State		ETC Order Conditions/Requirements
Arizona	•	Blue Jay shall file a tariff, in this docket, setting forth the rates, terms and conditions for its Lifeline service within thirty (30) days of a Commission Order in this matter. (p. 14)
	9	Blue Jay shall notify the Commission, through Docket Control, of any future changes to its rates, terms and/or conditions regarding its Lifeline offerings and file such changes in its tariff and amend its tariff. (p. 14)
	•	Blue Jay shall make available Lifeline services to qualifying low-income applicants in its ETC service area no later than ninety (90) days after a Commission decision in this matter and shall concurrently notify the Commission, by making a filing in Docket Control in this docket, of the commencement date for such services. (p. 15)
	•	Blue Jay shall apprise the Commission of any customer complaints that may arise from its ETC service offerings by making a filing in Docket Control in this docket. (p. 15)
	•	Blue Jay shall provide a regulatory contact to the Commission by making a filing in Docket Control in this docket. (p. 15)
	•	In the event that Blue Jay requests to relinquish its ETC status and no longer provide Lifeline services, it must provide notice to both the Commission and its customers. (p. 15)
	•	Blue Jay shall submit in Docket Control an annual report by April 15th of each year, beginning April 15, 2014, that contains its total number of Lifeline subscribers and the total amount of Federal USF support received as of December 31 of the previous calendar year and include an affidavit stating that the Lifeline discounts or the equivalent are equal to the amount of total Federal USF support received per line. The annual filing shall be submitted as a compliance item in this docket. (p. 15)
		In the event of a transfer of control that involves Blue Jay, a new ETC petition shall be filed with the Commission. (p. 15)
	•	Blue Jay shall not expand its Lifeline service beyond the designated service area specified in this application without acquiring ETC designation from the Commission to serve the additional area. (p. 15)
	•	Blue Jay shall not provide Lifeline service to eligible residents residing on federally-recognized tribal lands in Arizona, served by Commission regulated telephone companies and cooperatives, until after Blue Jay has obtained any and all necessary licenses or other forms of approval that might be required by any Tribe and filed a copy of such licenses or other form of approval with the Commission in this docket. (p. 15)

State		ETC Order Conditions/Requirements
Colorado	•	Blue Jay shall submit all reports, fees, surcharges, and any other obligation due and owing to the Colorado Public Utilities Commission. (p. 14)
	•	Blue Jay agrees to work with the Colorado Department of Human Services regarding certification and verification of the eligibility of Lifeline customers. (Stipulation p. 9)
	•	Blue Jay agrees to file a compliance filing with this Commission the FCC's approval of its FCC Compliance Plan. If the FCC requires modification of or denies Blue Jay's Compliance Plan, Blue Jay will notify the Parties and the Commission by filing a pleading in this docket within 7 calendar days from the date Blue Jay files any revised Compliance Plan with the FCC or the FCC denies Blue Jay's Compliance Plan. If Blue Jay makes modifications to its Compliance Plan, the Parties will determine whether conforming modifications to the Stipulation or its attachments are required. (Stipulation p. 10)
	•	Blue Jay must file an application with the Commission in order to modify its existing LBUS Plans before implementing any changes to its LBUS Plans. (Stipulation p. 11)
	0	If Blue Jay desires to propose an optional Lifeline plan offering other than described in Attachment 2, Blue Jay will provide Commission Staff and the OCC a 30 day advance notice. (Stipulation p. 11)
	•	Blue Jay agrees to maintain a Colorado-specific page on its website (www.bluejaywireless.com) that shall provide interested persons with information regarding all of Blue Jay's Colorado plans offered to eligible customers. (Stipulation p. 11) Before offering Lifeline service Blue Jay will place on its web site (www.bluejaywireless.com) for the state of Colorado, the Commission's contact informationfor any unresolved customer questions or complaints. (Stipulation p. 13)
	•	Blue Jay shall remit and pay the prepaid wireless E911 charge (specific instructions on E911 charges are also included in this paragraph of the Stipulation). (Stipulation p. 12)
	•	Blue Jay shall remit and pay the Colorado High Cost charge. (Stipulation p. 12)
	•	Blue Jay shall file copies of all FCC Forms submitted to the FCC or USAC, including but not limited to Forms 497 and 555, with the Commission at the time filings occur at the FCC or USAC. (Stipulation, Attachment 1, pp. 3-4)
	•	Blue Jay will file annual certification that it is able to function in emergency situations, is complying with applicable service quality standards and the consumer protection rules, e.g., the CTIA consumer code for wireless service. (Stipulation, Attachment 1, p. 4)
	•	Blue Jay will provide the number of requests for service from eligible Lifeline customers approved by CDHS within Blue Jay's service area which were unfulfilled during the past year.
	0	Quarterly reporting regarding customer-specific data requirement was subsequently withdrawn by letter dated April 21, 2014 due to the implementation of the National Lifeline Accountability Database.

State		ETC Order Conditions/Requirements
Hawaii	•	Blue Jay shall comply with the forbearance requirements set forth in the FCC's Lifeline Reform Order. Specifically, Blue Jay shall provide service consistent with its FCC approved Compliance Plan and: (a) Provide Lifeline customers with 911 and E911 access, regardless of activation status and availability of minutes; (b) Provide its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, non-compliant handsets. (pp. 21-22)
	•	Blue Jay shall comply with all federal laws, rules, and requirements for participation in the federal USF program and for continued ETC designation, as applicable. In particular, Blue Jay shall: (a) File information with USAC (with a concurrent copy filed with this commission) demonstrating that its Lifeline plans meet the criteria for the federal program and describing its voice telephony service plans; (b) Adhere to the federal verification and certification requirements for participation in the federal USF Lifeline program, as amended by the Lifeline Reform Order; and (c) Comply with all other program requirements set forth in the FCC's rules concerning universal service support for low-income consumers. (p. 22)
	•	Blue Jay shall provide the commission a point of contact to address any customer service or service quality complaints the commission receives. The contact person should have access to customer account information and the authority to resolve customer service issues. (p. 22)
	•	Blue Jay shall file an informational tariff with the commission incorporating the rates, terms, and conditions for its Lifeline service offerings. (p. 23)
	•	Blue Jay shall file with the commission its detailed advertising plan for the provision of the Supported Services, including the content and manner of its planned advertisements, and the targeted consumers. (p. 23)
	•	Blue Jay shall fully cooperate and respond to any requests for information or data from the commission or the Consumer Advocate. (p. 23)
	9	Blue Jay shall comply with all applicable standards governing CMRS providers in the State. (p. 23)
	•	Blue Jay shall adhere to all current and future laws, decisions, and orders with respect to the federal USF and support programs, as applicable. (p. 24)
	•	Blue Jay shall provide a copy of its ETC report(s) filed annually with the FCC and USAC, pursuant to 47 C.F.R. 5 54.422, to the commission, the Consumer Advocate, and the appropriate tribal authorities (i.e., the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs). In addition, any and all other reports submitted to the FCC and USAC including, but not limited to, reports concerning the annual certification requirements under 47 C.F.R. § 54.416 shall be submitted to the commission, the Consumer Advocate, and the appropriate tribal authorities, as applicable. (p. 24)
Kentucky	8	Blue Jay shall also be eligible to receive Kentucky USF support for Lifeline subject to the submission of and approval by the Commission for a Kentucky specific Lifeline plan for Kentucky subscribers which provides benefits commensurate with the amount of Kentucky USF support. (p. 15)
	0	Blue Jay shall advertise the availability of and charges for these services using media of general distribution. (p. 15)
	•	Blue Jay is a utility and shall include revenue generated from the sale of intrastate wireless service, including Lifeline revenues, in its reports filed. (p. 15)

State		ETC Order Conditions/Requirements
Michigan	•	By July 7, 2014, Blue Jay shall submit a certification letter to each county 9-1-1 coordinator in Michigan explaining the Lifeline service, with information on Blue Jay's product and service specifications, and include a letter from Blue Jay's resale partners, Sprint Nextel, T-Mobile, and Verizon Wireless, stating that they will be providing the 9-1-1 service to Blue Jay's customers. No later than July 21, 2014, Blue Jay shall file in this docket proofs of service reflecting timely service of each letter. (p. 6)
	•	Blue Jay shall provide information to the Commission on a quarterly basis, based on the calendar year, 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 in this docket. (p. 6)
	•	Blue Jay shall advertise its Lifeline product in media of general distribution including newspaper, radio, its own website, and other direct advertising methods and provide a copy of the advertisement to the Commission. The advertisement shall include information on monthly service plans, the cost of initiating service, and information needed for the forbearance compliance issues. (pp. 6-7)
	•	Blue Jay shall promptly notify the Commission of any future changes to its rates, terms, and conditions regarding its low income offerings in this docket. (p. 7)
	•	This approval is for the remainder of 2014. Blue Jay will be required to re-certify to the Commission for ETC designation for 2015, and annually thereafter. (p. 7)

State		ETC Order Conditions/Requirements
Minnesota	•	Within 30 days of the Commission's Order, Blue Jay shall submit a formal advertising and outreach plan identifying the types of media through which it intends to advertise the availability of Lifeline service and stating the anticipated frequency of such advertising. (p. 7)
	•	Within 30 days of the Commission's Order, Blue Jay shall file, as a compliance item, an informational tariff as recommended by the Department. Blue Jay shall ensure that the Terms and Conditions applicable to Minnesota customers, posted on its website, do not conflict with the terms and conditions included in its Minnesota informational tariff. (p. 7)
	•	Blue Jay shall notify the Commission and the Department, in writing, immediately upon any change to the Lifeline offering terms, conditions, or rates, or if it seeks to withdraw its Lifeline offering or any portion thereof. Blue Jay shall submit a revised tariff or customer service agreement page to reflect such changes. (p. 7)
	•	Blue Jay shall complete the certification process regarding 911 arrearages required by the Department of Public Safety and file its certificate, signed by DPS, prior to operating in Minnesota. (p. 7)
	•	Blue Jay shall obtain certification from the DPS that its handsets are 911 and E911 compliant prior to offering service to Lifeline customers in Minnesota. (p. 7)
	•	Blue Jay shall offer its Minnesota Lifeline customers (i) the highest number of free minutes of usage offered in any jurisdiction by Blue Jay, and (ii) supplementary minutes at the lowest price offered in any other jurisdiction in which Blue Jay provides wireless Lifeline service, provided that the available support is the same. (p. 7)
	•	Blue Jay shall report any unfulfilled requests of Lifeline-qualified customers. If it determines that it cannot reasonably serve a consumer, it will report the unfulfilled request to the Department and the Commission within 10 days after making such a determination. (p. 7)
	•	Blue Jay shall comply with the collection and remittance provisions of Minn. Stat. §§ 403.11 and 237.52. (p. 7)
		Blue Jay shall complete the certification process required by the Department of Public Safety and file its certificate, signed by DPS, prior to operating in Minnesota. (p. 7)
	•	Blue Jay shall provide customers with access to usable phones. Frequent static or other interference on the line, lack of clarity, dropped calls, inability to place a call, or receive a call under normal circumstances are not acceptable. If the buttons on phones are too small to use, for example, Blue Jay shall provide customers an opportunity to try a different make or model. Blue Jay shall make hearing-aid compatible handsets available to Lifeline-qualified customers, at no charge. (p. 7)
	•	Blue Jay shall make clear to consumers, and available to consumers who do not have web access its policies regarding repair, maintenance, replacement of handsets, batteries, and chargers and options to purchase handsets. Blue Jay shall provide detailed information in writing, at the time of enrollment, of repair and replacement policies for phones and accessories (batteries, chargers) and purchase options. (p. 7)
	•	Blue Jay shall offer instruction manuals to consumers and make them available upon request. It is not unreasonable to require that instruction manuals be provided to customers at the point of sale. If Blue Jay finds such a requirement burdensome, it shall make clear to customers, at the time of enrollment, the process for obtaining a manual. (p. 8)
		Blue Jay shall provide its customers access to customer service without lengthy hold-times and without use of air-time minutes. (p. 8)
	•	To the extent that Blue Jay conducts, or employs agents to conduct, in-person distribution events, Blue Jay shall provide consumers with access to information, via telephone as well as website, on all Minnesota distribution events, locations, and times. (p. 8)

State		ETC Order Conditions/Requirements
Missouri	9	The company shall notify the Staff within 30 days of any event that falls within the following:
		o any matter brought in the last ten years by any state or federal regulatory or law enforcement agency against the ETC;
		o any person or entity that holds more than a 10% ownership interest in the ETC;
		any affiliated company (any company under common management ownership or control or that, by contract or other agreement, performs any of the functions necessary to the ETC's Lifeline Services) that involves any aspect of the provision of Lifeline Service or any aspect of state or federal Universal Service funds, or any matter involving fraud, deceit, perjury, stealing or the omission or misstatement of material fact in connection with a commercial transaction. Such matters include formal or informal notices of investigation, indictment, the filing of a complaint, a civil lawsuit, revocation or suspension proceeding, action for penalties or damages, or criminal charges. Such details include, but are not limited to, copies of complaints or other such pleadings and the filed responses thereto, as well as any orders, decisions or other determinations of culpability, including those that exonerate the subject of any wrongdoing. (p. 2)
	0	The company may only use the MoUSF Board-approved form when enrolling Lifeline subscribers in Missouri. (p. 2) [This requirement has subsequently been removed.]
	•	The company will use the full name under which it is registered with the Missouri Secretary of State and under which it is granted ETC status when enrolling Lifeline subscribers in Missouri. (p. 2)
Company of the Compan	•	The company is reminded that it has an obligation to update its application with new information when any statement therein becomes untrue or could mislead the reader to an inference which is untrue. (p. 2)

State		ETC Order Conditions/Requirements
Nevada	•	Blue Jay Wireless, LLC shall submit an advertising plan for the eligible voice telephony service it provides in the Designated Service Area to the Regulatory Operations Staff of the Commission within 60 days of the issuance of this Order. (p. 4)
	•	Blue Jay Wireless, LLC shall file an advisory tariff with the Commission providing information regarding all rates, terms and conditions, and proposed local calling areas, within 60 days of the issuance of this Order. (p. 4) Blue Jay agrees to advise Staff annually as to whether or not the rates, terms, conditions or calling area set forth in the advisory tariff on file with the Commission have changed and to update the advisory tariff if such changes have been made. (Stipulation pp. 10-11)
	•	Blue Jay Wireless, LLC shall provide the Consumer Complaint Resolution Division of the Commission with a regulatory contact, to whom to address any complaints, within 30 days of the issuance of this Order. (p. 4)
	•	Blue Jay Wireless, LLC shall not seek Lifeline support from the Nevada Fund to Maintain the Availability of Telephone Service. (p. 4)
	•	Blue Jay Wireless, LLC shall implement a non-usage policy consistent with its approved Federal Communications Commission Compliance Plan. (p. 4)
	•	Blue Jay Wireless, LLC shall submit any Eligible Telecommunications Carrier related consumer complaints to the Consumer Complaint Resolution Division of the Commission. (p. 5)
	•	Blue Jay Wireless, LLC agrees to allow the Regulatory Operations Staff of the Commission to verify via discovery or other reasonable means of auditing that the federal Universal Service Fund support is used for the provisioning of eligible voice telephony service in the form of customer credits consistent with section 54.403 of Title 47 of the Code of Federal Regulations. (p. 5)
	•	Blue Jay Wireless, LLC shall advise the Regulatory Operations Staff of the Commission on an annual basis as to whether or not the rate, terms, conditions or calling area set forth in the advisory tariff on file with the Commission have changed and shall update the advisory tariff if such changes have been made. (p. 5)
	•	Blue Jay Wireless, LLC shall comply with the annual reporting obligations, pursuant to NRS 704.68871(2), that are applicable to competitive suppliers. In the annual report, Blue Jay Wireless, LLC shall, on a quarterly basis, report the number of Lifeline customers served during the calendar year and include information pertaining to its Eligible Telecommunications Carrier outreach efforts. (p. 5)
	•	Blue Jay Wireless, LLC shall retain all records at least three years and provide customer records upon request of the Regulatory Operations Staff of the Commission. (p. 5)
	•	Blue Jay will utilize NAC 704.680474 (qualifying criteria and method of showing qualification), NAC 704.6804743 (continued eligibility verification) and NAC 704.6804745 (certification of documentation by ETC), along with Blue Jay's internal training and verification process. (Stipulation p. 6)
	•	Blue Jay will continue to verify the eligibility of its Lifeline subscribers annually after 2013 to the extent Blue Jay cannot access automated means of verifying subscriber eligibility. (Stipulation p. 7)
	•	Blue Jay has committed that it will contribute to both the Nevada Fund to Maintain the Availability of Telephone Service and the Nevada program for telecommunications services for the speech and hearing impaired, as required, as well as any other surcharges required of wireless providers, including 911 charges in applicable jurisdictions. (Stipulation p. 9)

State		ETC Order Conditions/Requirements
Oklahoma	9	Blue Jay shall provide an informational wireless tariff to the Staff. (p. 5)
	•	Blue Jay must formally make application to the Commission if Blue Jay opts to 1) expand its designated footprint in Oklahoma in the future, and 2) offer any new Lifeline plan or modify an existing approved Lifeline plan. In the case of modification or introduction of a Lifeline plan, the filing should be for the limited purpose of requesting a Commission finding that the new Lifeline plan serves the public interest and is appropriate as a Lifeline plan. (p. 5)
	•	Blue Jay must conduct its event marketing in a responsible and decorous manner in compliance with common sense and the rules of the FCC. (p. 5)
	•	Blue Jay must clearly identify itself to the Lifeline subscribers as their service provider at all marketing events and in all advertising and written communication. (p. 5)
Pennsylvania	0	Blue Jay is directed, as a condition of receiving ETC designation, to comply with the PA Lifeline Order's eligibility verification requirements. (p. 35)
	•	Blue Jay will fully comply with the Commission's annual Lifeline Tracking Report requirement. (p. 36)
	•	Blue Jay agrees to work with BCS to resolve informal complaints and to submit to Commission jurisdiction on formal complaints filed with BCS by Blue Jay Lifeline customers, on Lifeline-related issues. (p. 36)
	9	[A]ll ETCs, including those currently designated, shall supply the Commission's BCS with copies of subscriber Lifeline applications and annual certification and promotional materials for review for consistency with eligibility determination criteria and annual certification requirements as well as plain language requirements. Blue Jay has agreed to comply with this directive. (pp. 37-38)
		Blue Jay Wireless, LLC shall petition this Commission for any future change to the basic Lifeline service offering described herein which represents a limitation or reduction of Lifeline services/equipment provided free of charge, and shall provide notice to this Commission of any addition, change or new offering which is in addition to the basic Lifeline offering. (p. 39)
	0	Blue Jay Wireless, LLC shall petition this Commission for renewal of its Eligible Telecommunications Carrier status in the event of a change in corporate control as defined at 52 Pa. Code § 63.322. (p. 39)
	•	Blue Jay Wireless, LLC shall petition this Commission for renewal or recertification of its Eligible Telecommunications Carrier status in the event it seeks territory or authority beyond the scope of this Order. (p. 39)
Puerto Rico	•	Blue Jay must submit for approval by the Board, prior to the start of offering services in Puerto Rico, the words and expressions to be included in the monthly bills. (p. 3)
Rhode Island	No add	itional requirements

State		ETC Order Conditions/Requirements
South Carolina	•	Blue Jay shall meet the reporting and certification requirements for ETCs, and file the annual reporting information with the Commission no later than June 30 of each year. A copy of this report shall be provided to the ORS. (p. 13)
	8	Any changes or modifications to the Company's FCC approved Compliance Plan must be filed with the Public Service Commission of South Carolina, with a copy to ORS, within five (5) days of approval at the FCC. (Stipulation p. 2)
	•	Blue Jay Wireless agrees to advertise the availability of Lifeline using media of general distribution. (Stipulation p. 3)
	•	Blue Jay Wireless agrees to notify the Commission ten (10) days in advance of any changes to its Lifeline rates in South Carolina, or the pricing of any additional minute plans offered to South Carolina Lifeline customers. (Stipulation p. 3)
	•	Blue Jay Wireless agrees to provide all South Carolina Lifeline customers with a company funded \$3.50 credit. The Company may fulfill this commitment by offering a South Carolina Lifeline plan that provides 250 minutes of voice only service without rollover at a monthly cost of \$0.00 in addition to Lifeline optional plans outlined in the approved Compliance Plan. (Stipulation p. 3)
	•	Blue Jay Wireless agrees to allow qualifying low-income consumers to apply all applicable Lifeline discounts to any residential service plan that includes voice telephony service, including bundled packages of voice and data services; and plans that include optional calling features such as, but not limited to, caller identification, call waiting, voicemail, and three-way calling. Blue Jay Wireless may also permit qualifying low-income consumers to apply their Lifeline discount to family shared calling plans. (Stipulation p. 4)
	•	Blue Jay Wireless agrees that it will abide by all advertising, reporting and verification requirements established by the FCC and the Commission. (Stipulation p. 4)
	•	Blue Jay Wireless agrees to provide ORS with any FCC Citations issued against the Company's Lifeline South Carolina customers, within five (5) days of issuance by the FCC if the full identity of the recipient of the citation is made available to Blue Jay Wireless. (Stipulation p. 4)
	•	Blue Jay Wireless agrees to file all reports requested by ORS or the Commission, including but not limited to: the "Telecommunications Company Annual Report," the "Authorized Utility Representative Form," the "Gross Receipts Form," and the "USF Worksheet." (Stipulation p. 4)
	•	Blue Jay Wireless agrees to pay the annual gross receipts assessment. (Stipulation p. 5)
	•	Blue Jay Wireless agrees to waive any and all activation fees or roaming charges for Lifeline customers. (Stipulation p. 5)
	•	Blue Jay Wireless agrees to implement or to participate in a program for initial certification and annual verification that insures that an eligible Lifeline customer only receives one Lifeline credit per residential address. (Stipulation p. 5)
	•	Blue Jay Wireless agrees to provide E911 compliant handsets to new Lifeline customers and replace any non-compliant handsets at no charge for its existing customers who are approved as Lifeline customers as part of its Basic Lifeline Service Plans. (Stipulation p. 5)
	•	Blue Jay Wireless will contribute to the South Carolina USF on the basis of its total South Carolina retail "end user" telecommunications revenues, and must submit all documentation and Universal Service fees required by South Carolina. (Stipulation p. 5)
	•	Blue Jay Wireless agrees to submit a quarterly report to ORS demonstrating the number of South Carolina Lifeline customers who have been deactivated by Blue Jay Wireless during the quarter due to: (1) non-payment on their customer account during two consecutive 30-day periods; (2) customer failure to comply with or pass the annual verification requirement; or (3) voluntary customer-requested deactivation. In addition, consistent with the annual reporting commitments contained in its approved Compliance Plan, Blue Jay Wireless agrees to file state specific reports with ORS. (Stipulation p. 6)

State		ETC Order Conditions/Requirements
Texas	No additional requirements	
Utah	8	Blue Jay will use a Utah-specific fact sheet that provides customers concise and complete information about the services they will receive. Blue Jay agrees to promptly update the fact sheet anytime it changes its Utah Lifeline program offerings. (Stipulation p. 6)
	•	If Blue Jay seeks Utah USF funding in the future, Blue Jay will file a separate application requesting such state support. (Stipulation p. 6)
	•	Blue Jay will comply with all state service quality and consumer protection requirements. (Stipulation p. 6)
and the second s	•	Blue Jay agrees to adopt any changes to the certification and verification process developed within Docket No. 10-2528-01. (Stipulation p. 7)
	•	Upon implementing any changes to its Lifeline offerings, Blue Jay will timely file a notice with the DPU and OCS describing the changed plans. (Stipulation p. 7)
Wisconsin	No add	itional requirements from the order granting ETC designation for purposes of receiving federal USF support.
	•	Blue Jay is required to work with other providers in its service territory to jointly ensure that pay phones are available. (State USF Order p. 7)
	•	Blue Jay shall deactivate any Lifeline phone that has had no usage in a 60-day period. Blue Jay may not collect Lifeline support for phones deactivated in this manner. (State USF Order p. 7)
	•	Blue Jay shall report, on a quarterly basis, the number of customers who were deactivated after 60 days of non-usage and the number of days between the 60th day and deactivation, reported as a range and an average. (State USF Order p. 7)