

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application of)	
NORTH AMERICAN LOCAL, LLC,)	
for designation as a wireless eligible)	Case No. U-20053
telecommunications carrier in the state of Michigan.)	
_____)	

At the March 15, 2018 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner
Hon. Rachael A. Eubanks, Commissioner

ORDER

On January 30, 2018, North American Local, LLC (North American) filed an application pursuant to Section 214(e)(2) of the federal Communications Act of 1934, 47 USC 214(e)(2), for designation as an eligible telecommunications carrier (ETC) for access to universal service fund (USF) support for the purpose of providing wireless Lifeline-only services to customers in Michigan. North American filed an amended application on February 20, 2018 (application).

North American requests that the Commission enter an order designating it as an ETC for purposes of Lifeline support only, in the wire centers listed in Exhibit 4 to the application. Among the proposed areas listed in Exhibit 4 are wire centers that serve Tribal areas. The Federal Communications Commission (FCC) has recently updated the regulatory guidelines for providers

seeking enhanced reimbursement for Tribal Lifeline offerings.¹ North American has stated to Commission Staff that it will fully comply with these updated guidelines.

North American has been designated as a competitive local exchange carrier in the states of Alabama and North Carolina, and as an ETC in the states of Alabama, Wisconsin, and Minnesota. North American currently provides Lifeline service in those states through a network configuration consisting of a combination of North American's own facilities and resold services from a national wireless carrier.

In Michigan, North American is not seeking forbearance from the FCC's facilities requirement. Therefore, an FCC approved compliance plan is not necessary. 47 USC 214(e)(1)(A). North American will be using a combination of its own facilities and resale of another carrier's (321 Communications, a Sprint Mobile Virtual Network Operator (Sprint)) facilities to provide service. Where Sprint does not have adequate facilities, North American will provide service by reselling the services of other national carriers. North American's network configuration description is explained in Confidential Exhibit 3.

After reviewing North American's application, the Commission finds that the ETC designation, limited to wireless Lifeline voice support only, should be conditionally granted. The Commission is persuaded that ETC designation for North American promotes the availability of universal service and is in the public interest. The Commission finds that the application demonstrates that North American meets the requirements for designation as an ETC, and ETC designation is granted on condition that North American comply with the service requirements contained in FCC Report and Order 11-161, WC Docket No. 10-90 *et al.* (*rel'd* October 27, 2011)

¹ See, FCC Fourth Report and Order 17-155, WC Docket No. 09-197, ¶¶ 21-30 (*rel'd* December 1, 2017).

and subsequent orders in that docket, the Lifeline Reform Order, WC Docket No. 11-42 *et al.* (*rel'd* February 6, 2012) and subsequent orders in that docket, and the December 20, 2012 and January 17, 2013 orders in Case Nos. U-14535 *et al.*

Additionally, the June 15, 2017 order in Case No. U-18216 requires action from all wireless ETCs operating in the Michigan. North American will be required to annually re-certify with the Commission in accordance with FCC requirements to retain its ETC designation. The application for ETC designation is granted on condition that North American comply with the following:

- By April 16, 2018, North American shall submit a certification letter to each county 9-1-1 coordinator in Michigan explaining the Lifeline service, with information on North American's product and service specifications, stating that it will be providing 9-1-1 service to North American's customers. No later than April 30, 2018, North American shall file in this docket a proof of service reflecting timely service of each letter.
- North American shall submit information, on a quarterly basis based on the calendar year, in this docket on the number of Lifeline customers it is serving, and the amounts paid to individual counties and the State of Michigan for 9-1-1 surcharges.
- North American shall advertise its Lifeline product in media of general distribution including newspaper, radio, its own website, and other direct advertising methods.
- North American shall promptly notify the Commission of any future changes to its rates, terms, and conditions regarding its low-income offerings in this docket.
- North American shall include the Commission's customer complaint telephone number on its public web page.
- North American shall comply with the June 15, 2017 order in Case U-18216.

THEREFORE, IT IS ORDERED that the application filed by North American Local, LLC, for designation as an eligible telecommunications carrier for purposes of Lifeline universal service support is approved.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 West Saginaw Hwy, Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Sally A. Talberg, Chairman

By its action of March 15, 2018.

Norman J. Saari, Commissioner

Kavita Kale, Executive Secretary

Rachael A. Eubanks, Commissioner