

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

AUG 02 2013

In the Matter of)

Application of TracFone Wireless, Inc.)
for Designation as an Eligible Telecommunications)
Carrier in the State of Kansas for the Limited)
Purpose of Offering Lifeline Service to Qualified)
Households)
_____)

by
State Corporation Commission
of Kansas

) Docket No. 13-TFWZ-575-ETC

**TRACFONE WIRELESS, INC.'S NOTICE OF WITHDRAWAL OF APPLICATION TO
EXPAND DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

1. TracFone Wireless, Inc. ("TracFone"), by its undersigned counsel, hereby notifies the Commission that it is withdrawing its Application to Expand Designation as an Eligible Telecommunications Carrier ("ETC") to include certain additional areas of its service area in the State of Kansas, filed March 14, 2013.

2. On December 14, 2010, the Commission issued an order in Docket No. 09-TFWZ-945-ETC designating TracFone, a reseller of commercial mobile radio service, as an ETC in certain defined areas served by AT&T Mobility and T-Mobile.¹ In the December 2010 ETC Order, the Commission, citing 47 U.S.C. § 214(e)(5), designated TracFone as an ETC in those exchanges of non-rural incumbent local exchange carriers ("ILECs") that TracFone could serve in their entirety and in the study areas of rural LECs that TracFone could serve in their entirety.

3. On January 2, 2013, the Commission issued an order in Docket No. 13-TFWZ-207-ETC, in response to an application filed by TracFone, designating TracFone as an ETC in

¹ In the Matter of the Application of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Kansas for the Limited Purpose of Offering Lifeline Services to Qualified Households, Order Granting in Part and Denying in Part Amended Application of TracFone for Designation as ETC for the Limited Purpose of Offering Lifeline Services to Qualified Households, Docket No. 09-TFWZ-945-ETC, December 14, 2010.

additional exchanges of non-rural ILECs that TracFone could serve in their entirety and in the study areas of rural LECs that TracFone could serve in their entirety.²

4. On March 14, 2013, TracFone filed an application requesting to expand its designation as an ETC within the State of Kansas to include certain rural LEC study areas that were excluded from ETC designation in the Commission's January 2012 ETC Order. As noted in the March 14, 2013 application, the Commission excluded these study areas based on its understanding that TracFone did not serve all exchanges within the study areas.

5. On April 15, 2013, the Federal Communications Commission ("FCC") released an Order granting forbearance from the requirement in 47 U.S.C. § 214(e)(5) that the service area of an ETC conform to the service area of rural LECs serving the same area.³ The FCC Forbearance Order "applies to any ETC that has been designated by a state or the [FCC], as well as pending and future requests by telecommunications carriers that seek limited designation, as an ETC to participate only in the Lifeline program (Lifeline-only ETC)."⁴ The FCC Forbearance Order further provides that a "carrier may petition the appropriate designating entity to adjust its service areas in accordance with this grant of forbearance."⁵

6. In light of the FCC Forbearance Order, TracFone has conducted an analysis of its service area to identify additional areas located within rural LEC service areas in which TracFone can provide Lifeline service. TracFone is withdrawing its request to expand its ETC

² In the Matter of the Application of TracFone Wireless, Inc. for Designation as an Eligible Telecommunications Carrier in the State of Kansas for the Limited Purpose of Offering Lifeline Services to Qualified Households, Order Granting Application to Expand Designation as an Eligible Telecommunications Carrier, Docket No. 13-TFWZ-207-ETC, January 2, 2013.

³ Telecommunications Carriers Eligible for Support et al., Memorandum Opinion and Order, 28 FCC Rcd 4859 (2013) ("FCC Forbearance Order").

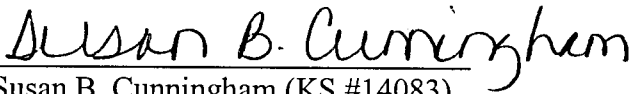
⁴ Id., ¶ 1.

⁵ Id., n.2.

designation so that it can file a comprehensive request to include service areas permitted by the FCC Forbearance Order. TracFone will promptly refile its application to expand its ETC designation to include additional service areas in Kansas.

WHEREFORE, TracFone Wireless, Inc. respectfully withdraws its Application to Expand Designation as an Eligible Telecommunications Carrier, filed March 14, 2013, without prejudice.

Respectfully submitted,


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August 2, 2013

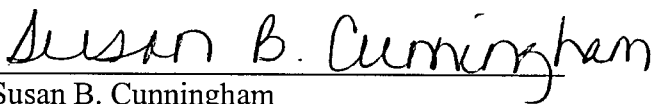
VERIFICATION

K.S.A. 53-601

STATE OF KANSAS)
)
COUNTY OF SHAWNEE)

ss:

I, Susan B. Cunningham, verify under penalty of perjury that I have caused the foregoing Notice of Withdrawal of Application to Expand Designation as an Eligible Telecommunications Carrier by Tracfone Wireless, Inc. to be prepared on behalf of TracFone Wireless, Inc., and that the contents thereof are true and correct to the best of my knowledge, information and belief.



Susan B. Cunningham

August 2, 2013