate available to Lifeline customers, any increase in connection charges, or the addition of any proposed surcharges, other than those specifically provided for in State or Federal law, shall require 30 days written notice to the Commission.

9) An Eligible Telecommunications Carrier shall include its lowest cost service offering in all Lifeline advertisements.

DISH Wireless will comply with each of the requirements of Rule 515-12-1-.35 applicable to wireless ETC services. DISH Wireless will resolve, within a reasonable period of time, any and all complaints filed against it with the Commission's Consumer Affairs unit. DISH Wireless also will advertise the availability of Lifeline service on its internet website as shown in Exhibit 5. DISH Wireless offerings will include unlimited local and interstate calling; therefore, no fees will be charged for calls to customer service. Lifeline service will be offered as required by the FCC's and the Commission's rules at all locations where it has been awarded support. DISH Wireless will offer Lifeline service as required by the FCC's and Commission's rules at all locations where it has been awarded support and submit the required filings. DISH Wireless will include the required language in its Lifeline materials and will comply with the Commission's rules. DISH Wireless will offer Lifeline service as required by the FCC's and Commission's rules at all locations where it has been awarded support. DISH Wireless will include its lowest cost service offering in all Lifeline advertisements.

B. DISH Wireless Will Comply with the Commission's Certification Requirement

The Commission has adopted the certification requirements of the FCC as stated in Rule 515-12-1-.35(10).[23] Rule 515-12-1-.35(10) provides the following:

[23] *See* Ga. Code § 46-2-30 (2021).

10) Under 47 C.F.R. § 54.314(a), the Commission submits to the Universal Service Administrative Company ("USAC") and the Federal Communications Commission ("FCC") an annual certification prior to October 1, of each year. The annual certification includes those carriers that have certified to the Commission that all federal high-cost support provided to such carriers within Georgia was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which support is intended. In order to be included in the annual certification that the Commission submits to USAC and the FCC for a given year, a carrier shall file its certification with the Commission on or before August 1, of that year.

DISH Wireless commits to complying with the ETC requirements for certification and will submit an annual certification on or before August 1 of each year to the Commission.

VI. DESIGNATING DISH WIRELESS AS AN ETC WOULD PROMOTE THE PUBLIC INTEREST

The Commission will advance the public interest by designating the Company as an ETC so that it can offer the Gen Mobile-branded Lifeline services. Americans increasingly need greater access to voice and broadband services, and low-income Georgia consumers in particular are suffering from the lack of affordable and available access. The Company is currently helping to close the gap by providing service under the ACP and stands ready to expand consumer choice and continue offering discounted services as a Lifeline ETC to customers who have come to rely on these benefits. In addition, because DISH Wireless is deploying a new facilities-based wireless 5G network throughout the country over the next several years, designating DISH Wireless as an ETC will improve its ability to apply for state broadband funding grants, should ETC designation be required, to increase service in underserved and unserved areas.

A. Advantages of Gen Mobile Lifeline Plans

Authorizing the Company as a Lifeline ETC in the State of Georgia will enable the Company to provide eligible low-income consumers with access to high quality mobile voice, text, and data services. This will increase those consumers' choices in service providers and

service options and make essential communications services more affordable and accessible to these consumers. Mobile services are overwhelmingly preferred by Lifeline-eligible consumers who may be able to afford only a single connection, may frequently change residences or places of employment, and may need the ability to communicate with prospective employers. Some of these individuals may be experiencing homelessness and rely upon Lifeline service as their single reliable source of connectivity. Lifeline services also ensure that consumers always have the ability to contact 911 emergency services should the need arise. The availability of a no-charge Lifeline service that includes voice minutes, texts, and data is an invaluable resource for consumers in these circumstances.

Gen Mobile Lifeline service plans provide meaningful options for low-income consumers because they offer low-cost, reliable alternatives to traditional rate plans. Among the Gen Mobile Lifeline offerings is a plan with 1,000 voice minutes, 1,000 texts, and 4.5 GB of data available to all qualifying low-income Georgia consumers for no cost, and a plan with unlimited voice minutes, unlimited texts and 11 GB of data available to residents of Tribal lands for no cost. Qualified Georgia consumers will have the choice to apply their Lifeline discount to existing Gen Mobile plans.

In addition, Gen Mobile Lifeline plans alleviate customer concerns regarding deposits, hidden costs, varying monthly charges, and long-term contract issues. Gen Mobile prepaid plans allow customers to subscribe to voice, text, and data services without the hurdle of a credit check or the commitment of a contract.

B. Benefits of Competitive Choice

Designating the Company as an ETC also meets the FCC's stated goals for promoting competition and increasing customer choice. The FCC has recognized that in non-rural areas,

designation of multiple ETCs is "consistent per se with the public interest."[24] In rural and high-cost areas, the FCC determined that "designation of competitive ETCs promotes competition and benefits consumers . . . by increasing customer choice, innovative services, and new technologies."[25] In the Lifeline context, the entry of additional providers increases competitive choice for lower-income customers who may not be the focus of wireless carriers' marketing efforts. Launching Gen Mobile Lifeline options in Georgia will add affordable, innovative mobile wireless choices to the marketplace, and could spur other ETCs to expand and improve their own Lifeline service offerings. Granting ETC designation to DISH Wireless will promote competition for the benefit of consumers and will have desirable effects upon the Georgia market for Lifeline services by making these services more available and accessible, thereby supporting the goals of universal service.

VII. ANTI-DRUG ABUSE CERTIFICATION

In accordance with section 5301 of the Anti-Drug Abuse Act of 1988, DISH Wireless certifies that no party to the Application is subject to denial of federal benefits, including FCC benefits.

VIII. CONCLUSION

Based on the foregoing, designation of DISH Wireless as an ETC in the State of Georgia accords with the requirements of Section 214(e)(2) of the Act and is in the public interest.

---

[24] *Federal-State Joint Board on Universal Service, Cellco Partnership d/b/a Bell Atlantic Mobile, Petition for Designation as an Eligible Telecommunications Carrier*, Memorandum, Opinion and Order, CC Docket No. 96-45, DA 00-2895, ¶ 14 (rel. Dec. 26, 2000).

[25] *See Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, Memorandum Opinion and Order, CC Docket No. 96-45, DA 00-2896, ¶ 17 (rel. Dec. 26, 2000).

WHEREFORE, DISH Wireless respectfully requests that the Commission designate DISH Wireless as an ETC in the State of Georgia for the purpose of participating in the Lifeline program.

Respectfully submitted,



Alison Minea
DISH Wireless L.L.C.

EXHIBIT 1: CERTIFICATION

State of California)
)
County of Los Angeles)

I, Robert Yap, the Vice President of Gen Mobile for DISH Wireless L.L.C. hereby state upon oath and affirmation of belief and personal knowledge that the matters, facts and statements set forth in the foregoing Application for Designation as an Eligible Telecommunications Carrier in the State of Georgia are true to the best of my knowledge and belief.

Robert Yap
Vice President of Gen Mobile
DISH Wireless L.L.C.

Dated: March 2, 2023

EXHIBIT 2: PROPOSED LIFELINE PLANS

Subsidy Amount ($)	Subsidy Type	Gen Mobile Lifeline Plan Offering
9.25	Lifeline (Federal)	1,000 minutes of talk/voice, 1,000 text, and 4.5 GB of data
34.25	Lifeline (Federal and Tribal)	Unlimited talk & text, 11 GB of data

EXHIBIT 3: GEORGIA SERVICE AREA

30002	30047	30096	30139	30204
30004	30052	30097	30141	30205
30005	30054	30101	30143	30206
30008	30055	30102	30144	30213
30009	30056	30103	30145	30214
30011	30058	30104	30147	30215
30012	30060	30105	30148	30216
30013	30062	30106	30149	30217
30014	30063	30107	30152	30218
30016	30064	30108	30153	30220
30017	30066	30110	30157	30222
30019	30067	30111	30161	30223
30021	30068	30113	30165	30224
30022	30069	30114	30168	30228
30024	30071	30115	30170	30230
30025	30072	30116	30171	30233
30028	30075	30117	30173	30234
30030	30076	30118	30175	30236
30032	30078	30119	30176	30238
30033	30079	30120	30177	30240
30034	30080	30121	30178	30241
30035	30082	30122	30179	30248
30038	30083	30124	30180	30251
30039	30084	30125	30182	30252
30040	30087	30126	30183	30253
30041	30088	30127	30184	30256
30043	30090	30132	30185	30257
30044	30092	30134	30187	30258
30045	30093	30135	30188	30259
30046	30094	30137	30189	30260

30263	30313	30401	30461	30535
30265	30314	30410	30467	30536
30268	30315	30411	30470	30537
30269	30316	30412	30471	30538
30272	30317	30413	30473	30540
30273	30318	30415	30474	30541
30274	30319	30417	30477	30542
30276	30322	30420	30501	30543
30277	30324	30421	30504	30545
30281	30326	30425	30506	30546
30285	30327	30426	30507	30547
30286	30328	30427	30510	30548
30288	30329	30428	30511	30549
30290	30331	30434	30512	30552
30291	30332	30436	30513	30553
30292	30334	30438	30516	30554
30293	30336	30439	30517	30555
30294	30337	30441	30518	30557
30295	30338	30442	30519	30558
30296	30339	30445	30520	30559
30297	30340	30446	30521	30560
30303	30341	30450	30522	30563
30304	30342	30451	30523	30564
30305	30344	30452	30525	30565
30306	30345	30453	30527	30566
30307	30346	30454	30528	30567
30308	30349	30455	30529	30568
30309	30350	30456	30530	30571
30310	30354	30457	30531	30572
30311	30360	30458	30533	30573
30312	30363	30460	30534	30575

30576	30655	30738	30833	31029
30577	30656	30739	30901	31030
30582	30660	30740	30904	31031
30598	30662	30741	30905	31032
30601	30663	30742	30906	31033
30602	30666	30746	30907	31035
30605	30667	30747	30909	31036
30606	30668	30750	30912	31037
30607	30669	30752	31001	31038
30609	30673	30753	31002	31041
30619	30677	30755	31005	31042
30620	30678	30757	31006	31044
30621	30680	30802	31007	31045
30622	30683	30803	31008	31046
30623	30701	30805	31009	31047
30624	30705	30807	31011	31049
30625	30707	30808	31012	31050
30627	30708	30809	31014	31052
30628	30710	30810	31015	31054
30629	30711	30813	31016	31055
30630	30720	30814	31017	31057
30631	30721	30815	31018	31058
30633	30725	30816	31019	31060
30634	30726	30817	31020	31061
30635	30728	30818	31021	31062
30641	30730	30820	31022	31063
30642	30731	30821	31023	31064
30643	30733	30823	31024	31065
30646	30734	30824	31025	31066
30648	30735	30828	31027	31068
30650	30736	30830	31028	31069

31070	31220	31411	31550	31632
31071	31301	31415	31551	31634
31072	31302	31419	31552	31635
31075	31303	31421	31553	31636
31076	31305	31501	31554	31637
31077	31308	31503	31555	31638
31078	31309	31510	31557	31639
31079	31312	31512	31558	31641
31081	31313	31513	31560	31642
31082	31314	31516	31561	31643
31083	31315	31518	31562	31645
31085	31316	31519	31563	31647
31087	31318	31520	31565	31648
31088	31320	31522	31566	31649
31089	31321	31523	31567	31650
31090	31322	31524	31568	31698
31091	31323	31525	31569	31699
31092	31324	31527	31599	31701
31093	31326	31532	31601	31704
31094	31327	31533	31602	31705
31096	31328	31535	31605	31707
31097	31329	31537	31606	31709
31098	31331	31539	31620	31711
31201	31401	31542	31622	31712
31204	31404	31543	31623	31714
31206	31405	31544	31624	31716
31207	31406	31545	31625	31719
31210	31407	31546	31626	31720
31211	31408	31547	31629	31721
31216	31409	31548	31630	31722
31217	31410	31549	31631	31730

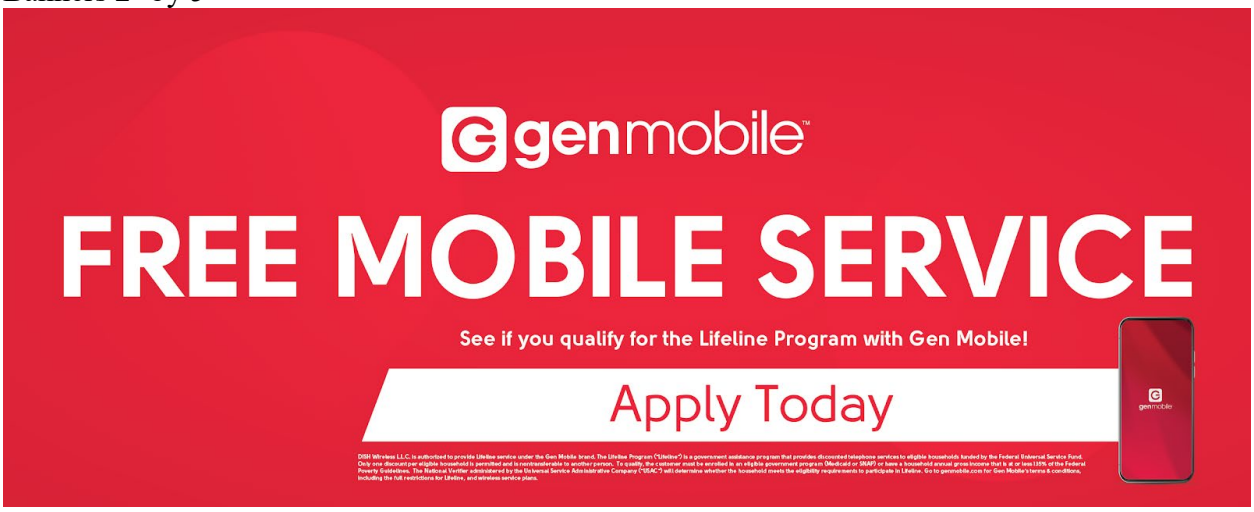
31733	31780	31807	31901	39837
31735	31781	31808	31903	39840
31738	31783	31811	31904	39841
31743	31784	31812	31905	39842
31744	31787	31815	31906	39845
31749	31788	31816	31907	39846
31750	31789	31820	31909	39851
31756	31790	31821	39813	39854
31757	31791	31822	39815	39859
31763	31792	31823	39817	39861
31764	31793	31824	39819	39862
31765	31794	31825	39823	39866
31768	31795	31826	39824	39867
31771	31796	31827	39825	39870
31772	31798	31829	39826	39877
31773	31801	31830	39827	39886
31774	31803	31831	39828	39897
31775	31804	31832	39829	
31778	31805	31833	39834	
31779	31806	31836	39836	

EXHIBIT 4: SAMPLE ADVERTISEMENT

Buckslips 3.5” by 9.5”



Banners 2’ by 5’



Webpage Copy

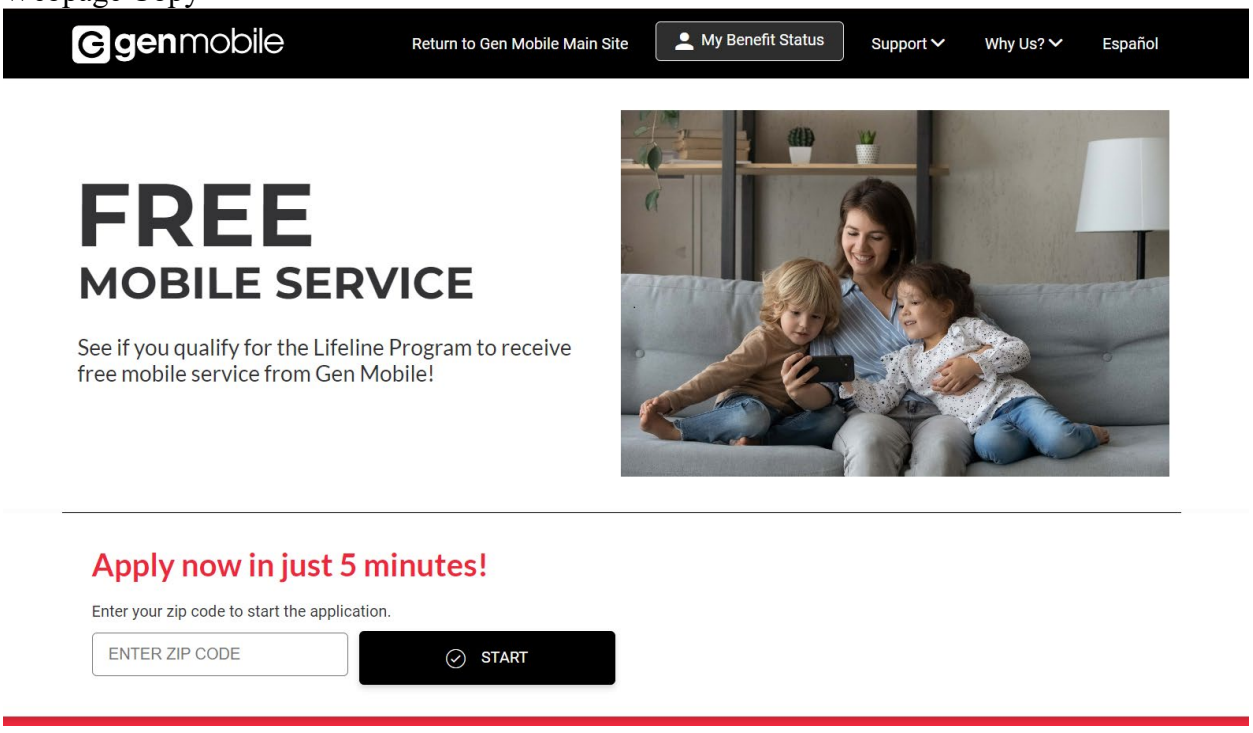


EXHIBIT 5: KEY PERSONNEL BIOS

Robert Yap, VP of Gen Mobile, a DISH Wireless L.L.C. brand, has over 20 years of telecommunication experience. Mr. Yap was an executive at several telecommunications companies (wireless, CLEC, and calling cards), including at Gen Mobile, Inc. where he was a founder, and was a corporate attorney at McDermott, Will & Emory. From 2015 to 2017, he was the President of TruConnect Communications, Inc., a nationwide wireless Lifeline Provider with over 500,000 customers during his tenure. In 2018, Mr. Yap and his fellow executives founded Gen Mobile, Inc. (later acquired by DISH Wireless L.L.C.), to provide consumers affordable wireless service options and to help bridge the digital divide for the 30% of Americans that have limited access to the internet. He hopes to provide the same in the State of Georgia with Gen Mobile as the head of the brand under DISH Wireless.

Mr. Yap also has served on several nonprofit boards including as chairman of the Asian Pacific Community Fund ("APCF"), a non-profit that has raised over $5,000,000 for distribution to non-profits that serve communities in Los Angeles, and as a current board member of Center for Asian Americans United for Self-Empowerment ("CAUSE"), a non-profit dedicated to politically empowering the Asian Pacific American community. He also held leadership positions at Project by Project and the National Asian Pacific American Bar Association, and served in AmeriCorps at Public Allies Chicago.

Mr. Yap received his B.A. in Economics from Northwestern University and his J.D., with honors, from George Washington University School of Law.

Anthony Lombardo, Director and Head of Finance for Gen Mobile, is an experienced Finance and M&A professional. Prior to joining Gen Mobile, he worked with various early stage and venture backed start-ups as well as servicing private equity and strategic clients with buy-side and sell-side transaction support. He has experience supporting clients with needs in the CFO suite and finance operations and started his career at PricewaterhouseCoopers where he spent 13 years in both the audit and transaction support groups. Mr. Lombardo served as CFO at Gen Mobile, Inc. and is now the head of finance for the Gen Mobile brand.

Mr. Lombardo received his Bachelor of Science in Economics from The Wharton School at the University of Pennsylvania and his Master of Business Administration from the UCLA Anderson School of Management. Mr. Lombardo is also a licensed CPA (inactive) in the state of California.

Jennifer Lin, Head of Marketing, Gen Mobile, is a marketing and market research professional. She previously worked in market research at Farmers Insurance and was part of the team that launched online health insurance broker, HealthInsurance.com. Mr. Lombardo served as CFO at Gen Mobile, Inc. and is now the head of finance for the Gen Mobile brand.

Ms. Lin received her Bachelor's degree from the University of California, Los Angeles and her M.P.H. from Boston University.

Jose Andrade, Head of Operations, Gen Mobile, has over 15 years of operational management experience at wireless telecommunications companies including from 2015-2018 as Director of Operations at TruConnect, a wireless Lifeline Provider with over 500,000 customers and from 2018-2021 as Director of Operations at Gen Mobile, Inc. His experience includes PMO leadership, customer service management, business optimization, data analysis, and leadership development. Mr. Andrade is responsible for day-to-day operations at Gen Mobile.

Mr. Andrade received his Business degree from the California State University-Los Angeles.

Sola Lee, Senior Corporate Counsel, Gen Mobile, has over 10 years of legal experience including as Counsel from 2015 to 2017 at TruConnect, a wireless Lifeline Provider with over 500,000 customers and from 2018-2021 at Gen Mobile, Inc. She was responsible for legal, regulatory, and compliance functions at TruConnect and Gen Mobile. Ms. Lee is the lead counsel for the Gen Mobile brand.

Ms. Lee graduated with a Bachelor's degree from the University of California, Davis and with a J.D. from the University of Oregon.

Vincent Buongiovanni, Head of Sales Operations – ACP/Lifeline, Gen Mobile, has over 10 years of experience in the wireless telecommunications industry, including managing the sales, operations, and compliance of Assurance Wireless's Affordable Connectivity Program and Lifeline Program nationwide, specifically managing the field agents used by the service provider. He also served as interim Director of Wireless at Assurance during the acquisition of Sprint by T-Mobile and is part-time police officer in Hi-Nella, New Jersey. Mr. Buongiovanni is in charge of the sales operations for ACP and Lifeline program for the Gen Mobile brand at DISH Wireless.