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VIA ELECTRONIC FILING and EMAIL

April 14, 2025

Re: GO MD USA, LLC. – Docket No. 24-00046

Accompanying this letter is GO MD USA, LLC's ("GO MD USA" or the "Company") motion to reconsider the decision declining to designate the Company as an ETC in Tennessee, the state where it is headquartered. Also accompanying this letter is a form compliance plan already submitted and the Declaration of Mark J. Schirmer, the Company's General Counsel. The Company also offers to submit additional financial information (financials as of the end of 2024) if the Board so requests.

The Company also suggests that the Commission enter a conditional order, requiring the submission of the Compliance Plan to the FCC or that any order designating the Company as an ETC be labeled as "confidential" and/or non-precedential.

Also included is an Affidavit, previously provided to Board staff, that we believe meets the requirements for certification of the facts in its application.

Sincerely,

Mark J. Schirmer

Mark J. Schirmer
General Counsel, GO MD USA, LLC.

Attachment

BEFORE THE TENNESSEE PUBLIC UTILITY COMMISSION

IN RE: PETITION OF GO MD USA LLC FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF
TENNESSEE FOR THE LIMITED PURPOSE OF PROVIDING LIFELINE
SERVICE TO QUALIFYING CUSTOMERS

Docket No. 24-00046

MOTION FOR RECONSIDERATION

GO MD USA LLC (GO MD USA or the Company) hereby moves for reconsideration of the Commission's March 28, 2025 decision not to grant the Company's application for ETC status to provide Lifeline telecommunications service to low-income Tennessee consumers.

INTRODUCTION

GO MD USA seeks an order designating it as an Eligible Telecommunications Carrier pursuant to 47 U.S.C. § 214(e). The sole purpose of seeking this designation is solely to provide Lifeline Service to low-income Tennessee residents and any Commission order should reflect the limited nature of the request and, when granted, the limited nature of the designation.

BACKGROUND AND FACTS

GO MD USA LLC is a South Dakota limited liability company with a principal address at 3385 Airways Blvd Suite 201, Memphis, TN 38116. GO MD USA provides, among other things, wireless telecommunications and data

services.¹

Until the ACP program was suspended, the Company had offered service to low income Tennessee residents *as an approved provider* in the Federal Communications Commission’s Affordable Connectivity Program (“ACP”).² As a federally-approved provider of telecommunications services to low-income residents of Tennessee (and other states) under this program, GO MD USA demonstrated its willingness and ability to provide telecommunications services to thousands of low income individuals (these services were not and will not be offered to corporations).

In its verified Petition and via affidavit from the Company’s president, already in the record, the Company stated it had and can provide all services under the Lifeline programs and meet all the requirements of the program and for ETC designation for that program.

THE COMMISSION’S ORDER

On March 28, 2025, the Commission issued an “ORDER DENYING DESIGNATION AS AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER.”

The Company believes the reasons for this decision are unclear. The Commission

¹ GO MD USA was organized on December 22, 2022.

² The United States Congress has yet to re-authorize the Affordable Connectivity Program, which has expired. The Company expects that the program ultimately will be revived, and the Company will be ready to participate if and when it is. The purpose of mentioning it in this petition is to demonstrate our familiarity with the program, our experience with it and our willingness and ability to participate in the future. Further, by providing Lifeline Service to eligible customers, the Company can provide them with the choice of Lifeline or ACP service immediately when Congress funds the ACP program, as well as proving existing ACP clients Lifeline service.

stated that it understands that the services will be provided only as a reseller and that it has no evidence that the Company will provide Lifeline services (voice and data) in part through its own facilities. Further, the Commission stated that the “Company’s resistance” to providing an FCC approved compliance plan indicates that it does not meet the criteria for ETC designation.

ARGUMENT

The Commission’s March 28, 2025 decision is factually flawed and legally unsupportable. First, the Company provided a verified petition and a separate affidavit, as requested by Commission staff, affirming the Company would use a combination of its own facilities and resold services. The statement the Company presented no evidence is not accurate. Evidence consists of testimony and exhibits and the Commission has the sworn statement of the Company’s president. Also, accompanying this motion is the declaration of the Company’s General Counsel, providing a fairly extensive diagramic explanation of the way the Company’s facilities work. There is good cause for this, because the Company did not understand that their submission was deficient in this regard given the testimony from the President and discussions with staff.

Second, the requirement that Company provide *an FCC approved* compliance plan, in context, is arbitrary and capricious. As Company representatives discussed with Commission staff, the FCC has not acted on or approved any original

compliance plans for new companies or for companies providing the types of service GO MD USA provides for more than three years. This is also reaffirmed in the Schirmer Declaration accompanying this motion. The Company did provide a compliance plan it had planned to submit until, after discussions with regulators, the Company understood there would be no approvals forthcoming (or even consideration of new plans) in the foreseeable future.

Nonetheless, the Company drafted a compliance plan that is based, word for word, on the last approved compliance plan for a company in its position. Staff were informed of this and a copy accompanies this motion. The plan upon which this was modeled *was approved before GO MD USA was chartered*.

Under the circumstances, requiring the company to file an approved compliance plan creates an insurmountable barrier to new entrants in the market. It would create essentially an absolute barrier to entry for new carriers committed to serving low-income communities. Further, it undermines the FCC's emphasis on technological neutrality which allows ETCs to provide services over various platforms, recognizing that carriers may utilize innovative technologies post-designation.

Thus, the Board's initial position runs contrary to both state and federal law. It is contrary to purposes of the Tennessee Broadband Business Certainty Act of 2006, T.C.A§ 65-5-201 et seq., which largely deregulated broadband access (part of

the Lifeline required services) in order to promote competition.

Further, requiring an approved compliance plan where the FCC is not and has not acted would run directly contrary to FCC and federal policy favoring competition because it would discourage, foreclose and eliminate new competitors in the market who resell (even those selling – like at discounted rates) telecommunications access. For example, the 2016 Lifeline Modernization Order sought to “spark competitive service options for Lifeline consumers” by “attract[ing] additional providers.” *See* “FCC MODERNIZES LIFELINE PROGRAM FOR THE DIGITAL AGE,” FCC News, March 31, 2016, available at https://transition.fcc.gov/Daily_Releases/Daily_Business/2016/db0404/DOC-338676A1.pdf (last accessed April 14, 2025). The Supreme Court has recognized that expanding access to telecommunications services – specifically voice and broadband services – is essential to allow individuals to participate in modern society. *See Carpenter v. United States*, 138 S.Ct. 2206, 2220 (2018) (“[C]ell phones and the services they provide are such a pervasive and insistent part of daily life that carrying one is indispensable to participation in modern society.”) (internal quotation marks omitted).

The FCC has recognized that designation of multiple ETCs is “consistent *per se* with the public interest.” *Federal-State Joint Board on Universal Service, Cellco Partnership d/b/a Bell Atlantic Mobile, Petition for Designation as an Eligible*

Telecommunications Carrier, Memorandum, Opinion and Order, FCC Docket No. 96-45, DA 00-2895, ¶ 14 (rel. Dec. 26, 2000). As the FCC has noted: “designation of competitive ETCs promotes competition and benefits consumers ... by increasing customer choice, innovative services, and new technologies.” *See Western Wireless Corporation Petition for Designation as an Eligible Telecommunications Carrier in the State of Wyoming*, Memorandum Opinion and Order, CC Docket No. 96-45, DA 00-2896, ¶ 17 (rel. Dec. 26, 2000).

Under the Tennessee Uniform Administrative Procedures Act, Section 4-5-322(h), an administrative decision will be reversed if it is arbitrary, capricious, without a basis in law or the facts, or contrary to law. T.C.A. § 4-5-322(h). Requiring a company to do the impossible is, per se, arbitrary and capricious, especially where, as here, the responsibility for designating an ETC has been expressly committed to the Commission. *See* FCC Public Notice, DA 21-515 (FCC May 24, 2021), pp. 1-2); *Telrite Corp. v. Nebraska Public Service Commission*, 288 Neb. 866, 868 (2014) (“The Telecommunications Act provides that state commissions are primarily responsible for making ETC designations”). Further, for newer companies like GO MD, requiring that the FCC approve a compliance plan before the Commission will act essentially attempts to require the FCC to act at the behest of a state regulatory body.

In rejecting an argument for requiring in area facilities owned by a party seeking ETC status, the United States Court of Appeals for the District of Columbia Circuit, noting that the FCC had adopted a policy of forbearance from a facilities requirement for all non-facilities based providers, held an FCC Order that tried to insist on a requirement that would exclude non-facilities based providers was arbitrary and capricious. *See National Lifeline Association, et. al v. Federal Communications Commission*, 921 F.3d 1102 (D.C. Cir. 2019). Similarly, interpreting the law as requiring an FCC approved plan for ETC approval runs afoul of the very principles underlying the FCC's rules and federal and state policy and is thus arbitrary, capricious, and contrary to law.

CONCLUSION

GO MD USA LLC respectfully requests that the Commission reconsider its order denying GO MD USA LLC ETC status for the purpose of providing Lifeline Service to low-income Tennessee residents.

Dated: April 14, 2025

Respectfully Submitted,

Mark J. Schirmer

TN Bar No. 019717

General Counsel for GO MD USA LLC

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901-230-4697

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

<p>In the Matter of</p> <p>GO MD USA LLC Telecommunications Carriers Eligible to Receive Universal Service Support</p> <p>Lifeline and Link Up Reform and Modernization</p> <p>Federal-State Joint Board on Universal Service Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i)</p>	<p>Docket No.</p>
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GO MD USA, LLC. COMPLIANCE PLAN

GO MD USA, LLC. (“GO MD USA”), hereby respectfully submits and requests expeditious approval of its Compliance Plan outlining the measures GO MD USA has implemented to satisfy the requirements and conditions imposed on non-facilities based eligible telecommunications carriers (“ETCs”) by the Federal Communications Commission (“Commission”) in its rules for the Lifeline program and implementing orders and guidance. The Lifeline program plays an integral role in the Commission’s efforts to fulfill its universal service mandate, and GO MD USA recognizes that the rules the Commission has adopted for the program are critical to ensuring its continued integrity and viability. As a facilities-based and non-facilities-based carrier, GO MD USA is exempt from the requirement to have an FCC-approved compliance plan, in accordance with the 2012 Lifeline Reform Order (FCC 12-11).

BACKGROUND

GO MD USA is one of the nation's leading providers of prepaid, no contract wireless communications services. Today, GO MD USA offers its services under the GO MD USA brand, designed to offer consumers a variety of flexible service options. GO MD USA will provide Lifeline-supported service primarily through its GO MD USA brand. Lifeline-supported service will also be available through other GO MD USA brands.

GO MD USA is a combination facilities-based and non-facilities-based Commercial Mobile Radio Services ("CMRS") provider. GO MD USA resells commercial mobile services provided by T-Mobile and AT&T Wireless. To participate in the Lifeline program, GO MD USA sought ETC certification from the Commission for Lifeline-only service in states that do not assert jurisdiction over wireless ETC designations.¹

Additionally, GO MD USA has been a leading provider of the Affordable Connectivity Program ("ACP") in all 50 states, including Puerto Rico. This demonstrates

¹ Petition of GO MD USA, LLC for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i), Order, 20 FCC Rcd. 15095 (2005) ("GO MD USA Forbearance Order"). While, as noted herein, GO MD USA is a facilities-based carrier and reseller, the FCC's regulations do not require a Compliance Plan, this document will constitute GO MD USA, LLC's Internal Compliance Plan, which, if such a document were necessary, would comply with FCC requirements. GO MD USA has also sought ETC certification from a number of these jurisdictions directly, because the FCC is not processing ETC applications or even processing compliance plans at this time.

our commitment to providing affordable and reliable communication services to low-income households across the nation.

GO MD USA, LLC, a combination facilities-based and non-facilities-based eligible telecommunications carrier (“ETC”), is seeking to obtain eligibility to receive universal service Lifeline support in its covered service areas. GO MD USA is seeking obtained ETC certification from states that assert jurisdiction over ETC designations and will provides high-quality and dependable Lifeline-supported service to consumers who qualify for Lifeline support in 43 states, the District of Columbia, and Puerto Rico. GO MD USA will engage in various marketing and outreach efforts to ensure that as many eligible consumers as possible take advantage of GO MD USA’s prepaid wireless Lifeline-supported offering.

In the 2012 Lifeline Reform Order,² the Commission extended forbearance to every non-facilities-based provider that meets conditions similar to those imposed on GO MD USA. Specifically, non-facilities-based providers seeking a Lifeline-only ETC designation must meet the following conditions: (1) compliance with certain 911 and enhanced 911 (E911) public safety requirements; and (2) Wireline Telecommunications Bureau (Bureau) approval of a compliance plan providing specific information regarding the provider and its service offerings and outlining the

² Lifeline and Link Up Reform and Modernization; Lifeline and Link Up; Federal-State Joint Board on Universal Service Advancing Broadband Availability Through Digital Literacy Training, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd. 6656 ¶¶ 373, 389 (2012) (“2012 Lifeline Reform Order”).

measures the provider will take to implement its obligations, including the obligations to ensure subscriber eligibility and verify subscriber information.³

However, since GO MD USA LLC also employs its own facilities in combination with T-Mobile and AT&T facilities, it is exempt from being required to have an FCC-approved compliance plan. Nonetheless, GO MD USA has decided to adopt its own internal compliance plan to ensure continued adherence to the Lifeline program's rules and to prevent waste, fraud, and abuse.

In line with the guidance provided,⁴ this Compliance Plan outlines the specific measures that GO MD USA has implemented to comply with the obligations set forth in the Commission's Lifeline rules. This Compliance Plan details how GO MD USA fully adheres to all the conditions established in the GO MD USA Forbearance Order and the 2012 Lifeline Reform Order, as well as the applicable requirements in the Commission's rules governing Lifeline-supported service.⁵ GO MD USA certifies that it has complied and will continue to comply with the service requirements applicable to the support that it receives.⁶

³ *Id.* ¶ 368.

⁴ *See* Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order, Public Notice, 27 FCC Rcd. 2186 (WCB 2012) ("2012 Compliance Plan Public Notice"); Wireline Competition Bureau Reminds Carriers of Eligible Telecommunications Carrier Designation and Compliance Plan Approval Requirements for Receipt of Federal Lifeline Universal Service Support, 29 FCC Rcd. 9144, 9144-45 (WCB 2014) ("2014 Public Notice").

⁵ 2014 Public Notice, 29 FCC Rcd. at 9144-45.

⁶ *See id.*, 29 FCC Rcd at 9145.

COMPLIANCE PLAN

I. Unrestricted Access to Basic and E911 Services and Certification of Such Access:

Pursuant to the 2012 Lifeline Reform Order, forbearance for non-facilities-based ETCs is conditioned upon the ETC providing its Lifeline voice subscribers with 911 and E911 access, regardless of activation status and availability of minutes, and providing its Lifeline voice subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, any non-compliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported voice services.⁷ GO MD USA complies with all current 911 and E911 requirements when providing its voice service: GO MD USA provides its Lifeline voice customers with access to 911 and E911 services immediately upon activation of service, ensures that 911 and E911 access is available from GO MD USA handsets even if the account associated with the handset has no minutes remaining, and provides handsets that are E911-compliant.⁸

Access to 911/E911: GO MD USA provides access to 911 and E911 services for all its customers, including its Lifeline customers. GO MD USA uses T-Mobile and AT&T Wireless as its underlying network providers. All of these providers route 911 calls and E911 information from GO MD USA's customers in the same manner as 911 calls from their own retail

⁷ *Id.* at 18. This Compliance Plan refers to “Lifeline service,” as that term is commonly understood and used in the FCC’s rules to indicate Lifeline-subsidized service. The use of this term should not be read to imply that an ETC designation to provide Lifeline-subsidized service is a “service” covered by section 63.18(e)(3). *See* Letter from Alejandro Cantú Jiménez, General Counsel, América Móvil, S.A.B. de C.V., et al. to Marlene H. Dortch, Secretary, FCC, File No. ITC-T/C-20200930-00173 at 4 n.13 (Oct. 23, 2020).

⁸ *See* 2012 Lifeline Reform Order ¶ 373.

customers.

GO MD USA provides access to 911 and E911 services for all its customers, including its Lifeline customers. As described, GO MD USA uses T-Mobile and AT&T Wireless as its underlying network providers. All of these providers route 911 calls and E911 information from GO MD USA's customers in the same manner as 911 calls from their own retail customers. To the extent that any of GO MD USA's underlying network providers offer wireless service and deliver 911 calls and E911 information in a given PSAP territory, this 911 capability will function the same for GO MD USA and its customers.

Access Regardless of Activity: GO MD USA also enables 911 and E911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active or suspended. All 911 calls and E911 information initiated from any GO MD USA handset are transmitted even if the account associated with the handset has no remaining minutes.

E911-Compliant Handsets: In the 2012 Lifeline Reform Order, the Commission adopted the requirement that the handsets offered with Lifeline-eligible services must be E911-compliant. GO MD USA's phones have passed a stringent certification process, which ensures that the handset models provided to customers meet all E911 requirements. As a result, any customer who qualifies for and elects Lifeline-supported service from GO MD USA, and who obtains a handset from GO MD USA, will have an E911-compliant handset.

Wi-Fi-Compliant Handsets: The 2016 Lifeline Modernization Order.⁹

established the requirement that providers of Lifeline-supported services offering both mobile broadband services and devices provide their customers with handset devices that are Wi-Fi enabled.¹⁰ The Commission further requires such providers to offer Lifeline customers the choice of devices that are equipped with hotspot functionality.¹¹

All handsets offered by GO MD USA are Wi-Fi enabled and 100 percent of the handsets offered are equipped with hotspot functionality.¹²

II. Procedures To Enroll A Subscriber In Lifeline

As described in greater detail below, GO MD USA has implemented robust policies and procedures for ensuring that its Lifeline subscribers are eligible to receive Lifeline services.

A. Overview

GO MD USA complies with the uniform eligibility criteria established in section 54.409 of the Commission's rules, as amended by and through the 2016 Lifeline Modernization Order, as well as any additional certification and re-certification requirements for Lifeline eligibility in states where GO MD USA will be designated as an ETC.

⁹ Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd. 3962 ¶¶ 366-367 (2016) ("2016 Lifeline Modernization Order"); 47 C.F.R. § 54.408(f)(1).

¹⁰ 47 C.F.R. § 54.408(f)(3).

¹¹ Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd. 3962 ¶¶ 366-367 (2016) ("2016 Lifeline Modernization Order"); 47 C.F.R. § 54.408(f)(1).

¹² See 47 C.F.R. § 54.408(f)(3)(iv). GO MD USA will ensure that the appropriate percentage of devices it offers are capable of being used as hotspots as the rules require.

GO MD USA will not provide a consumer with an activated device that enables the use of Lifeline-supported service, nor will GO MD USA activate a Lifeline-supported service, unless and until it has confirmed that the consumer: (i) is a qualifying low-income consumer pursuant to section 54.409; (ii) has completed the eligibility determination and certification required by section 54.410 and sections 54.404 through 54.405; and (iii) has completed any other necessary enrollment steps.¹³

All prospective subscribers are required to demonstrate eligibility based on either: (1) household income at or below one hundred-thirty five percent (135%) of the Federal Poverty Guidelines for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in section 54.409 of the Commission's rules. Accordingly, as set forth in the description of GO MD USA's procedures below, prospective subscribers are enrolled only after their eligibility has been determined by the National Verifier for states that participate in the National Lifeline Accountability Database ("NLAD").

In addition, through the certification requirements described below and the use of the NLAD or State Lifeline Administrator review as appropriate, GO MD USA confirms that prospective subscribers are not already receiving a Lifeline service and that there are no other subscribers to a Lifeline service in the prospective subscriber's household.

¹³ See 47 C.F.R. §§ 54.409, 54.410, 54.404, 54.405. 20. 2016 Lifeline Modernization Order ¶ 7; see 47 C.F.R. § 54.409(a)(2), (b).

In the description of GO MD USA’s procedures below, prospective subscribers are enrolled only after their eligibility has been determined by the National Verifier for states that participate in the National Lifeline Accountability Database (“NLAD”).¹⁴

In addition, through the certification requirements described below and the use of the NLAD or State Lifeline Administrator review as appropriate, GO MD USA confirms that prospective subscribers are not already receiving a Lifeline service and that there are no other subscribers to a Lifeline service in the prospective subscriber’s household.¹⁵

B. Application Processes

Since the rollout of the National Verifier, GO MD USA has only enrolled customers whose eligibility has been verified by the National Verifier (or the State Lifeline Administrator in those states that have opted out of NLAD). In NLAD states,

¹⁴ There are two states that have opted out of the NLAD in which GO MD USA has a pending petition seeking ETC designation. In those states – California and Texas – the eligibility determination is made by the relevant State Lifeline Administrator. Although California and Texas have opted out of the NLAD, they are still an integral part of the National Verifier system. See Wireline Competition Bureau Announces the Launch of the National Lifeline Eligibility Verifier in Oregon and Texas, Public Notice, DA 20-1237 (WCB Oct. 19, 2020); Wireline Competition Bureau Announces the Launch of the National Lifeline Eligibility Verifier in California, Public Notice, DA 20-1372 (WCB Nov. 18, 2020).

¹⁵ 47 C.F.R. § 54.409(c).

GO MD USA's role in determining consumer eligibility for Lifeline is thus limited to checking the NLAD to verify whether the potential customer is already qualified by the National Verifier. If the potential customer is not pre-qualified, GO MD USA redirects the customer to the National Verifier Consumer Portal to check for Lifeline eligibility and submit documentation, if necessary, initial disclaimers, and provide an e-signature.¹⁶ GO MD USA has multiple internal controls, as described herein.

Prospective subscribers may apply for GO MD USA's Lifeline-supported service via online or telephone channels:

- **First**, prospective subscribers may apply for GO MD USA Mobile-branded Lifeline-supported service online via the GO MD USA website (GOMDUSA.NET). The online form takes prospective subscribers through the enrollment process, including transferring them to the National Verifier Consumer Portal or gathering information/documentation which GO MD USA then transfers to the State Lifeline Administrator in California and Texas when approved as an ETC in those states; petitions are currently pending.¹⁷
- **Second**, prospective subscribers may complete an application over the telephone by

¹⁶ In Texas and California, GO MD USA, when it receives ETC approval, will collect proof of eligibility and other required documentation, but only for the purpose of submitting it to the State Lifeline Administrator for review and final approval. GO MD USA reviews this proof for the limited purpose of identifying possible errors prior to submission to the State Lifeline Administrator.

¹⁷ Any identification documentation collected is retained pursuant to the 2015 Lifeline Order. See Lifeline and Link Up Reform and Modernization; Telecommunications Carriers Eligible for Universal Service Support; Connect America Fund, Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, 30 FCC Rcd. 7818 ¶ 224 (2015) ("2015 Lifeline Order").

speaking to a customer service representative. If the prospective subscriber is not already qualified through the National Verifier, the agent instructs the prospective subscriber to complete an application online via the National Verifier Consumer Portal or refers them to the State Lifeline Administrator in California or Texas to obtain an application.¹⁸

As discussed in greater detail below, GO MD USA does not offer or provide to enrollment representatives or their direct supervisors with any commission or other compensation that is based on the enrollment itself. GO MD USA has a detailed process for enrolling subscribers in the Lifeline program, which includes strict adherence to federal and state regulations. Here are the key points:

C. Enrollment and Eligibility Verification

- **Registration with USAC:** All enrollment representatives of GO MD USA must register with the Universal Service Administrative Company (USAC) before they can interact with the National Lifeline Accountability Database (NLAD) or the National Verifier. This ensures that representatives are properly credentialed to handle sensitive subscriber information and conduct eligibility verifications.
- **Internal Policies for Eligibility:** GO MD USA has implemented policies and procedures that comply with the FCC's Lifeline rules, enabling subscribers to demonstrate their eligibility. This can be based on income or program-based criteria.

¹⁸ In Texas, the consumer can complete the Lifeline disclaimers and certifications verbally via voice recording over the phone with the customer service representative.

- **Use of the National Verifier:** GO MD USA only seeks reimbursement for Lifeline services after receiving confirmation from the National Verifier that a subscriber meets the relevant eligibility criteria as outlined in 47 C.F.R. § 54.410(b)(2)(ii), (c)(2)(ii). This ensures compliance with federal guidelines and prevents fraudulent claims.

D. Certification and Documentation

Subscriber Certifications for Enrollment: GO MD USA utilizes the USAC standard application/certification form to gather income/program eligibility information, in compliance with the Commission's rules (47 C.F.R. § 54.410(d)). GO MD USA personnel orally explain the certifications to applicants when they are enrolling in person or over the phone (2012 Lifeline Reform Order ¶ 123).

- **Disclosures:** GO MD USA uses USAC's standard application and certification forms, ensuring full compliance with section 54.410(d) (47 C.F.R. § 54.410(d)).
- **Certification and Documentation Requirements:** For states like California and Texas, GO MD USA waits for certification and notice from the State Lifeline Administrator before seeking reimbursement. This involves collecting and retaining identification documentation as per the 2015 Lifeline Order, ensuring that all necessary information is documented and verified.

E. Annual Verification Procedures

All GO MD USA subscribers are re-certified within 12 months after the service initiation date and every 12 months thereafter by the National Verifier or State Lifeline Administrator (47

C.F.R. § 54.410(f)). The annual re-certification materials inform subscribers of the need to re-certify their continuing eligibility for Lifeline, with a warning that failure to respond will result in de-enrollment from the program (2012 Lifeline Reform Order ¶ 145).

F. Activation and Usage

GO MD USA does not consider a Lifeline subscriber activated, nor seek Lifeline reimbursement, until the subscriber engages in “usage” of the service as defined in section 54.407(c)(2) of the Commission’s rules. An account is considered active if the authorized subscriber establishes usage during the specified timeframe, currently 30 days, or during the notice period set forth in section 54.405(e)(3), which is currently 15 days. GO MD USA does not seek reimbursement for any subscriber who has not used the service, consistent with the requirements set forth in section 54.407(c)(2) (47 C.F.R. § 54.407(c)(2)). GO MD USA updates the NLAD within one (1) day of de-enrolling a subscriber for non-usage and submits a non-usage de-enrollment report annually to USAC (2012 Lifeline Reform Order ¶ 257; 47 C.F.R. §§ 54.404(b)(10), 54.405(e)(3)).

G. De-Enrollment

- **De-Enrollment for Ineligibility:** If GO MD USA has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, GO MD USA notifies the subscriber of impending termination in writing, complies with any state dispute resolution procedures applicable to Lifeline termination, and gives the subscriber thirty (30) days to demonstrate continued eligibility. A demonstration of eligibility must comply with the annual re-certification procedures set forth in section 54.410(f) of the

Commission's rules, including the submission of a certification form (47 C.F.R. § 54.410(f)). A subscriber's failure to provide the requested documentation results in de-enrollment from Lifeline within five (5) business days after the expiration of the subscriber's time to respond (47 C.F.R. § 54.405(e)(1)).

- **Subscriber-Initiated De-Enrollment:** If a subscriber contacts GO MD USA and states that they are no longer eligible for Lifeline or wish to de-enroll for any reason, GO MD USA de-enrolls the subscriber within two (2) business days (47 C.F.R. § 54.405(e)(5)). Subscribers can make this request via GO MD USA's customer service number or online without submitting any documentation.
- **Annual Recertification De-enrollment:** The National Verifier (or, in Texas and California, the State Lifeline Administrator) is responsible for re-certification of a subscriber's Lifeline eligibility (47 C.F.R. § 54.410(f)). GO MD USA de-enrolls subscribers who do not respond to the annual re-certification request or fail to provide the required certification to the National Verifier (or, in Texas and California, the State Lifeline Administrator) (47 C.F.R. §§ 54.410(f)(5), 54.405(e)(4)). GO MD USA sends a written notice explaining that failure to respond to the re-certification request within sixty (60) days will result in de-enrollment from the Lifeline program (47 C.F.R. § 54.405(e)(4)). If the subscriber does not respond within sixty (60) days, GO MD USA de-enrolls the subscriber within five (5) business days after the expiration of the subscriber's time to respond (47 C.F.R. § 54.405(e)(1)).

- **De-enrollment for Non-Usage:** In accordance with section 54.405(e)(3), GO MD USA provides the subscriber advance notice, using clear, easily understood language, that the subscriber's failure to use the Lifeline-supported service within the notice period will result in service termination for non-usage (47 C.F.R. § 54.405(e)(3)). GO MD USA updates the NLAD within one (1) day of de-enrolling a subscriber for non-usage and submits a non-usage de-enrollment report annually to USAC (2012 Lifeline Reform Order ¶ 257; 47 C.F.R. §§ 54.404(b)(10), 54.405(e)(3)).

D. Measures to Prevent Waste, Fraud, and Abuse

- **National Lifeline Accountability Database (NLAD):** GO MD USA complies with the requirements of the NLAD and section 54.404 of the Commission's rules (47 C.F.R. § 54.404(b)). Except for those states that have opted out of the NLAD, GO MD USA validates the applicant's Lifeline eligibility with NLAD's real-time API (2012 Lifeline Reform Order ¶ 203). GO MD USA does not enroll or claim reimbursement for an applicant if the NLAD or the National Verifier (or applicable state database) cannot verify the identity of the applicant or the applicant's status as alive, unless the applicant produces documentation to demonstrate their identity and status as alive to the National Verifier (47 C.F.R. § 54.404(b)(12)).
- **One-Per-Household Certification:** GO MD USA has implemented the requirements of the 2012 Lifeline Reform Order to ensure that it provides only one Lifeline benefit per household through the use of its application and certification forms, internal database

checks, and its marketing materials. For NLAD states, the prospective subscriber completes the Independent Economic Household Worksheet (“IEH Worksheet”) via the National Verifier Consumer Portal.

These measures help GO MD USA maintain compliance with federal and state regulations, ensuring that only eligible consumers receive Lifeline benefits and that all processes are transparent and well-documented.

In opt-out states like California and Texas, once GO MD USA’s ETC status is granted, the company will search its internal records to ensure that it does not already provide Lifeline-supported service to someone at the same residential address. If it does, and the applicant lives at an address with multiple households, GO MD USA requires the applicant to complete and submit a written document based on a USAC form, which includes:

- An explanation of the Commission’s one-per-household rule.
- A checkbox for the applicant to indicate that they live at an address occupied by multiple households.
- A space for the applicant to certify that they share the address with other adults who do not contribute income to the applicant’s household and do not share in the household’s expenses or benefit from the applicant’s income, as defined by the Commission.
- The penalty for failing to make the required one-per-household certification (i.e., de-enrollment).

GO MD USA personnel are trained to emphasize the “one Lifeline phone per household” restriction in their communications with prospective subscribers. Training materials describe

this limitation and ensure that prospective subscribers are informed of the restriction.

III. Marketing Materials

GO MD USA includes the following information regarding its Lifeline-supported offerings on all relevant marketing materials:

- It is a Lifeline-supported service.
- Lifeline is a government assistance program.
- The service is non-transferable.
- Only eligible consumers may enroll in the program.
- The program is limited to one discount per household.
- Documentation is necessary for enrollment.
- GO MD USA's name as the ETC.

These statements are included in all print, audio, video, and electronic materials (including social networking media) used to describe or enroll subscribers in the service offering, as well as application and certification forms. GO MD USA's application/certification forms (developed by USAC) state that consumers who willfully make false statements to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.

Enrollment Representatives¹⁹

GO MD USA complies with the 2019 Lifeline Reform Order and section 54.406 of the

¹⁹ Enrollment representatives act on behalf of GO MD USA or a third-party entity and directly or indirectly provide information to USAC or a state entity administering Lifeline for the purpose of eligibility verification, enrollment, recertification, subscriber personal information updates, benefit transfers, or de-enrollment. *See* 47 C.F.R. § 54.400(p).

Commission's rules by:

- Requiring all personnel who meet the definition of an “enrollment representative” to register for a RAD ID before providing information directly or indirectly to NLAD or the National Verifier.²⁰
- Ensuring that enrollment representatives do not use another person's RAD ID to enroll Lifeline subscribers or access the NLAD or the National Verifier.²¹
- Ensuring that enrollment representatives re-certify their status with USAC annually and update their registration information within 30 days of any change.

All customer-facing employees and agents, including enrollment representatives, must complete GO MD USA's Lifeline training and certify that they have received the Compliance Manual and will follow the procedures to ensure compliance. The training is updated as needed, and a dedicated compliance officer oversees training and compliance matters for the Lifeline service.

GO MD USA does not offer commission compensation to enrollment representatives or their direct supervisors based on the number of consumers who apply for or are enrolled in the Lifeline program.²²

²⁰ This requirement does not apply if the enrollment representative operates solely in a state that has been approved by the Commission to administer the Lifeline program without reliance on USAC's systems, to the extent the state's administration of the Lifeline program does not rely on the USAC's systems. *See id.* § 54.406(a)(4).

²¹ *See* 47 C.F.R. § 54.406(a)(2).

²² *See* 47 C.F.R. § 54.406(b).

IV. Company Reimbursements from the Fund

GO MD USA certifies compliance with all Commission's Lifeline rules as part of each reimbursement request and obtains valid certification and verification forms from each subscriber for whom it seeks reimbursement. The company uses the number of eligible subscribers directly served as of the snapshot date, as indicated by the data in NLAD, to obtain reimbursement for Lifeline support. GO MD USA keeps accurate records as directed by USAC and as required by the Commission's rules.

V. Annual Company Reports and Certifications

GO MD USA submits an annual FCC Form 481 filing to the Commission, providing business and affiliate information, terms and conditions of any voice telephony plans offered to Lifeline subscribers, and all other required information and certifications. The company also submits an annual Form 555 filing to the Commission certifying, under penalty of perjury, that it:

- Has policies and procedures in place to ensure that its Lifeline subscribers are eligible to receive Lifeline services.
- Is in compliance with all federal Lifeline certification procedures.
- Is in compliance with the minimum service levels set forth in section 54.408 of the Commission's rules.

GO MD USA provides the results of its re-certification efforts annually, performed pursuant to section 54.410(f) of the Commission's rules.

GO MD USA certifies compliance with all of the Commission's Lifeline rules as part of each reimbursement request and obtains valid certification and verification forms from each of the subscribers for whom it is seeking reimbursement.²³ Further, GO MD USA complies with the Commission's requirement to use the number of eligible subscribers GO MD USA directly serves as of the snapshot date as indicated by the data in NLAD to obtain reimbursement for the provision of Lifeline support.²⁴ In addition, GO MD USA keeps accurate records as directed by USAC and as required by the Commission's rules.

- **Annual Company Reports and Certifications**

GO MD USA submits an annual FCC Form 481 filing to the Commission, providing GO MD USA's business and affiliate information, terms and conditions of any voice telephony plans offered to Lifeline subscribers, and all other required information and certifications. GO MD USA also submits an annual Form 555 filing to the Commission certifying, under penalty of perjury, that GO MD USA:

1. Has policies and procedures in place to ensure that its Lifeline subscribers are eligible to receive Lifeline services.²⁵
2. Is in compliance with all federal Lifeline certification procedures.²⁶

²³ See 2012 Lifeline Reform Order ¶ 128; 47 C.F.R. § 54.407(d).

²⁴ See 47 C.F.R. § 54.407(a). In states that have provided the Commission with an approved valid certification pursuant to section 54.404(a) of the Commission's rules, GO MD USA complies with the state administrator's process for determining the number of subscribers to be claimed for each month.

²⁵ See *id.* §§ 54.407(e), 54.410(b)(2)(iii), (c)(2)(iii), 54.417.

²⁶ See *id.* § 54.422.

3. Is in compliance with the minimum service levels set forth in section 54.408 of the Commission's rules.²⁷

GO MD USA provides annually the results of its re-certification efforts during the previous year, performed pursuant to section 54.410(f) of the Commission's rules.²⁸

VI. Description of Lifeline Service Offerings

GO MD USA is currently submitting a petition to be an ETC for Lifeline service in 43 states, the District of Columbia, and Puerto Rico. GO MD USA's Lifeline-supported services meet or exceed the minimum service standards established in section 54.408 of the Commission's rules.²⁹

To comply with the applicable minimum standards set by the Commission, GO MD USA revised its Lifeline plans as of July 1, 2024. The current wireless GO MD USA-branded, Lifeline-supported offerings include the following plan options:

Plan Name	Voice Minutes Included in	SMS Messages Included in	Data Included in Plan	Voicemail Caller ID Call Waiting	Nationwide Long Distance Included⁷⁰	Cost Per Month to the Subscriber
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²⁷ See *id.* § 54.416(a).

²⁸ See *id.* § 54.416(b). These requirements do not apply to subscribers in states where the National Verifier, State Lifeline Administrator, or other state agency is responsible for the annual re-certification of subscribers' Lifeline eligibility.

²⁹ To the extent that the Commission changes the minimum service requirements for services subsidized by the Lifeline program, GO MD USA will meet those requirements, and these options are likely to change to reflect them.

	Plan⁶⁹	Plan				
Tribal	Unlimited	Unlimited	15 GB	Yes	Yes	\$0
Non-Tribal	1000	Unlimited	4.5 GB	Yes	Yes	\$0
California	Unlimited	Unlimited	6 GB	Yes	Yes	\$0
Utah/Kentucky	1000	Unlimited	4.5 GB	Yes	Yes	\$0
Puerto Rico	1000	Unlimited	4.5 GB	Yes	Yes	\$0

Other GO MD USA brands offer plan options for customers who qualify for Lifeline:

- GO MD USA customers who qualify for and are enrolled in Lifeline receive 1000 free nationwide airtime minutes and a 4.5 GB allotment of data each month, as well as unlimited text messaging, at no charge.³⁰
- GO MD USA customers who qualify for and are enrolled in Lifeline receive a discount of \$10.00 per month on the purchase of eligible service.³¹

Additional information regarding GO MD USA's Lifeline-supported plans, rates and services can be found at GOMDUSA.NET.

³⁰ All GO MD USA customers that receive Lifeline-supported service are provided a data usage allowance of at least 4.5GB per month. GO MD USA does not charge separately for long-distance calls and therefore does not offer toll limitation service. *See id.* § 54.401(a)(2).

³¹ This discount includes the \$9.25 Lifeline subsidy. GO MD USA contributes all plans at zero-dollar value after the Lifeline discount is applied.

VII. Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation

The Commission's rules require carriers petitioning for ETC designation to demonstrate financial and technical capability to comply with the Commission's Lifeline service requirements.³² The 2024 Compliance Plan Public Notice mandates that carriers' compliance plans include this demonstration.³³ Among the factors the Commission will consider are: a carrier's prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate, whether the carrier receives revenues from other sources, and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding in any state.³⁴

GO MD USA has successfully operated as a reseller of commercial mobile services – both non-Lifeline and ACP Program – for over 2 years. GO MD USA generates substantial revenues from its offerings of non-Lifeline services, and the vast majority of its customers purchase such services.

To date, GO MD USA has not relied (and currently does not rely) exclusively on Lifeline reimbursement for its operating revenues. Moreover, financial support for GO MD USA's continued operations will be enhanced by the proposed transaction, and GO MD USA has the financial capability to ensure compliance with the Lifeline program requirements. GO MD

³² See 47 C.F.R. § 54.202(a)(4).

³³ 2012 Compliance Plan Public Notice, 27 FCC Rcd. at 2188.

³⁴ See 2012 Lifeline Reform Order ¶¶ 387-388.

USA will bring its customers more choices, better services, and new features.

With respect to technical expertise, GO MD USA has demonstrated its capabilities over more than two years of successful operation. GO MD USA has considerable experience complying with the requirements of the federal ACP program, and GO MD USA LLC has the technical capability to comply with the Lifeline service requirements. Our ETC approval will only serve to enhance this experience, ensuring GO MD USA is fully compliant with the Commission's rules.

To date, GO MD USA has not relied (and currently does not rely) exclusively on Lifeline reimbursement for its operating revenues. Moreover, financial support for GO MD USA's continued operations will be enhanced by the proposed transaction, and GO MD USA has the financial capability to ensure compliance with the Lifeline program requirements. GO MD USA will bring its customers more choices, better services, and new features.

GO MD USA, being a facilities-based carrier while also utilizing non-carrier facilities, does not require an FCC-approved compliance plan but maintains its own internal compliance plan and operates according to this plan.

With respect to technical expertise, GO MD USA has demonstrated its capabilities over more than two years of successful operation. GO MD USA has considerable experience complying with the requirements of the federal ACP program, and GO MD USA LLC has the technical capability to comply with the Lifeline service requirements. Our ETC approval will only serve to enhance this experience, ensuring GO MD USA is fully compliant with the Commission's rules.

CONCLUSION

GO MD USA submits that this Compliance Plan satisfies the conditions set forth in the 2012 Lifeline Reform Order, the GO MD USA Forbearance Order, the 2012 Compliance Plan Public Notice, and the Commission's rules. Accordingly, GO MD USA requests expeditious approval of these amendments to its Compliance Plan.

Respectfully submitted,

Mark J. Schirmer
General Counsel
GO MD USA LLC