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Providence, RI 02903-2319

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hinckleyallen.com

**Robin L. Main**  
rmain@hinckleyallen.com  
Direct Dial: 401-457-5278

April 10, 2023

**Via Electronic Mail and First Class Mail**

Luly E. Massaro, Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, Rhode Island 02888

**Re: Petition of Dish Wireless L.L.C.**

Dear Ms. Massaro:

On behalf of DISH Wireless L.L.C., enclosed for filing in the above-referenced matter is an original and nine copies of the following:

- Petition of Dish Wireless L.L.C. for Designation as an Eligible Telecommunications Carrier in the State of Rhode Island for the Limited Purpose of Offering Lifeline Service to Qualified Households;
- Exhibits the Petition;
- Statement of Business Operations.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in blue ink that reads 'Robin L. Main'.

Robin L. Main

RLM/emh  
Enclosures

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION  
PUBLIC UTILITIES COMMISSION**

**TELECOMMUNICATIONS SERVICE SUPPLIER (CLASS II) REGISTRATION**

**FOR**

**DISH Wireless L.L.C. d/b/a Gen Mobile**

**1. Statement of Business Operations**

- a. Corporate name, complete address, telephone/fax numbers, e-mail address:

DISH Wireless L.L.C. dba Gen Mobile  
1110 Vermont Ave NW Ste. 450  
Washington, DC 20005  
Telephone: (202) 463-3709  
E-mail: [Alison.Minea@dish.com](mailto:Alison.Minea@dish.com)

- b. Local company name, complete address, telephone/fax numbers, email address:

DISH Wireless L.L.C. dba Gen Mobile  
P.O. Box 1187  
Gardena, CA 90249  
Telephone: (800) 378-7127  
E-mail: [genmobilelegal@dish.com](mailto:genmobilelegal@dish.com)

- c. Business locations:

Please see response to 1(b).

- d. Service agent, complete address, telephone/fax numbers, e-mail address:

Timothy A. Messner  
9601 S. Meridian Blvd.  
Englewood, CO 80112  
Telephone: (800) 378-7127  
E-mail: [genmobilelegal@dish.com](mailto:genmobilelegal@dish.com)

- e. Attorney of record, complete address, telephone/fax numbers, e-mail address:

Robin L. Main  
Hinckley, Allen & Snyder LLP  
100 Westminster Street, Suite 1500

Providence, RI 02903-2319  
Telephone: (401) 457-5278  
E-mail: [rmain@hinckleyallen.com](mailto:rmain@hinckleyallen.com)

- f. Corporate officers and major stockholders or partners holding a ten percent or greater equity interest:

The following responses apply to DISH Network Corporation, that wholly owns and is the ultimate parent company of DISH Wireless L.L.C. (“DISH Wireless” or the “Company”):

Corporate Officers:

Charlie Ergen  
James DeFranco  
John Swieringa  
Timothy A. Messner  
David Mayo  
Marc Rouanne

Shareholders ( $\geq 10\%$ ):

Charlie W. Ergen  
Cantey M. Ergen  
Dodge & Cox

- g. General description of operations:

DISH Wireless, using its own licensed wireless spectrum assets, is building the nation’s first virtualized, cloud-native, Open RAN-based 5G broadband network. To facilitate the buildout, the Company entered into multi-year agreements with over 30 partners. Under the Gen Mobile and other brand names, DISH Wireless utilizes AT&T and T-Mobile wireless facilities to provide mobile broadband service. DISH Wireless is an approved provider in the Federal Communications Commission’s Affordable Connectivity Program.

- h. Description, in detail, of the customers service organization to be employed in serving carriers and end users:

Customer care for the Gen Mobile brand is managed by Hugo Sanchez and the the call center which may be contacted nationwide for questions, shooting trouble, and complaints via a toll-free number at (833) 528-1380 or 611 from a Gen Mobile-brand phone.

Office hours for customer care is daily from 9:00 AM to 5:30 PM Pacific Standard Time. After hours and on holidays, customers will be automatically forwarded to an answering service.

Customer may pose any inquiries or disputes directly to the Registrant for resolution. Written communication should be directed to the Registrant's Customer Care department. DISH Wireless will investigate an inquiry or dispute and report the findings to the customer. If the customer is not satisfied with the Registrant's resolution, the customer may refer the matter to the Rhode Island Public Utilities Commission for final determination.

- i. Customer service contact, complete address, telephone/fax numbers, e-mail address:

Hugo Sanchez  
P.O. Box 1187  
Gardena, CA 90249  
Telephone: (800) 378-7127 ext. 714  
E-mail: [genmobilecare@dish.com](mailto:genmobilecare@dish.com)

- j. Regulatory contact person, complete address, telephone/fax numbers, e-mail address:

Alison Minea  
Vice President and Associate General Counsel  
DISH Wireless L.L.C.  
1110 Vermont Ave., NW, Ste 450  
Washington, DC 20005  
Telephone:  
E-mail: [Alison.Minea@dish.com](mailto:Alison.Minea@dish.com)

Robin L. Main  
Hinckley, Allen & Snyder LLP  
100 Westminster Street, Suite 1500  
Providence, RI 02903-2319  
Telephone: (401) 457-5278  
E-mail: [rmain@hinckleyallen.com](mailto:rmain@hinckleyallen.com)

- k. Company web site URL, if applicable:

<https://www.genmobile.com>

**2. Registrant's evidence of authorization from the Rhode Island Secretary of State:**

Attached as Exhibit 1.

**3. Registrant's Financial Statement:**

Attached as Exhibit 2.

**4. Registrant's Tariff:**

Attached as Exhibit 3.

## **LIST OF EXHIBITS**

**Exhibit 1 – Secretary of State Authorization**

**Exhibit 2 – Financial Statement**

**Exhibit 3 – Proposed Tariff**

**EXHIBIT 1: SECRETARY OF STATE AUTHORIZATION**

(See attached.)



State of Rhode Island and Providence Plantations  
**Department of State - Business Services Division**

RECEIVED  
 SECRETARY OF STATE  
 CORPORATIONS DIV  
 2019 JAN 25 PM 12:21

**Application for Registration**  
**FOREIGN Limited Liability Company**  
 → Filing Fee: \$150.00

Pursuant to the provisions of RIGL 7-16-49, the undersigned foreign limited liability company hereby applies for a Certificate of Registration to transact business in the state of Rhode Island, and for that purpose submits the following statement:

1. The name of the limited liability company is:		
<b>Kings Peak Wireless L.L.C.</b>		
Is this company organized in its state or country of formation as a low-profit limited liability company? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
The name, if different, under which it proposes to register and transact business in Rhode Island is:		
2. The LLC is organized under the laws of: <b>CO</b>		
3. The date of its organization is: <b>10/27/2016</b>		
And the period of its duration is: CHECK ONLY ONE BOX		
<input checked="" type="checkbox"/> Perpetual (on-going)		
<input type="checkbox"/> Date certain for dissolution _____		
4. The name and address of the resident agent/office in Rhode Island is:		
Agent Name <b>Corporation Service Company</b>		
Street Address (NOT a P.O. Box) <b>222 Jefferson Boulevard, Suite 200</b>		
City/Town <b>Warwick</b>	State <b>RHODE ISLAND</b>	Zip Code <b>02888</b>
5. The Department of State is appointed the agent of the foreign limited liability company for service of process if at any time there is no resident agent or if the resident agent cannot be found or served following the exercise of reasonable diligence.		
6. The address of any office required to be maintained in the state or other jurisdiction under the laws of which the limited liability company is organized is:		
<b>9601 S. Meridian Blvd., Englewood, CO 80112</b>		

**MAIL TO:**  
 Division of Business Services  
 148 W. River Street, Providence, Rhode Island 02904-2815  
 Phone: (401) 222-3040  
 Website: www.sos.ri.gov

**FILED**

JAN 25 2019

BY **R. M. J. A. K.**  
 12/21



7. The mailing address for the limited liability company is:

PO Box 6655  
Englewood, CO 80155

8. Management of the Limited Liability Company:

The limited liability company is managed:

By its members (If you have checked this box, go to Section 9. (DO NOT fill out the chart below.)

By one (1) or more managers (List managers below)

MANAGER	ADDRESS

9. This application is accompanied by a Certificate of Good Standing/Letter of Status issued by the proper officer of the state or country under the laws of which it is formed that is dated within 60 days of the filing of this document.

10. Date when this application for Certificate of Registration will be effective: **CHECK ONLY ONE BOX**

Date received (Upon filing)

Later effective date (Date must be no more than 30 days from the day of filing) \_\_\_\_\_

*Under penalty of perjury, I declare and affirm that I have examined this Application for Registration, including any accompanying attachments, and that all statements contained herein are true and correct.*

Type or Print Name of LLC

Kings Peak Wireless L.L.C.

Date

11/21/2019

Signature of Authorized Person



OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Kings Peak Wireless L.L.C.

is a

Limited Liability Company

formed or registered on 10/27/2016 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20161734553 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 01/22/2019 that have been posted, and by documents delivered to this office electronically through 01/24/2019 @ 07:19:23 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 01/24/2019 @ 07:19:23 in accordance with applicable law. This certificate is assigned Confirmation Number 11348052 .



*Jena Griswold*

Secretary of State of the State of Colorado

.....End of Certificate.....  
Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



State of Rhode Island and Providence Plantations  
**Department of State | Office of the Secretary of State**  
**Nellie M. Gorbea**, *Secretary of State*

I, NELLIE M. GORBEA, Secretary of State of the State of Rhode Island and Providence Plantations, hereby certify that this document, duly executed in accordance with the provisions of Title 7 of the General Laws of Rhode Island, as amended, has been filed in this office on this day:

January 25, 2019 12:21 PM

A handwritten signature in blue ink, appearing to read "Nellie M. Gorbea". The signature is fluid and cursive, written in a professional style.

Nellie M. Gorbea  
*Secretary of State*



## **EXHIBIT 2: FINANCIAL STATEMENT**

Form 10-K of DISH Network Corporation, DISH Wireless' parent company,  
<https://ir.dish.com/node/34501/html>.

### **EXHIBIT 3: PROPOSED INFORMATIONAL TARIFF**

This tariff contains a general description of and the rates applicable to the furnishing of Lifeline service by DISH Wireless L.L.C. dba Gen Mobile (“Gen Mobile”) within the State of Rhode Island. Gen Mobile’s provision of service within the State of Rhode Island will be subject to the Terms of Service agreement including the general and Lifeline terms and conditions by and between the customer and Gen Mobile.

#### **I. Lifeline Service**

##### **a. General**

1. The Lifeline Program (“Lifeline”) is a government assistance program that provides discounted telephone services to eligible households funded by the Federal Universal Service Fund. A household means adults and children who are living together at the same address as one economic unit.
2. Only one discount per eligible household is permitted and is nontransferable to another person. The discount is limited to a single, primary residential address. Consumer cannot have this discount from multiple carriers at the same time.
3. Gen Mobile provides toll limitation at no charge to all qualifying low-income consumers at the time such consumers subscribe to Lifeline service.
4. Service connection charges do not apply to change existing service to or from Lifeline service. For new service, Gen Mobile may charge an activation fee.

##### **b. Eligibility Requirements**

1. Lifeline service is restricted to qualified low-income consumers who reside within those areas in which Gen Mobile has been designated as an Eligible Telecommunications Carrier (“ETC”). Lifeline is limited to a single residential telephone line per household to a single primary residential address.
2. The applicants must certify that their annual gross income is at or less than 135% of the Federal Poverty Guidelines, that they are an eligible resident of Tribal lands, if applicable, or participate in, or have an individual or someone in the applicant’s household to be enrolled in one of the following public assistance programs:
  - Medicaid
  - Supplemental Nutrition Assistance Program (SNAP)
  - Supplemental Security Income (SSI)

- Federal Public Housing Assistance (FPHA)
  - Veteran’s Pension and Survivors Benefit
3. Eligible residents of rural Tribal lands qualify for an additional federal Lifeline service support of \$25.00 per month applied to the monthly service rate, and may qualify for such support under the eligibility criteria set forth above, or under one of the following assistance programs:
    - Bureau of Indian Affairs General Assistance
    - Head Start (only households meeting the income qualifying standard)
    - Tribal Temporary Assistance for Needy Families (Tribal TANF)
    - Food Distribution Program on Indian Reservations
  4. The applicant must show proof of participation in the program(s) or income.
  5. Consumers may apply for Lifeline by following the instructions available at <https://ripuc.ri.gov/utility-information/telecommunications/federal-rules>.
  6. Consumers within Gen Mobile’s service area may apply for Lifeline with Gen Mobile. Gen Mobile will confirm eligibility by accessing available databases, or applicants will be required to submit documentation of eligibility to Gen Mobile.
  7. To continue to receive the Lifeline discount, subscriber must use their Lifeline service once every thirty (30) days and re-certify annually to USAC that subscriber is qualified to continue participation in Lifeline. Noncompliance of the foregoing, subscriber will lose the Lifeline discount and may be subject to regular retail rates.

**c. Lifeline Service Plans**

1. All Lifeline plans will have at least 1,000 voice minutes and text messages and 4.5 GB of data. No termination fee will be assessed if the subscriber discontinues Lifeline services. If the subscriber no longer qualifies for Lifeline or are receiving more than one (1) discount, subscriber must contact Gen Mobile Customer Care or Rhode Island Public Utilities Commission (the “Commission”) within thirty (30) days of such event. Failure to notify Gen Mobile or the Commission will result in penalties.
2. Lifeline Wireless Service Plans

<b>Gen Mobile Lifeline Wireless Service Plans</b>	<b>Lifeline (Basic)</b>	<b>Lifeline (Tribal)</b>
Minutes Included	1,000	Unlimited
Texts Included	1,000	Unlimited
Data Included	4.5 GB	11 GB
Cost of excess minutes	\$5 for 500 minutes	N/A as plan is unlimited
Cost of excess data	\$10 for 1 GB	\$10 for 1 GB

Other features applicable to the plans:

Fee for calling 411	No added charges.
Fee for calling directory assistance	No added charges.
Restocking Fee	None
Deposit	None
Early Termination Fee	None
Nationwide Domestic Long Distance	No added charge.
Caller ID	No added charge.
Call Waiting	No added charge.
Call Forwarding	No added charge.
Voicemail	No added charge.
3-Way Calling	No added charge.
Rollover Unused Minutes/Text Option	N/A
Contract Needed <sup>1</sup>	No minimum term.
Credit Check Needed	No
Fee for calling 911	None
Fee for calling 611 (customer care)	None
Fee for calling N11 special service numbers (211, 311, 511, 711, and 811)	None

<sup>1</sup> Standard terms and conditions apply to service.