

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Boomerang Wireless, LLC
Designated Eligible Carrier – Partial Relinquish
Application

Case No. PU-23-278

AFFIDAVIT OF SERVICE BY CERTIFIED MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Geralyn R. Schmaltz deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **17th day of October 2023**, she deposited in the United States Mail, at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

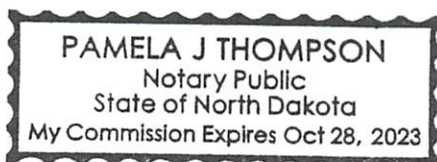
- **Order on Eligible Telecommunications Carrier Designation**

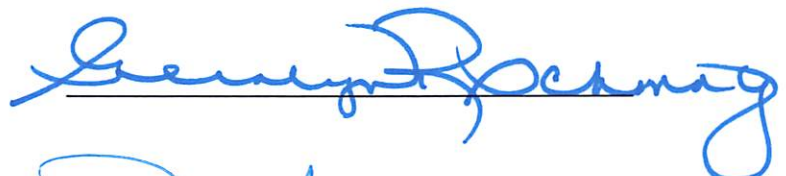
The envelope was addressed as follows:


J. Andrew Gipson, Esq.
J. A. Gipson Advisors, PLLC
414 Holly Grove Circle
Braxton, MS 39044
Cert. No. 9589 0710 5270 0642 4074 17

The addresses shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **17th day of October 2023**.







Notary Public

SEAL

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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Case No. PU-23-278

ORDER ON ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION

October 11, 2023

On October 9, 2013, the Commission's Order on Eligible Telecommunications Carrier Designation designated Boomerang Wireless, LLC (Boomerang) as an eligible telecommunications carrier (ETC) for the purpose of receiving federal universal service support for low-income consumers under 47 CFR Part 54 Subpart E in North Dakota wire centers. The Commission's October 9, 2013, Order designated Boomerang as an ETC in all study areas in North Dakota.

On July 28, 2023, Boomerang filed an application with the Commission, under 47 U.S.C. section 214(e)(4) and 47 C.F.R. section 54.205, requesting partial relinquishment of its designation as an ETC in areas served by the underlying network of Verizon Wireless.

Under 47 U.S.C. section 214(e)(4) and 47 C.F.R. section 54.205, the Commission shall permit a carrier to relinquish its ETC designation for an area served by more than one eligible telecommunications carrier.

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 commission 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. The state commission shall establish a time, not to exceed one year after the state commission approves such relinquishment under this section, within which such purchase or construction shall be completed.

On August 16, 2023, the Commission issued a Notice of Opportunity for Comment providing until close of business on September 29, 2023, to receive comments. No comments were received.

The Commission has reviewed the documents in this proceeding and finds:

1. There is more than one ETC serving in the area Boomerang is seeking to relinquish. The alternative ETCs include Life Wireless, NDNC, BEK Communications, AT&T Mobility, Verizon Wireless, Centurylink, Red River Communications, Polar Communications, Midcontinent Communications, United Telephone Mutual Aid Company, Midstate Communications and Reservation Telephone Cooperative.
2. Boomerang provided advanced notice to the Commission of its intent to relinquish its ETC designation for the following zip codes in North Dakota:

58001	58205	58313	58430	58542	58731
58002	58210	58321	58431	58549	58733
58004	58216	58323	58438	58558	58734
58005	58218	58327	58439	58559	58735
58006	58219	58332	58440	58560	58737
58007	58220	58335	58441	58562	58740
58008	58222	58339	58445	58563	58744
58009	58223	58341	58448	58565	58748
58011	58224	58343	58451	58566	58750
58012	58227	58345	58452	58569	58752
58013	58229	58346	58455	58570	58755
58017	58230	58351	58460	58573	58756
58018	58233	58352	58464	58575	58757
58021	58235	58353	58466	58579	58758
58027	58236	58355	58472	58580	58759
58029	58238	58357	58475	58581	58762
58030	58240	58361	58476	58626	58765
58031	58241	58362	58477	58627	58768
58038	58243	58363	58478	58630	58769
58040	58244	58365	58479	58631	58771
58042	58250	58367	58484	58632	58772
58043	58255	58369	58486	58636	58775
58048	58256	58370	58487	58638	58776
58049	58258	58374	58488	58641	58779
58051	58259	58377	58490	58642	58781
58053	58260	58379	58492	58646	28753
58056	58261	58380	58495	58647	58785
58057	58262	58381	58497	58649	58787
58058	58265	58382	58520	58650	58788
58059	58266	58384	58521	58652	58792
58060	58269	58385	58523	58653	58793
58061	58271	58386	58524	58710	58794
58062	58272	58415	58529	58711	58830
58063	58273	58416	58531	58712	58833
58064	58277	58418	58532	58713	58843

58065	58278	58422	58535	58716	58853
58067	58281	58423	58538	58721	58856
58068	58310	58424	58540	58723	
58069	58311	58428	58541	58725	

3. There are 15 subscribers currently being served by Boomerang in the area it intends to relinquish. Those subscribers have the option to port their service to an alternative zip code that Boomerang is not relinquishing or to select a different ETC that serves their area. Boomerang will send notices to each subscriber 60, 45, 30, 15 and 5 days prior to its proposed relinquishment date of October 20, 2023.

Order

The Commission orders that Boomerang Wireless, LLC's relinquishment of its October 9, 2013, designation as an essential telecommunications carrier is permitted for the requested zip codes in North Dakota effective October 20, 2023.

PUBLIC SERVICE COMMISSION


Sheri Haugen-Hoffart
Commissioner


Randy Christmann
Chair


Julie Fedorchak
Commissioner