

**THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS**

In the Matter of A General Investigation of )  
TAG Mobile, LLC to Show Cause Why This )  
Commission Should Not Initiate Sanctions and ) Docket No. 16-TAGC-323-SHO  
Fines and Cancel, Suspend and Revoke Any )  
Authority the Carrier Currently Holds. )

**SURREBUTTAL TESTIMONY**

**OF**

**SANDY REAMS**

**ON BEHALF OF**

**KANSAS CORPORATION COMMISSION STAFF**

August 18, 2017

1   **Q.     Please state your name and business address.**

2   A.     My name is Sandy Reams.

3   **Q.     Are you the same Sandy Reams that filed Direct Testimony in this Docket on June**  
4       **23, 2017?**<sup>1</sup>

5   A.     Yes.

6   **Q.     What is the purpose of your Surrebuttal Testimony?**

7   A.     The purpose of my testimony is to respond to issues Mr. Z. Ed Lateef addresses in his  
8       Rebuttal Testimony (Lateef Rebuttal) on behalf of TAG Mobile, LLC (TAG).  
9       Specifically, I respond to Mr. Lateef's assertions that: (1) the rate for TAG's Kansas  
10      Lifeline Service Program (KLSP) plan was \$20.00; (2) TAG's KLSP plan included 600  
11      Minutes of Use (MOU); and (3) TAG has taken steps to "ensure future compliance with  
12      Commission orders."<sup>2</sup>

13   **I.     Excessive Lifeline Reimbursement**

14   **Q.     Mr. Lateef states, on page 3, lines 9-10 of his Rebuttal Testimony, "[t]o my**  
15       **knowledge, the plans offered in Kansas were at the \$20 rate, not the \$12.75 rate."**  
16       **What is your response?**

17   A.     Mr. Lateef's assertion that the KLPS price was \$20.00 is not supported by any evidence  
18       and is contrary to evidence provided by TAG.

19   **Q.     Please explain how Mr. Lateef's assertion is inconsistent with the evidence**  
20       **provided by TAG.**

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<sup>1</sup> June 23, 2017 Direct Testimony of Sandy Reams on Behalf of Kansas Corporation Commission Staff (Reams Direct).

<sup>2</sup> Lateef Rebuttal, p. 3.

1 A. TAG's documentation supports the \$12.75 monthly KLSP rate.<sup>3</sup> TAG's KLSP  
2 customers and customer service representatives saw the \$12.75 monthly rate when they  
3 accessed an account online; not \$20.00,<sup>4</sup> and TAG never notified its KLSP subscribers  
4 that their account information was incorrect.<sup>5</sup> Finally, the \$20.00 price TAG uses for  
5 KUSF reporting purposes<sup>6</sup> was only reflected on KLSP subscriber account information  
6 provided *after* TAG was questioned about the monthly KLSP rate.<sup>7</sup>

7 **Q. Mr. Lateef also asserts TAG's KLSP plan included 600 MOU per month, not 500**  
8 **MOU. How do you respond?**

9 A. Mr. Lateef did not provide any evidence to support this assertion. Mr. Lateef did not  
10 offer any explanation regarding the inconsistent information TAG has provided  
11 regarding its KLSP plan, provide the date TAG modified the plan to include 600 MOU,  
12 or even the time frame for when the 600 MOU KLSP plan was effective. This assertion is  
13 also inconsistent with TAG's documentation that supports its KLSP plan includes 500  
14 MOU<sup>8</sup> and, as of June 2017, TAG was marketing its KLSP plan as including 500  
15 MOU.<sup>9</sup> Finally, since requesting and receiving its ETC designations, TAG has filed  
16 multiple verified statements with the Commission stating its KLSP plan includes 500  
17 MOU.<sup>10</sup> For example, TAG's July 6, 2017 ETC certification filing states, "Tag's

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<sup>3</sup> Reams Direct, pp. 8-13.

<sup>4</sup> Id., Exhibit A, p. 11, p. 84; Exhibit E.

<sup>5</sup> Id., Exhibit A, pp. 98-99.

<sup>6</sup> Id., Exhibit A, p. 67.

<sup>7</sup> Id., Exhibit A, pp. 84, 98-99; Exhibit E.

<sup>8</sup> Id., pp. 86-97; Exhibit N.

<sup>9</sup> Id., Exhibit P.

<sup>10</sup> Id., Exhibit A, p. 55, pp. 86-97; Exhibit N. See also Aarnes Direct Exhibit A; Docket No. 14-GIMT-468-GIT, June 30, 2014 TAG Mobile, LLC Compliance Filings, Attachment 6, p. 6; Docket No. 12-TAGC-843-ETC (12-843), Dec. 14, 2015 TAG Mobile, LLC Kansas Wireless Lifeline Plan.

1 Lifeline service offering in KS include [*sic*] a 500 Minute Plan.”<sup>11</sup>

2 Thus, while Mr. Lateef made broad statements regarding TAG’s KLSP rate and plan  
3 offering, he failed to provide any evidence supporting his assertions – assertions that are  
4 contrary to TAG’s own documentation. As a result, Mr. Lateef failed to show TAG did  
5 not request and receive subsidies in excess of its KLSP monthly service rate in violation  
6 of K.S.A. 66-2006(a), 47 C.F.R. §54.407(b), and Commission Order.<sup>12</sup>

7 **Q. Mr. Lateef also asserts TAG has taken steps “to ensure future compliance with**  
8 **Commission orders.”<sup>13</sup> How do you respond?**

9 **A.** While Mr. Lateef made this assertion, he acknowledged TAG’s failure to retain and  
10 maintain its records and documentation, claiming it was due, in part, to a change in its  
11 billing system. TAG is not the only telecommunications company to change its billing  
12 system and the Company’s failure to comply with its obligations because of a change in  
13 its billing system is not acceptable. Mr. Lateef also lists changes TAG has made to  
14 ensure compliance in the future, but does not provide any evidence to support the  
15 identified changes or how those changes will ensure future compliance. Regardless of  
16 whether TAG changed its billing system or has taken steps to comply with future  
17 obligations, Mr. Lateef acknowledges TAG’s failure to comply with its obligations to  
18 maintain and retain records and documentation supporting its federal<sup>14</sup> and state

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<sup>11</sup> Docket No. 17-GIMT-405-GIT, TAG Mobile, LLC Compliance Filings- FCC Form 481, Attachment 6 (Reams Surrebuttal Exhibit A, p. 7).

<sup>12</sup> Docket No. 13-GIMT-597-GIT (13-597), Feb. 20, 2014 *Order Maintaining Current Kansas Lifeline Service Program Discount and Policy* (KLSP Policy Order), ¶ 9-10, Ordering ¶ B.

<sup>13</sup> Lateef Rebuttal, p. 3.

<sup>14</sup> 47 C.F.R. §54.201; 47 C.F.R. §54.403(a)(1); 47 C.F.R. §54.407(a); 47 C.F.R. §54.407(b); 47 C.F.R. §54.407(e); 47 C.F.R. §54.417(a); 47 C.F.R. §54.706(e); Public Notice, Lifeline Providers are Liable if their Agents or Representatives Violate the FCC Program Rules, DA 13-1435, at 1-2, rel. June 25, 2013.

August 18, 2017

1 requirements.<sup>15</sup> Thus, his assertion that TAG will comply with its requirements in the  
2 future does not absolve TAG of its past failure to comply with its required obligations.

3 **Q. Does this conclude your Surrebuttal Testimony?**

4 A. Yes.

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<sup>15</sup> K.S.A. 66-2006(a); Docket No. 05-GIMT-1039-GIT, May 19, 2005 *Order Opening Docket and Establishing New Lifeline Service Program Eligibility Requirements and Guidelines Effective June 22, 2005*; Docket 12-843, Nov. 15, 2012 *Order on ETC Application*; Docket 13-597, KLSP Policy Order; Docket No. 14-GIMT-105-GIT, Oct. 20, 2015 *Order Determining KUSF Contribution Methodology*.



20170706131459  
Filed Date: 07/06/2017  
State Corporation Commission  
of Kansas

June 20, 2017

Received  
on

JUL 06 2017

Amy Gilbert, Secretary  
Kansas Corporation Commission  
1500 SW Arrowhead Rd  
Topeka, KS 66604

by  
State Corporation Commission  
of Kansas

**RE: Docket No. 17-GIMT-405-GIT- TAG Mobile, LLC Compliance Filings – FCC Form 481**

Dear Ms. Gilbert:

The Kansas Corporation Commission designated TAG Mobile an Eligible Telecommunications Carrier ("ETC") for the limited purpose of providing Lifeline services in the state of Kansas.

In compliance with FCC and Kansas Commission ETC annual reporting requirements, TAG Mobile is required to file a copy of the FCC Annual Report (Form 481) pertaining to Kansas operations with the Kansas Commission. Please find attached a copy of the FCC Form 481 that was filed with USAC.

Please do not hesitate to contact me if you have questions or concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Lammert', is written over a horizontal line.

Mark Lammert  
Attorney-in Fact  
TAG Mobile, LLC

**Attachment 1**

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Received  
on

Before Commissioners: Chairman Jay Scott Emler  
Commissioner Shari Feist Albrecht  
Commissioner Pat Apple

**JUL 06 2017**

by  
State Corporation Commission  
of Kansas

In the Matter of Certification of Compliance )  
with Section 254(e) of the Federal )  
Telecommunications Act of 1996 and ) Docket No. 17-GIMT-405-GIT  
Certification of Appropriate Use of Kansas )  
Universal Service Fund Support. )

**SECTION 254(e) CERTIFICATION  
FEDERAL UNIVERSAL SERVICE SUPPORT  
FCC Docket Reference: CC Docket No. 96-45  
and KANSAS UNIVERSAL SERVICE FUND SUPPORT<sup>1</sup>  
(Please type or print legibly)  
(Circle all appropriate Support Received)**

1. My title is Vice President of Finance of TAG Mobile, LLC  
(Company/ Cooperative). In this capacity, I am in a position of authority to direct how federal high-cost  
Universal Service Funds ("USF"), Connect America Fund ("CAF")<sup>2</sup> support, and/or Kansas Universal  
Service Fund ("KUSF") support received will be used and by this certification I am binding TAG  
Mobile, LLC (Company/Cooperative) to the statements made in this certification.

2. TAG Mobile, LLC (Company/Cooperative)  
was named as an eligible telecommunications carrier by the Kansas Corporation Commission ("KCC") for  
federal support purposes in Docket No. 12-TAGC-843-ETC by  
order dated December 5, 2012 and KUSF support purposes in Docket No.  
12-TAGC-843-ETC by order dated December 5, 2012.

3. By this affidavit, I certify that the USF, CAF and/or KUSF received by TAG Mobile,  
LLC (Company/Cooperative) was used in the proceeding calendar year 2016 and will be  
used in the new calendar year 2018 only for the provision, maintenance, and upgrading of facilities and

<sup>1</sup> See Docket 08-GIMT-154-GIT

<sup>2</sup> Rural Broadband Experiment support is affiliated with Phase II of the CAF.

**Attachment 1**

services for which the support is intended, as designated by the Federal Communications Commission, consistent with Section 254(e) of the Telecommunications Act, and/or Kansas statutes and KCC Requirements.

I certify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct.

(Pursuant to Kan. Stat. Ann. 53-601.)

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Siao Gallion  
Printed/Typed Name

Executed on 6/30/2017 date.

Email address: siao.gallion@tagmobile.com



**17-GIMT-405-GIT**  
**Attachment 6**

**Annual ETC Certification of Requirements Imposed by the  
Commission in Docket Number 06-GIMT-446-GIT**

**1.** All ETCs must provide detailed information on any outage in the prior calendar year, as that term is defined in 47 CFR 4.5, of at least 30 minutes in duration for each service area in which an eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect: (i) at least 10% of the end users served in a designated service area; or (ii) a 911 specialty facility as defined in 47 CFR 4.5(e). **(Please complete if information is not reported on Form 481.)** *TAG did not experience any outages.*

Date and time of Onset of the Outage	Description of the Outage and its Resolution	Particular services affected	Geographic Areas Affected	Steps Taken to Prevent a Similar Situation in the Future	Number of Customers Affected

(If necessary, please provide additional pages.)

**2.** Please provide the number of requests for service from potential customers within the recipient's service areas that were unfulfilled during the prior calendar year. If applicable, please explain how you attempted to provide service to those potential customers. **(Please complete if information is not reported on Form 481.)**

**TAG did not have any unfulfilled service requests in 2016.** \_\_\_\_\_

**3.** Please provide the number of complaints per 1,000 connections (fixed or mobile) in the prior calendar year. **(Please complete if information is not reported on Form 481.)**

**TAG did not receive any complaints in 2016.** \_\_\_\_\_

**17-GIMT-405-GIT  
Attachment 6**

4. A wireline ETC must certify that it is in compliance with the Commission's quality of service standards and a wireless ETC must certify that it is in compliance with the CTIA Code. **Please complete the following, as applicable to your company:**

**QUALITY OF SERVICE WIRELINE ANNUAL CERTIFICATION**

**KCC Docket Reference: 06-GIMT-446-GIT**

(Please type or print legibly)

1. My title is \_\_\_\_\_ of the \_\_\_\_\_  
(Company/ Cooperative). In this capacity, I am in a position of authority to certify whether the Company/ Cooperative is complying with required quality of service standards. I am binding \_\_\_\_\_ (Company/Cooperative) to the statements made in this certification.

2. By this affidavit, I certify that \_\_\_\_\_ (Company/ Cooperative) is in compliance with the Commission's quality of service standards as adopted in Docket No. 191,206-U.

I certify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. (Pursuant to Kan. Stat. Ann. 53-601.) Executed on \_\_\_\_\_ (date).

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed/Typed Name

**QUALITY OF SERVICE WIRELESS ANNUAL CERTIFICATION**

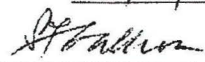
**KCC Docket Reference: 06-GIMT-446-GIT**

(Please type or print legibly)

1. My title is **VicePresident of Finance** \_\_\_\_\_ of the **TAG Mobile, LLC** \_\_\_\_\_ (Company/ Cooperative). In this capacity, I am in a position of authority to certify whether the Company/ Cooperative is complying with required quality of service standards. I am binding **TAG Mobile, LLC** \_\_\_\_\_ (Company/Cooperative) to the statements made in this certification.

2. By this affidavit, I certify that **TAG Mobile, LLC** \_\_\_\_\_ (Company/ Cooperative) is in compliance with the CTIA Code.

I certify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. (Pursuant to Kan. Stat. Ann. 53-601.) Executed on 6/30/2017 (date).

  
\_\_\_\_\_  
Signature

**Siao Gallion**  
\_\_\_\_\_  
Print / Typed Name

**17-GIMT-405-GIT**  
**Attachment 6**

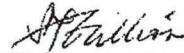
5. An ETC must certify that it will be able to function in an emergency as set forth in 47 CFR § 54.202(a)(2). All ETCs must complete the following:

**ABILITY TO FUNCTION IN AN EMERGENCY ANNUAL CERTIFICATION**  
**KCC Docket Reference: 06-GIMT-446-GIT**  
(Please type or print legibly)

1. My title is **Vice President of Finance** of the **TAG Mobile, LLC** (Company/ Cooperative). In this capacity, I am in a position of authority to certify whether the Company/ Cooperative is able to function in an emergency. I am binding **TAG Mobile, LLC** (Company/Cooperative) to the statements made in this certification.

2. By this affidavit, I certify that **TAG Mobile, LLC** (Company/ Cooperative) is capable of functioning in an emergency.

I certify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. (Pursuant to Kan. Stat. Ann. 53-601.) Executed on 6/30/2017 (date).



Signature

Siao Gallion

Printed / Typed Name

6. 47 U.S.C. § 214(e)(1)(B) requires an ETC to advertise its services throughout the service area for which it has been designated "using media of general distribution." All ETCs must complete the following:

Name of Media	Type of Media	Geographic Areas Reached	Date Published
Company Website	Internet	All	Ongoing
Flyers	Print	All	Ongoing
Banners/Posters	Print	All	Ongoing



**17-GIMT-405-GIT**  
**Attachment 6**

(If necessary, please attach additional pages.)

7. A competitive ETC must certify that it offers a local usage plan comparable to that of the incumbent. Please provide a description of the local usage plan(s) that is comparable to that of the incumbent and complete the certification.

All TAG Mobile, LLC calling plans include the following: local calls, Nationwide Domestic Long Distance, Caller ID, Call Waiting, Call Forwarding, 3-Way Calling, Voicemail, Nationwide Domestic Text Messaging, Roaming at no additional charge, 411 Directory Assistance, 911 and E911 where available (plan minutes are not decremented for 911 and E911 services and this service will remain available even when all plan minutes have been used), 611 access to customer service, as well as access to 211 services. Tag's Lifeline service offering in KS include a 500 Minute Plan. Text messages decrement available plan minutes at a rate of 1 text, whether sent or received, per plan minute.

**COMPARABLE LOCAL USAGE PLAN ANNUAL CERTIFICATION**


**KCC Docket Reference: 06-GIMT-446-GIT**

(Please type or print legibly)

1. My title is Vice President of Finance of the TAG Mobile, LLC (Company/ Cooperative). In this capacity, I am in a position of authority to certify whether the Company/ Cooperative offers a local usage plan comparable to that of the incumbent. I am binding TAG Mobile, LLC (Company/Cooperative) to the statements made in this certification.

2. By this affidavit, I certify that TAG Mobile, LLC (Company/ Cooperative) offers a local usage plan comparable to that of the incumbent.

I certify under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. (Pursuant to Kan. Stat. Ann. 53-601.) Executed on June 30<sup>th</sup>, 2017 (date).

  
Signature

Siao Gallion  
Printed/Typed Name

STATE OF KANSAS                    )  
  ) ss.  
COUNTY OF SHAWNEE            )

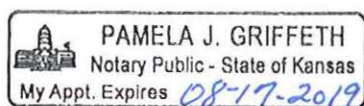
**VERIFICATION**

Sandra K. Reams, being duly sworn upon her oath deposes and says that she is the Assistant Chief of Telecommunications for the State Corporation Commission of the State of Kansas, that she has read and is familiar with the foregoing *Surrebuttal Testimony* and that the statements contained therein are true and correct to the best of her knowledge, information and belief.



Sandra K. Reams  
Assistant Telecommunications Chief  
State Corporation Commission of the  
State of Kansas

Subscribed and sworn to before me this 18<sup>th</sup> day of August, 2017.



  
Notary Public

My Appointment Expires: August 17, 2019

## **CERTIFICATE OF SERVICE**

16-TAGC-323-SHO

I, the undersigned, certify that a true and correct copy of the above and foregoing Surrebuttal Testimony was served by electronic service on this 18th day of August, 2017, to the following:

BRIAN G. FEDOTIN, DEPUTY GENERAL COUNSEL  
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CARROLLTON, TX 75006  
frank.delcol@tagmobile.com

/s/Pamela Griffeth

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Pamela Griffeth  
Administrative Specialist