

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

Petition of IM Telecom, LLC d/b/a Infiniti Mobile
For Designation as an Eligible Telecommunications
Carrier in the State of South Dakota and Waiver of
Certain Rules

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Docket No. TC16-001

**IM TELECOM, LLC D/B/A INFINITI MOBILE'S FIRST AMENDEDMENT TO ITS
APPLICATION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS
CARRIER IN THE STATE OF SOUTHG DAKOTA
AND WAIVER OF CERTAIN RULES**

I. INTRODUCTION

IM Telecom, LLC d/b/a Infiniti Mobile (“Infiniti Mobile” or the “Company”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”)¹ and Sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”),² and the rules and regulations of the South Dakota Public Utilities Commission (the “Commission”),³ hereby submits this first amendment to its Application for Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of South Dakota and Waiver of Certain Rules (“Application”) which was filed on January 18, 2016. Rapid grant of Infiniti Mobile’s request would advance the public interest because it would enable the Company to commence much needed Lifeline service to low-income South Dakota residents as soon as possible. Accordingly, the Company respectfully requests that the Commission expeditiously approve the Company’s request for ETC designation.

¹ 47 U.S.C. § 214(e)(2)

² 47 C.F.R. §§ 54.101-54.207.

³ See South Dakota Codified Laws (SDCL) 49-31-78 and South Dakota Administrative Rules (ARSD) 20:10:32:43.

II. AMENDMENTS

A. Company Overview

The only amendment to Infiniti Mobile's company description contained in the Company's original Application is that the Company, as a commercial mobile radio service ("CMRS") throughout the United States, provides prepaid wireless telecommunications services to consumers by using the network of not only Sprint Spectrum, L.P. ("Sprint"), but also the networks of Verizon Wireless ("Verizon") and T-Mobile USA, Inc. ("T-Mobile"). The Company further commits to satisfy all rules and regulations with respect to its underlying carrier based upon its arrangements with not only Sprint, but also with Verizon and T-Mobile.

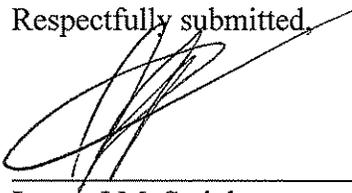
B. Infiniti Mobile Requests Designation Throughout Its Service Area in South Dakota

In Infiniti Mobile's original application, the Company discussed in detail the requirement to describe the geographic area(s) within which the Company requests designation as an ETC, as a non-rural telephone company as defined in Section 153(37) of the Act (47 U.S.C. § 153(37)). Originally, the Company acknowledged its service area overlaps with rural carriers in South Dakota. However, the Company hereby amends its original Application to acknowledge that its service area will not overlap with such rural carriers. Pursuant to ARSD 20:10:32:43(3), the Company hereby amends its original Exhibit 7 with the attached, Exhibit 1, which is meant to replace in its entirety the list of wire centers in which the Company requests ETC designation originally submitted on January 18, 2016. As identified by the attached Exhibit 1, Infiniti Mobile will only utilize the non-rural wire centers of QWEST CORPORATION.

III. CONCLUSION

Designation of IM Telecom, LLC d/b/a Infiniti Mobile as an ETC in the State of South Dakota accords with the requirements of Section 214(e)(2) of the Act and is in the public interest.

WHEREFORE, IM Telecom, LLC respectfully requests that the Commission promptly designate Infiniti Mobile as an ETC in the State of South Dakota.

Respectfully submitted,


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