

Docket Number: TC15-002
Subject Matter: Data Request
Request to: Boomerang Wireless, LLC
Request From: South Dakota Public Utilities Commission Staff
Dated of Request: October 6, 2016
Response Due: October 7, 2016

- 1) The information below was taken from the website of Budget Mobile, which is a designated ETC in South Dakota. The same may be accessed at <http://www.budgetmobile.com/noticeb/>. Please explain the relationship between the two companies, particularly with respect the South Dakota Customers. Note that the PUC has been contacted by a South Dakota customer who alleges to have been switched from Budget Mobile to enTouch.

The screenshot shows a website notice from Budget Mobile. The header includes the Budget Mobile Lifeline logo and navigation links for Home, My Account, Support, News, and Espanol. A 'Sign Up' button is visible. The main heading is 'Important notice regarding a change to your wireless service'. The text explains that starting September 30, 2016, service will be provided by Boomerang Wireless, LLC d/b/a enTouch Wireless. It states that service will continue on the same nationwide network and that no action is required from the customer. A list of service features is provided: 500 voice minutes, 100 texts, and 10 MB of data. The notice also mentions that the same phone and telephone number will be used and that the same Top-Up plans will remain available. A 'SECURED' stamp is visible in the bottom right corner of the screenshot.

RESPONSE:

The customer who contacted the South Dakota Public Utilities Commission is a customer of Budget Mobile (“Budget”), an existing ETC and provider of Lifeline service in South Dakota. While Boomerang Wireless, LLC (“Boomerang Wireless”) has had a pending ETC application in South Dakota since April 22, 2013, Boomerang Wireless is not designated as an ETC and has no Lifeline customers in the State of South Dakota.

Budget and Boomerang Wireless entered into a customer transfer agreement on August 24, 2016. This agreement was reviewed and approved by the Federal Communications Commission prior to execution. The agreement applies only to subscribers operating on the Verizon Wireless network, which Budget has chosen to no longer support.

The majority of subscribers covered by the agreement reside in states in which both companies are designated as an ETC ("Common States"). Following the prescribed state PUC and customer notices in the Common States, the companies are migrating those subscribers to the Boomerang Wireless d/b/a enTouch brand. Most subscribers in the Common States will be transferred in September and October of 2016. The URL to the portion of Budget's website referenced in your data request was provided to subscribers in the Common States. As part of the migration in the Common States, Boomerang Wireless' underlying MVNE Ready Wireless (which provides non-Lifeline "top up" minutes) became the MVNE for all Budget customers served on the Verizon Wireless network.

No Lifeline subscribers have been migrated in South Dakota because only Budget is an ETC in South Dakota. Consumers in the non-common states, including South Dakota, continue to receive Lifeline service by Budget as a designated ETC. Budget remains responsible for all aspects of the Lifeline program provided to South Dakota consumers, as with their consumers in the non-common states. This includes regulatory oversight, reporting and filings, such as the monthly 497, and any audits, reviews or inquiries. No communication regarding migration has been provided knowingly by either company to consumers in South Dakota or any other non-common state.

In this instance, it would appear that a Budget customer service agent mistakenly responded to this particular consumer. Accordingly, Boomerang Wireless is asking Budget to review the communication and training of their call center personnel, as Boomerang Wireless is doing as well.

As mentioned above, Boomerang Wireless has had a pending ETC application in South Dakota since April 22, 2013. Boomerang Wireless continues to seek designation as an ETC in South Dakota, and upon approval will provide the required notices to the South Dakota PUC and the impacted South Dakota consumers. In the meantime Budget continues to serve all South Dakota Lifeline subscribers. Budget intends to retain its ETC designation in the State of South Dakota for service of consumers under networks other than Verizon Wireless.