



**STATE OF RHODE ISLAND
DIVISION OF PUBLIC UTILITIES & CARRIERS**

89 Jefferson Boulevard
Warwick R.I. 02888
TDD (401) 941-4500
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June 8, 2023

Luly Massaro, Clerk
Public Utilities Commission
89 Jefferson Blvd
Warwick, RI 02888

Re: Docket No. 23-13-TL

Dear Ms. Massaro,

Attached for filing with the Public Utilities Commission in the above-entitled matter, please find a Memorandum from Division of Public Utilities and Carriers.

Very truly yours,

Leo J. Wold

Leo J. Wold
Chief of Legal Services, DPUC

cc: Service List



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Memorandum

To: Rhode Island Public Utilities Commission

From: Rhode Island Division of Public Utilities and Carriers
By: Leo J. Wold, Esq.

Re: Docket No. 23-13-TL

Date: June 8, 2023

CC: Linda George, Esq., Administrator
John Spirito, Esq., Deputy Administrator
Christy Hetherington, Esq., Chief Legal Counsel

On April 10, 2023, DISH Wireless L.L.C. (“Petitioner”) filed a Petition for Designation as an Eligible Telecommunications Carrier in the State of Rhode Island for the Limited Purpose of Offering Lifeline Service to Qualifying Customers (“Petition”) pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”). Petitioner seeks an ETC designation in Rhode Island to serve low-income Rhode Island customers, including those residing on Tribal lands, to supplement the amount of support available to its current Affordable Connectivity Program customers, and to invite new, underserved customers to benefit from Lifeline and other federal support programs.¹ According to Petitioner, its Lifeline service plans “provide meaningful options for low-income consumers because they offer low-cost, reliable alternatives to traditional rate plans.”² Petitioner avers “[g]ranting ETC designation will promote competition for the benefit of consumers, including those residing on Tribal lands, and will have desirable effects upon the Rhode Island market for Lifeline services by making these services more available and accessible, thereby supporting the goals of universal service.”³

¹ Petition at 4.

² *Id.* at 17.

³ *Id.* at 18.

On May 16, 2023, the Division of Public Utilities and Carriers (“Division”) issued a set of data requests to the Petitioner. On May 17, 2023, the Commission approved the application for registration as a Class II telecommunications service supplier of “DISH Wireless L.L.C. d/b/a Gen Mobile.”⁴ Petitioner responded to the Division’s discovery on May 31, 2023. In its discovery responses, Petitioner clarified that “DISH Wireless L.L.C.” is the legal name of Petitioner, and that “DISH Wireless L.L.C. d/b/a Gen Mobile” – the name in which Petitioner is registered as a Class II telecommunications service supplier – simply adds the fictitious business name that Petitioner will utilize to provide Lifeline services in Rhode Island.⁵ Accordingly, the pending petition satisfies the requirement that Petitioner is an “authorized telecommunications carrier under the laws of the State of Rhode Island” and “has filed the applicable Application Package with the Division.”⁶

The Division has reviewed the Petition and the Petitioner’s discovery responses for compliance with federal law as well as the *Rules*. Based on its review, the Division recommends that the Commission grant the Petition.

⁴ *Application for Authority to Provide Local Telecommunication Services Filed by DISH Wireless, L.L.C. d/b/a Gen Mobile*, Docket No. 23-12-TL, Order No. 24657 (May 17, 2023).

⁵ Petitioner Response to Div 1-1 (a) & (c).

⁶ Rule 3.4(A)(1), *Rules and Regulations Governing Certification and Verification Procedures for Telecommunications Carriers Eligible to Receive Payments from the Federal Universal Service Fund (810-RICR-20-00-3)* (“Rules”).