

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MICHIGAN**

In the Matter of the Application of)

Q LINK WIRELESS LLC)

For Designation as an Eligible Telecommunications)
Carrier in the State of Michigan)

Case No. U-16940

**APPLICATION OF Q LINK WIRELESS LLC
TO EXPAND ITS ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION
TO ENCOMPASS TRIBAL LANDS**

I. INTRODUCTION

Q LINK WIRELESS LLC (“Q LINK” or the “Company”), by its undersigned counsel, and pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended (the “Act”), sections 54.101 through 54.207 of the Rules of the Federal Communications Commission (“FCC”), and the rules and regulations of the Michigan Public Service Commission (“Commission”), hereby requests that the Commission approve this application to expand Q LINK’s Eligible Telecommunications Carrier (“ETC”) designation to authorize Q LINK to provide enhanced Lifeline services to eligible residents of federally recognized tribal lands (“Tribal” customers) in Michigan (the “Application”).

On August 28, 2012, Q LINK was designated as a Lifeline-only ETC by Commission Order in the above referenced docket (“ETC Designation Order”). As demonstrated herein, and as verified in **Exhibit A**, Q LINK continues to meet all statutory and regulatory requirements for designation as an ETC, including those in recent FCC Orders.¹ The Company does not seek access to funds

¹ See *In the Matter of Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket Nos. 11-42, 00-197, 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration, FCC 16-38 (rel. Apr. 27, 2016) (“*Lifeline Modernization Order*”); See *In the Matter of Bridging the Digital Divide for Low-Income Consumers, Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support*, WC Docket Nos. 17-287, 11-42, 00-197, Fifth Report and Order, Memorandum Opinion and Order and Order on Reconsideration, FCC 19-111, (rel. Nov. 14, 2019) (“*Fifth Report and Order*”).

from the federal Universal Service Fund (“USF”) for the purpose of providing service to high-cost areas. Prompt approval of Q LINK’s request would advance the public interest by enabling the Company to expand the availability of Lifeline service to Tribal areas in Michigan which are often subject to high rates of low-income citizens in need of subsidized communications services. Accordingly, Q LINK respectfully requests that the Commission expeditiously approve this Application.

All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

Lance J.M. Steinhart
Lance J.M. Steinhart, P.C.
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
E-Mail: lsteinhart@telecomcounsel.com

With a copy to the Company’s local counsel:

Eric T. Weiss (P41687)
Finkel Whitefield Selik
Attorneys and Counselors at Law
32300 Northwestern Highway, Suite 200
Farmington Hills, Michigan 48334
(248) 855-6500 (Phone)
(248) 855-6501 (Fax)
E-Mail: eweiss@fwslaw.com

II. DESIGNATED SERVICE AREA

Q LINK currently provides wireless Lifeline service to eligible Michigan Lifeline customers utilizing the Sprint Spectrum L.P. (“Sprint”) and T-Mobile USA, Inc. (“T-Mobile”) wireless networks. As Tier 1 carriers, Sprint and T-Mobile have access to a reasonable amount of back-up power to ensure functionality without an external power source, the ability to reroute traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency

situations. Thus, through its agreement with these underlying carriers, Q LINK provides its customers the ability to remain functional in emergency situations.

In the ETC Designation Order, the Commission designated Q LINK as an ETC, referencing the wire centers listed in Exhibit 6 to Q LINK's initial ETC Designation Application which were in the service area of its underlying service provider. On November 14, 2019, the Commission issued an Order granting Q LINK approval to extend its service area to include additional exchanges of its underlying carriers (the "Expansion Order"), as demonstrated in Exhibit 2 to Q LINK's Service Area Expansion Application filed on January 16, 2019 (the "Expansion Application").

Q LINK now seeks to expand its ETC designation to include authority to provide enhanced tribal Lifeline services to Tribal customers residing within Q LINK's existing ETC-designated service area, which encompasses the following Tribal areas: Bay Mills Indian Community; Grand Traverse Band of Ottawa and Chippewa Indians; Nottawaseppi Huron Band of the Potawatomi; Little River Band of Ottawa Indians; Little Traverse Bay Bands of Odawa Indians; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Pokagon Band of Potawatomi Indians; Saginaw Chippewa Indian Tribe of Michigan; and Sault Ste. Marie Tribe of Chippewa Indians of Michigan. Q LINK is providing notice to these tribes of the instant Application concurrent with the filing thereof, and will seek to meaningfully engage with such tribes to enhance the provision of its Lifeline service on the respective tribal lands.

III. Q LINK MEETS APPLICABLE REQUIREMENTS

FCC rules, 47 C.F.R. §§ 54.201-54.202 (the "FCC ETC Rules") set forth the information that must be contained in an application for designation as an ETC. In its initial and supplemental ETC Designation Applications, Q LINK provided all of the information required by FCC ETC Rules in effect at the time. The Commission found in its ETC Designation Order that Q LINK satisfied the requirements for designation as an ETC. Additionally, in its January 2019 Expansion

Application, Q LINK further demonstrated that its service satisfied necessary requirements of the FCC’s Lifeline rules adopted since Q LINK was initially granted ETC Designation. Q LINK incorporates the information in those filings by reference herein. Below, Q LINK addresses its compliance with more recent FCC requirements.

A. Customer Enrollment Process

The National Lifeline Eligibility Verifier (“National Verifier”) is now fully implemented in Michigan, and thus Q LINK relies on the National Verifier to determine initial and ongoing eligibility of Michigan Lifeline subscribers.

In the *Fifth Report and Order*, the FCC adopted a rule that prohibits Lifeline ETCs “from paying commissions based on the number of submitted Lifeline applications or approved enrollments to individuals who enroll Lifeline subscribers or who verify eligibility of Lifeline subscribers on behalf of ETCs.”² Q LINK’s Lifeline customer enrollment model does not employ or use agents or third party representatives, and does not pay any commissions or sales incentives on Lifeline sign-ups. Thus, Q LINK’s enrollment approach has been and will continue to be aligned with the new FCC rule.

B. Lifeline Offering

Q LINK is able to provide all services supported by the universal service program, as detailed in Section 54.101(a) of the FCC’s Rules (47 C.F.R. § 54.101(a)), throughout its requested service area in the State of Michigan, including broadband Internet access service (“BIAS”), through the services of its underlying carriers. Q LINK’s current Lifeline offering, as set forth in the Company’s December 20, 2019 notice filed with the Commission, satisfies the minimum service standards set forth in 47 C.F.R. § 54.408. Q LINK commits to offering Lifeline-supported

² *Id.* ¶ 68.

service to all eligible Michigan consumers that will continue to meet or exceed the federal minimum service standards, including future changes.

Q LINK intends to offer enhanced Lifeline service to qualifying households residing on Tribal lands with additional airtime minutes and mobile broadband allowances in exchange for the increased federal subsidies, as demonstrated in **Exhibit B**. In accordance with 47 C.F.R. § 54.202(a)(1)(i) and by the attached verification, Q LINK certifies that it will comply with the service requirements applicable to its receipt of federal Lifeline support (including Tribal Lifeline support).

IV. Q LINK'S PROVISION OF SERVICE TO MICHIGAN RESIDENTS ON TRIBAL LANDS WOULD PROMOTE THE PUBLIC INTEREST

In the ETC Designation Order, the Commission found that designation of Q LINK as an ETC would serve the public interest. In its more recent Expansion Order, the Commission found that expansion of Q LINK's ETC service area would further the interests of customers and should be granted. Granting Q LINK authority to provide Tribal Lifeline service will further the public interest by allowing even more low-income Michigan consumers to have access to low-priced and high-quality services. Q LINK's prepaid Tribal plan will enable eligible Tribal residents to enjoy the benefits of wireless telecommunication without being subject to extensive credit reviews and long-term service commitments, which historically have prevented many low-income Americans, including Michigan residents, from reaping the full benefits of the intensely competitive wireless market.

Q LINK offers a unique, easy to use, competitive, and highly affordable wireless telecommunications service, which benefits qualified consumers who either have no other service alternatives or who choose a wireless prepaid solution in lieu of more traditional service. In today's market, consumers, including qualified Lifeline customers, view the portability and convenience

of wireless service not as a luxury, but as a necessity. Mobile service allows children to reach their parents wherever they may be, allows a person seeking employment greater ability to be contacted by potential employers, and provides end users with the ability to contact emergency service providers regardless of location. Mobile service often also serves as a key bridge in closing the homework gap for students who live in rural areas with limited access to broadband, such as the many citizens living on Tribal lands.

Q LINK's Lifeline offerings compare favorably with those of other competitive ETCs, and its Tribal Lifeline offering is the richest on the market, providing Tribal Lifeline customers with unlimited voice minutes, unlimited text messages, and unlimited data at no net cost after application of Lifeline support. Expansion of Q LINK's ETC authority to encompass Tribal lands will increase the number of low-income individuals that can benefit from the advantages offered by the Company's Lifeline service, ensuring Tribal residents have access to wholly supported wireless voice and broadband service.

Q LINK employs a state-of-the-art proprietary fraud prevention system and does not utilize agents or third party representatives for Lifeline enrollment, and does not pay any commissions or sales incentives on Lifeline sign-ups. This model, which Q LINK has employed for almost the entirety of its Lifeline operations, was recently endorsed by the FCC which adopted an order to prevent Lifeline ETCs from paying commissions to agents.³ This direct-to-customer model utilizes technology to protect against waste, fraud and abuse. Q LINK recognized the value of this approach early and has a detailed, proven methodology that has and will continue to give it a competitive advantage over its competitors, demonstrating the Q LINK's commitment to being a trusted steward with public resources. Q LINK's business model is unique in that the Company is

³ See *Fifth Report and Order*, ¶68.

able to reach unserved and underserved Lifeline-eligible consumers; in fact, on average, eighty percent (80%) of Q LINK's customers are *new* and have not previously participated in the Lifeline program.

With the comprehensive strength and experience of Q LINK's management team, the Company's proven technology-based business model, and Q LINK's solid history as a Lifeline provider, Q LINK is uniquely-positioned to meet the needs of Lifeline customers, utilizing the Company's innovative outreach and high integrity enrollment process, and Q LINK remains committed to careful stewardship of the Lifeline program. Without question, prepaid wireless services have become essential for low-income customers, providing them with value for their money, access to emergency services on wireless devices, and a reliable means of contact for prospective employers, social service agencies or dependents. Providing Q LINK with the authority necessary to offer discounted Lifeline services to eligible residents of Tribal lands in Michigan undoubtedly promotes the public interest.

V. CONCLUSION

Q LINK respectfully requests that the Commission promptly approve this Application and expand Q LINK's ETC designation to include authority to provide enhanced Lifeline-supported services to eligible Michigan consumers residing on Tribal lands.

Respectfully submitted,

s/ Lance J.M. Steinhart

Lance J.M. Steinhart
Managing Attorney
Lance J.M. Steinhart, P.C.
Attorneys at Law
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
E-Mail: lsteinhart@telecomcounsel.com

and

Eric T. Weiss (P41687)
Finkel Whitefield Selik
Attorneys and Counselors at Law
32300 Northwestern Highway, Suite 200
Farmington Hills, Michigan 48334
(248) 855-6500 (Phone)
(248) 855-6501 (Fax)
E-Mail: eweiss@fwslaw.com

Attorneys for Q LINK WIRELESS, LLC

October 7, 2020

EXHIBIT A

Q LINK WIRELESS LLC

VERIFICATION

STATE OF FLORIDA)
)
County of Broward)

I, Issa Asad, being first duly sworn upon oath, depose and state that I am the Chief Executive Officer of Q LINK WIRELESS LLC and do hereby declare under penalty of perjury that I have read the foregoing **APPLICATION OF Q LINK WIRELESS LLC TO EXPAND ITS ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION TO ENCOMPASS TRIBAL LANDS**, and that the contents are true and correct to the best of my knowledge.

Issa Asad
Chief Executive Officer
Q LINK WIRELESS LLC

Subscribed and sworn to before me this ____ day of October 2020.

Notary Public

My Commission Expires: _____

EXHIBIT B

Q LINK WIRELESS LLC – MICHIGAN LIFELINE OFFERING

PROPOSED TRIBAL LIFELINE OFFERING

Unlimited Talk, Text & Data (Q LINK ALWAYS ON TRIBAL)

Unlimited anytime voice minutes
Unlimited text and picture messaging
Unlimited data

Net cost to Tribal Lifeline customer: **\$0**

CURRENT NON-TRIBAL LIFELINE OFFERING

1,000 Minutes & 3 GB Data (Q LINK ALWAYS ON)

1,000 anytime minutes per month
Unlimited text and picture messaging
3 GB data per month
Minutes & data do not rollover

Net cost to Lifeline customer: **\$0**

All packages include:

- Free Wi-Fi enabled Smartphone, SIM card or data-capable tablet/hotspot device for qualified applicants
- Free calls to Q LINK Customer Service
- Free calls to 911 emergency services
- Free access to Voicemail, Caller-ID, and Call Waiting features
- Voice minutes may be used for Domestic Long Distance at no extra charge

Additional airtime available for purchase

Current rates published at <https://qlinkwireless.com/members/cart/quickpurchase.aspx>