

Docket Number: TC24-003
Subject Matter: First Data Request
Request to: IM Telecom, LLC dba Infiniti Mobile (Infiniti)
Request from: South Dakota Public Utilities Commission Staff
Date of Request: February 9, 2024
Responses Due: April 18, 2024

- 1-1. Provide a map, by wire center, of the area Infiniti is requesting to serve, as revised per the Stipulation with SDTA to exclude any rural service area served by a SDTA company. The map should depict where Infiniti's underlying carriers' coverage areas overlap with the South Dakota CenturyLink wire centers.
Please see Exhibit 1-1. Infiniti is requesting to serve the CenturyLink areas as revised by the Stipulation.
- 1-2. How many customers does Infiniti have in South Dakota participating in ACP? How many ACP customers does Infiniti have throughout the United States?
1 | 24,739
- 1-3. Is Infiniti planning to do targeted advertising to its current ACP customers in South Dakota?
Yes.
- 1-4. Given the ACP funds are expected to run out in April 2024, provide the impact to Infiniti's ACP customers' bills and available options to them with and without Lifeline.
The 1 subscriber will experience a \$30 increase, monthly, to keep their Infiniti service.
- 1-5. If ACP funding is not available, will Infiniti provide Lifeline services in South Dakota?
Yes, once the ETC designation is approved, it will launch the required process to complete before opening South Dakota for Lifeline sales.
- 1-6. Explain the differences between the plans found on Exhibit D to the FCC Approved Revised Compliance Plan (Exhibit 2) and the plans found on Exhibit 7.
The differences are clear in the verbiage, plan listings, and the reason as to why they are different, highlighted in red.
Exhibit D: "A sample of the Company's marketing materials is included as Exhibit D."

LifeLink is a federal Lifeline Assistance program supported by the federal Universal Service Fund.

Who is Eligible? Enrollment is available to individuals who are not already enrolled in Lifeline or wish to transfer service and meet the federal or state-specific eligibility requirements. You may qualify if you are on certain federal assistance programs, like **Medicaid** or **SNAP** (Supplemental Nutrition Assistance Program), or based on income.

How to Apply? You can start the **LifeLink** enrollment process by calling 918.960.0023, visiting our website at www.infinitemobile.com, or by visiting one of our many outreach locations. Proof of participation in a qualifying program or income and a valid photo ID will be needed to start the process. **NO CREDIT CHECK** will be performed.

SIGN UP TODAY!

* Included Plan Features	FREE LifeLink	\$15 LifeLink Plus	\$25 LifeLink Premium	FREE LifeLink Tribal
Nationwide Calling	750 Minutes	1,000 Minutes	1,000 Minutes	1,000 Minutes
Voice Mail	Yes	Yes	Yes	Yes
Free 911	Yes	Yes	Yes	Yes
Nationwide Texting	Unlimited	Unlimited	Unlimited	Unlimited
Picture Messaging	Unlimited	Unlimited	Unlimited	Unlimited
Nationwide Roaming	Yes	Yes	Yes	Yes
High Speed Data	No	500 MB	2 GB	2 GB
Smartphone Included	No	Yes	Yes	Yes

* Plans subject to change as mandated by the FCC.
** Tribal Plan requires additional eligibility. See website for details.

FCC Approved Revised Compliance Plan (Exhibit 2): from October 23, 2018

II. Description of Lifeline Service Offerings⁵⁰

IM Telecom will offer its Lifeline service in the states where it is designated as an ETC⁵¹ and throughout the coverage area of its underlying providers Verizon Wireless and T-Mobile.⁵² Subject to the annual increase in minimum service standard requirements, IM Telecom will offer the following service plan options:

Product Plans	Plan 1 (Non-Tribal)	Plan 2 (Non-Tribal)	Plan 3 (Non-Tribal)	Plan 4 (Tribal)
Data	None	500 MB at 4G or 3G speeds	2 GB at 4G or 3G speeds	2 GB at 4G or 3G speeds
Voice Minutes	750	1,000	1,000	1,000
Texts	Unlimited	Unlimited	Unlimited	Unlimited
Price to Lifeline Subscribers	\$0.00	\$15.00/month	\$25.00/month	\$1.00/month

Voice and broadband "top ups" will also be available at the following rates:

Exhibit 7: Current plans (Proposed offering), Combo plans not listed:

EXHIBIT 7

Proposed Lifeline Offering

WIRELESS LIFELINE OFFERING

Product Plans	Plan 1 (Non-Tribal)	Plan 2 (Non-Tribal)	Plan 3 (Tribal)
Data	1 GB	4.5 GB	6 GB
Voice Minutes	1,000	3,000	3,000
Text	1,000	Unlimited	Unlimited
Price to Lifeline Subscribers	\$14.00/month	\$20.00/month	\$0.00/month

All Plans include the following:

- Free phone or SIM card
- Calls to 911 emergency services
- Calls to Customer Service
- Access to Voicemail, Caller-ID, Call-Waiting, Call-Forwarding, and 3-Way Calling features
- Domestic, Long-Distance Calls

Top Ups:

- \$10.00 for 1,000 minutes and 1,000 texts
- \$10.00 for 1GB Refill
- \$20.00 for 2GB Refill
- \$30.00 for 4GB Refill

Complete program terms of use located at <http://infinitemobile.com/terms/>

1-7. Do any unused minutes and/or data in a given month roll over to the following months?
No, unused minutes and/or data do not roll over.

- 1-8. If a customer uses their data allotment, and does not purchase a “Top Up” plan, is their service suspended until the next month? If service is suspended, confirm customers are still able to dial 911 for emergency services.
911 can be dialed from any mobile device, with or without service.
[FAQ About Calling 911 | 911.gov](#)
- 1-9. What mobile broadband speed will Lifeline plans provide?
3G or greater in compliance with FCC minimum service standards.
- 1-10. What percent of Infiniti’s current subscribers purchase “Top Up” plans?
0.622% of Infiniti’s current subscribers purchased top ups in January 2024.
- 1-11. Has Infiniti, or any other current or previously affiliated company, been penalized for any sort of waste, fraud, or abuse of the Lifeline program?
Neither Infiniti, nor any other current or previously affiliated company, has been penalized for any sort of waste, fraud, or abuse of the Lifeline program.
- 1-12. South Dakota already has a Lifeline Only wireless ETC that utilizes the T-Mobile network and multiple others Petitioning to become an ETC utilizing the T-Mobile network (as well as some petitioners utilizing the Verizon Wireless network). Explain, in detail, how your product will be different from the one those companies are offering.
Infiniti cannot specifically compare its product to a carrier that has not been identified. Regardless of product offering, however, it is clear that South Dakota customers are underserved by the existing ETCs in the state. See attached Exhibit 1-12 showing data from USAC on most recent Lifeline disbursements by carrier as of December 2023. To the best of Infiniti’s knowledge, the only prepaid wireless Lifeline-only ETC is Boomerang Wireless, who was serving only 48 customers. The top 2 carriers based upon disbursements were MIDCONTINENT COMMUNICATIONS, serving 2465 customers, and CINGULAR WIRELESS, which is listed as serving 340 Tribal customers only, all on a voice (not broadband) plan. According to USAC’s most recent Lifeline Participation Rate data as of April 2023, a total of 6,149 customers were being served out of an estimated 77,737 Lifeline-eligible households, equating to only 8% participation rate in South Dakota.
- 1-13. Provide updated financial statements for Infiniti for the year ended December 31, 2023, including a balance sheet, income statement, and a statement of cash flows, audited if available.
Please see attached Exhibit 1-13.
- 1-14. Provide the number of Lifeline customers Infiniti has in each state it offers service in. Separate out by Tribal and non-Tribal customers.
Please see attached Exhibit 1-14.
- 1-15. Provide the number of non-Lifeline customers Infiniti has in each state it offers service in.
Please see attached Exhibit 1-15.

- 1-16. Provide a description of the plans, including details and pricing, for non-Lifeline customers in South Dakota. Are the three Lifeline plans found on Exhibit 7 available to non-Lifeline subscribers, without the Lifeline discount? Can a Lifeline eligible customer have the Lifeline discount applied to a more expensive plan?
Infiniti's non-Lifeline service plans are available at <https://infinitimobile.com>. Infiniti does not offer these plans to Lifeline customers because Infiniti's Lifeline plan is more beneficial to the customer.
- 1-17. Are the plans provided in Exhibit 7 the same as Infiniti's plan offerings in other states? If Infiniti offers different lifeline plans in other states, provide the details of each plan, specifying the state in which that plan is available.
Kentucky and California Lifeline are different from the standard Lifeline Plans which can be found on Infiniti's 481s.
- 1-18. For each of Infiniti's Lifeline offerings in South Dakota, provide a breakdown of Infiniti's fixed cost and variable cost to serve a single Lifeline subscriber.
Since Infiniti's contracts with underlying carriers are confidential, Infiniti objects to this question, since it cannot provide its primary cost, i.e., carrier airtime and data.
- 1-19. Confirm Infiniti will not charge a number-portability fee on its Lifeline plans.
Infiniti will not charge a number-portability fee on its Lifeline plans.
- 1-20. Are there any locations in Infiniti's proposed service area that do not currently have a wireless Lifeline offering available to them? Are there any locations that do not have a prepaid wireless Lifeline offering available to them?
To the best of Infiniti's knowledge, there are no locations in Infiniti's proposed service area that do not currently have a wireless Lifeline offering available to them (or at minimum are not being marketed to), nor that do not have a prepaid wireless Lifeline offering available to them. Refer to attached Exhibit 1-12, which shows Lifeline reimbursements in South Dakota from USAC for the most recent data month available (Dec 2023). The only prepaid wireless ETC appears to be Boomerang, which had only 48 subscribers.
- 1-21. Provide the details and pricing (including handset costs) of any prepaid Lifeline offerings by the wireless providers currently serving Infiniti's proposed service area. Provide the details and pricing (including handset costs) of any postpaid Lifeline offerings by the wireless providers currently serving Infiniti's proposed service area.
The details and pricing (including handset costs) of any prepaid or postpaid Lifeline offerings by the wireless providers currently serving Infiniti's proposed service area are contained in tariffs and websites of each Lifeline provider, which is publicly available information, and the tariffs are filed with the Commission.
- 1-22. How does Infiniti determine which underlying carrier will serve a customer? Do customers have the option to select the underlying carrier? If a customer is not satisfied with the service provider, can the customer be switched to a different underlying carrier?
The customer is presented with all available options for carriers, they choose, they can change if they are dissatisfied as well.

- 1-23. How will Infiniti verify a potential customer resides in a tribal area? Does the National Verifier confirm a potential customer resides in a tribal area?
Tribal eligibility is determined by NLAD at time of enrollment or transfer.
- 1-24. Does Infiniti utilize tribal/reservation government or other tribal/reservation administrative services to distribute phones to customers?
No.
- 1-25. Does Infiniti plan to enter into any agreements with a Tribe where Infiniti would receive compensation for serving tribal areas?
Infiniti will engage tribes per FCC guidelines upon receipt of ETC designation and prior to providing service on tribal lands.
- 1-26. Provide a copy of all media sources used in the advertising of Infiniti's services and charges, including point of sale materials, customer direct mail, customer brochures, and print media.
At this time all Infiniti enrollments are completed online, and all of Infiniti's marketing materials are in digital format.
- 1-27. Will Infiniti use Marketing Agents to enroll customers? If so, does Infiniti compensate Marketing Agents based on enrollments? What procedures does Infiniti have in place to assure its Marketing Agents do not misuse beneficiary data?
Yes, Infiniti has several layers of automated checks in the enrollment process which includes BQP duplicates.
- 1-28. Provide the "Terms and Conditions" for plans and enrollment. Are these "Terms and Conditions" provided to the potential customer prior to enrollment?
General terms and conditions are available on Infiniti's website. Once approved in South Dakota, state specific information will be available to South Dakota consumers.
- 1-29. What states does Infiniti provide services in that generate revenue outside of the Lifeline program? What was the breakdown of Lifeline revenue versus non-Lifeline revenue in 2022 and 2023?
CONFIDENTIAL
Please see attached Exhibit 1-29, for which the company is requesting confidential and proprietary treatment.
- 1-30. Does Infiniti anticipate geographic areas in South Dakota wherein customers may experience service issues due to inadequate coverage by the underlying carriers? If so, what is the process and procedure for handling customer service issues after signing the individual up for services?
Infiniti does not anticipate geographic areas in South Dakota wherein customers may experience service issues due to inadequate coverage by the underlying carriers.
- 1-31. Will Infiniti inform potential customers of potential coverage issues prior to enrolling customer?
Infiniti will inform potential customers of potential coverage issues that Infiniti is aware of prior to enrolling customers.

- 1-32. Refer to page 4 of the petition. It states, "INFINITI will provide affordable prepaid mobile phone service, including calling, text messaging, and broadband access, along with user-friendly handsets, table or hotspot devices." Please confirm: will Infiniti provide a device to all new customers? Is there an additional charge for a device? If a device is provided, is it new or refurbished? If refurbished, has Infiniti had any quality issues with its refurbished handsets compared to new handsets? Confirm that Infiniti will not misrepresent refurbished phones as new phones in advertisements and when signing new customers up for service.
The initial devices are new unless the customer requires something different. Manufacturer warranties are in place and passed along to the consumer. Defective devices are replaced. Infiniti does charge for handsets, however, SIM cards are provided free of charge. The customer has the option to purchase a new or refurbished device for lost, stolen or damaged devices. Infiniti has not had any quality issues with its refurbished handsets compared to new handsets. Infiniti will not misrepresent refurbished phones as new phones in advertisements and when signing new customers up for service.
- 1-33. Explain how Infiniti complies with ARSD 20:10:32:43.05 in offering a local usage plan comparable to the one offered by the incumbent local exchange carrier in the service area in which Infiniti seeks designation. Provide the analysis done to compare the plans.
Infiniti complies with the MSS (minimum service standards) set forth by the FCC for wireless service providers. Infiniti is unaware of how the FCC administered MSS for wireless voice compares to the local usage plans of South Dakota wireline ILECs. Local voice usage and domestic long distance voice usage are treated the same without additional charges as part of Infiniti voice usage bundles. Infiniti has not completed an analysis comparing the local usage plans of the many South Dakota ILECS (appears to be approximately 20), nor do we have the resources to complete such an analysis.
- 1-34. Provide the information as required in ARSD 20:10:32:43.06.
Infiniti is aware of its obligation to certify that it will be able to provide equal access to long distance carriers if no other eligible telecommunications carrier is providing equal access within the service area.
- 1-35. Refer to page 11 of the Petition. Explain how the underlying carriers reroute traffic around damaged facilities and manage traffic spikes resulting from emergency situations.
This is covered in the terms and conditions of the underlying carriers' web-sites which are publicly available.
- 1-36. Will Infiniti furnish its own coverage information and maps to potential customers or rely on maps and coverage information from the underlying carriers?
Infiniti does not intend to furnish its own coverage information and maps to potential customers, but instead, will rely on maps and coverage information from the underlying carriers.

1-37. Does Infiniti currently offer Lifeline services in Tribal areas in any other state? If so, provide a list of all Tribal areas served.

Yes. Oklahoma, New York, Nevada, and Wisconsin.