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December 16, 2016

  
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Executive Secretary  
North Dakota Public Service Commission  
600 East Boulevard Avenue, Department 408  
Bismarck, ND 58505-0480

**RE: Total Call Mobile, Inc. – ND ETC Relinquishment Request**

Dear Sir or Madam:

Enclosed for filing regarding the above-referenced matter, please find an original and seven (7) copies of the following:

1. Petition of Total Call Mobile, Inc. for Relinquishment of Eligible Telecommunications Carrier Designation.

Please date-stamp and return the additional copy of the Petition to us in the enclosed self-addressed, stamped envelope.

Thank you for your attention. If you have any questions, please do not hesitate to contact us.

Very truly yours,



David J. Hogue

DJH/tb  
Enclosures

cc: Kenneth J. Sheehan

STATE OF NORTH DAKOTA  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of	)	Case No. PU-12-820
	)	
Petition of Total Call Mobile, Inc.	)	
for Relinquishment of Eligible	)	
Telecommunications Carrier Designation	)	

**PETITION OF TOTAL CALL MOBILE, INC FOR RELINQUISHMENT OF ELIGIBLE  
TELECOMMUNICATIONS CARRIER DESIGNATION**

Total Call Mobile, Inc. (“Total Call”), pursuant to 47 U.S.C. § 214(e), 47 C.F.R. § 54.205, and a North Dakota Public Service Commission (the “Commission”) Order dated December 18, 2013 submits this Petition to the Commission of its intention to Relinquish its Eligible Telecommunications Carrier (“ETC”) Designation in the State of North Dakota, effective December 31, 2016. Total Call also notices the cancellation and withdrawal of any and all of Total Call’s Informational Tariffs for the service on the same date. Total Call proposes to relinquish its ETC designation due to changes in the wireless industry and proposed modifications to the Lifeline program. As detailed below, Total Call has no subscribers in the State.

In support of this Petition, Total Call states as follows:

**Background**

1. Total Call is a Delaware limited liability company. Its principal place of business is 1411 190<sup>th</sup> Street, Suite 650, Gardena, CA 90248. Total Call provides wireless Lifeline telecommunications services to consumers in North Dakota through resale of Commercial Mobile Radio Services (“CMRS”) provided by Sprint PCS (“Sprint”) and AT&T Corp. (“AT&T”).

2. By Final Decision dated December 18, 2013, the Commission granted Total Call's request for designation as a Lifeline-only ETC in North Dakota. Total Call Mobile, Inc., Designated Eligible Carrier Application, Case No. PU-12-820, (the "Decision"), dated December 18, 2013.

3. Total Call seeks to relinquish its ETC designation and to discontinue service in North Dakota due to changes in the wireless industry and proposed modifications to the Lifeline program. Total Call also intends to exit its wireless Lifeline business in every state and U.S territory in which it currently offers wireless Lifeline service. Total Call is not currently enrolling any new Lifeline subscribers in North Dakota.

#### Federal and State ETC Relinquishment Requirements

4. 47 U.S.C. § 214(e)(4) states, in pertinent part:

A State Board [...] shall permit an eligible telecommunications carrier relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State Board [...] of the relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State Board [...] shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier.

Id.; see also 47 C.F.R. § 54.205. As shown below, Total Call satisfies all relevant requirements.

#### Designated Service Area

5. Total Call seeks to withdraw its ETC designation throughout its entire designated service area in North Dakota.

6. As set forth in 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205, federal law requires the Commission to permit the withdrawal of an ETC designation in any area served by at least one other ETC.

7. Total Call provided wireless Lifeline service to customers in approximately twenty-five (25) wire centers across North Dakota.<sup>1</sup> Each of these wire centers is served by an incumbent local exchange carrier (“ILEC”) that is designated as an ETC.

8. As a consequence, following relinquishment of Total Call’s ETC designation, Total Call’s service area will continue to be served by at least one ILEC ETC. In addition, according to USAC records, prospective subscribers will have access to at least nine (9) other competitive wireless Lifeline providers that provide service in at least part of Total Call’s designated service area – including Budget Mobile, Tempo Telecom, and Verizon Wireless.<sup>2</sup>

9. Because at least one ILEC ETC already serves each of the wire centers that Total Call serves, those ETCs will not be required to purchase or construct additional facilities to ensure that Total Call’s Lifeline subscribers continue to receive service. In addition, to the best of Total Call’s knowledge, none of the competitive wireless Lifeline providers will be required to purchase or construct additional facilities to continue providing service within the wire centers comprising Total Call’s service area.

10. Because there is at least one additional ETC in each of Total Call’s designated service areas, there is no bar to prevent it from relinquishing its ETC designation in North Dakota, and 47 U.S.C. § 214(e)(4) and 47 C.F.R. § 54.205 have been met.

**Customer Notice**

11. Total Call currently no wireless Lifeline subscribers in North Dakota.

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<sup>1</sup> See <http://www.usac.org/hc/tools/wctozone/IASWCtoZoneSearch.aspx>.

<sup>2</sup> See <http://www.lifelinesupport.org/lis/companies/CompanyListing.aspx?state=ND&stateName=North%20Dakota>.

**Cancellation and Withdrawal of Total Call's Informational Tariff**

12. Given that Total Call should be permitted to relinquish its ETC designation in North Dakota for the reasons stated above, the Commission should also permit Total Call to cancel and withdraw, as appropriate, any and all Informational Tariff or Tariffs.

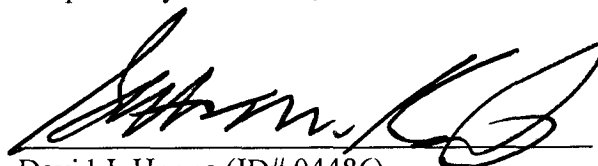
**CONCLUSION**

For the foregoing reasons, Total Call respectfully seeks approval from the Commission to relinquish its Eligible Telecommunications Carrier ("ETC") designation in the State of North Dakota, effective December 31, 2016, and the cancellation and withdrawal of any Informational Tariffs, effective the same date.

Dated this 16<sup>th</sup> day of December, 2016.

Respectfully submitted,

By:



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