

STATE OF SOUTH DAKOTA

BEFORE THE SOUTH DAKOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Application of True)
Wireless, LLC For Designation as an) Case No. TC12-092
Eligible Telecommunications Carrier)
Pursuant to 47 U.S.C. § 214(e))

TRUE WIRELESS, LLC'S NOTICE OF WITHDRAWAL OF APPLICATION FOR
DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER

True Wireless, LLC ("True Wireless") hereby notifies the Public Utilities Commission of the State of South Dakota ("Commission") that it is withdrawing its Application for Designation as an Eligible Telecommunications Carrier ("ETC") without prejudice. True Wireless states as follows:

1. On June 8, 2012, True Wireless filed its Application requesting designation as an ETC for the purpose of receiving federal low-income universal service support (*i.e.*, Lifeline and Link-Up support) throughout the non-rural areas of South Dakota.

2. Prior to this filing, and in light of changes to Federal Communications Commission ("FCC") rules with respect to the Lifeline universal service program, True Wireless was required to submit a Compliance Plan to the FCC pursuant to the FCC's Lifeline Reform Order¹. FCC approval of that Compliance Plan remains pending.

3. Logically, consideration of this Application should follow approval of the True Wireless Compliance Plan by the FCC.

¹ *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012); *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, DA 12-314 (WCB rel. Feb. 29, 2012). True Wireless submitted its Compliance Plan to the FCC on April 24, 2012, and pursuant to FCC staff requests has filed several amendments to its Compliance Plan.

4. True Wireless submitted its Fourth Amended Compliance Plan on December 7, 2012 and anticipates approval in the near future.

5. True Wireless requests that this withdrawal be without prejudice, as it intends to re-file for the relief requested once its Compliance Plan is approved.

WHEREFORE, True Wireless respectfully withdraws its Application for Designation as an Eligible Telecommunications Carrier without prejudice.

Dated this 2nd day of April 2013.

Respectfully submitted,

Respectfully submitted,

True Wireless, LLC

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