

**BEFORE THE WASHINGTON  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the United States Cellular )  
Corporation Petition for Relinquishment of )  
Eligible Telecommunications Carrier ) Docket No. \_\_\_\_\_  
Designation Pursuant to 47 U.S.C. § 214(e)(4). )  
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**U.S. CELLULAR CORPORATION’S NOTICE OF RELINQUISHMENT  
OF ITS ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION  
PURSUANT TO 47 U.S.C. §214(E)(4)  
AND REQUEST FOR WAIVER OF WAC 480-120-083**

Pursuant to 47 U.S.C. §214(e)(4) and 47 C.F.R. § 54.205(a), United States Cellular Corporation (herein after, “UScellular” or the “Company”) hereby submits this Notice of Relinquishment of its Eligible Telecommunications Carrier (“ETC”) designation in the State of Washington. UScellular is a wireless carrier and has been and ETC in Washington since 1997 for purposes of receiving universal service fund support, specifically federal high-cost support, and Lifeline.<sup>1</sup> UScellular has the right to relinquish its designation subject only to the requirements of 47 U.S.C. § 214 (e)(4), which are satisfied here as explained below. The relinquishment is necessitated by, and is therefore to be contingent upon and concurrent with, the consummation of

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<sup>1</sup> See, *In the Matter of Petitions of Yelm Telephone, et al. for designation as an Eligible Telecommunications Carrier*, Order Designating Eligible Telecommunications Carriers (Service date Dec. 23, 1997 in consolidated dockets UT-970333 through UT-970356); see also, *In the Matter of the Petition of United States Cellular Corporation; USOC of Washington RSA-4, Inc.; Western Sub-RSA Ltd. Partnership; McDaniel Cellular Telephone Company; Oregon RSA No. 2 Limited partnership; United States Cellular Operating Co. of Richland; Yakima, Washington MSA Limited Partnership for designation as Eligible Telecommunications Carriers*, Second Supplemental Order Granting Petition for Designation as Eligible Telecommunications Carriers (Service date Dec. 30, 1999 in docket no. UT-970345) and Third Supplemental Order Granting Petition for Designation as Eligible Telecommunications Carrier (Service date Jan. 27, 2000), and Fourth Supplemental Order amending Prior Order Designating United States Cellular Corporation as an Eligible Telecommunications Carrier (Service date May 14, 2008); see also, *In the Matter of the Petition of United States Cellular Corporation For Conditional Designation as an Eligible Telecommunications Carrier for Purposes of Participating in the Tribal Mobility Fund Phase I and Future FCC Mobility Fund Auctions*, Order 01 (Service date Sept. 26, 2013).

the anticipated acquisition of UScellular’s wireless business operations by T-Mobile US, Inc. (“T-Mobile”) (the “Closing”). Review of the T-Mobile acquisition (“the Transaction”) is currently pending approval by the Federal Communications Commission (“FCC”) in GN Docket No. 24-286.<sup>2</sup> While UScellular cannot predict the timing or outcome of that proceeding, we believe that approval could occur by mid-2025. For this reason, UScellular further respectfully requests the Commission expedite its review of this filing, to ensure that the relinquishment of the ETC designation can occur, without delay, following FCC approval and the satisfaction of other conditions to Closing, and contingent upon and concurrent with the Closing.

## **I. COMMUNICATIONS REGARDING THIS NOTICE**

All pleading, correspondence and communications regarding this Notice should be addressed as follows:

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<sup>2</sup> *Federal Communications Commission Opens Docket for Proposed Transfer of Wireless Operations, Customers, and Certain Spectrum Licenses and Spectrum Leases of USCellular to T-Mobile*, Public Notice, DA 234-925, GN Docket No. 24-286, 2024 WL 4185703 (FCC Sep. 11, 2024).

## II. BACKGROUND

**A. UScellular.** UScellular is a publicly traded Delaware corporation headquartered in Chicago, Illinois. UScellular is a majority-owned subsidiary of Telephone Data Systems, Inc. UScellular provides wireless services in Washington. It provides postpaid and prepaid wireless voice, data, and messaging service, and in-home/business broadband (fixed wireless access) to customers in its footprint covering twenty-one states, and Internet of Things (“IoT”) services. Additionally, UScellular owns approximately 4,400 towers that it uses to support its own network and leases space on these towers to other providers.

As a wireless provider UScellular is not subject to the Commission’s regulatory jurisdiction. The Commission, however, has designated UScellular as an ETC in accordance with 47 U.S.C. § 214 (e)(2), and each year the Commission certifies UScellular pursuant to 47 C.F.R. 54.314 (b) in order for UScellular to continue to receive universal service funds. The Commission last issued its certification on September 16, 2024, authorizing UScellular to receive support throughout Calendar Year 2025.<sup>3</sup>

**B. T-Mobile.** T-Mobile is a publicly traded Delaware corporation headquartered in Bellevue, Washington. Currently, T-Mobile is the second largest wireless carrier in the United States, serving over 125.9 million customers.<sup>4</sup> Through its owned and operated retail stores, third-party distributors, and its websites, T-Mobile offers wireless voice and data services—as well as a wide selection of wireless devices and accessories—to residential and business customers in the United States, including in Washington. T-Mobile also offers a high-speed fixed

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<sup>3</sup> See, *Commission Letter to the FCC and USAC*, dated September 12, 2024 Re: Certification of Support for High-Cost Eligible Telecommunications Carriers Pursuant to 47 C.F.R Section 54.314, WC Docket No. 14-58.

<sup>4</sup> *FCC Public Interest Statement at 1-2*; see also, <https://www.T-Mobile.com/news/business/T-Mobile-q2-2024-earnings>.

wireless in home broadband service utilizing the excess capacity of its nationwide 5G network, providing an alternative to traditional landline internet service providers and expanding access to—and choice for—millions of domestic households. T-Mobile currently provides wireless service to customers throughout Washington providing wireless customers access to its state of the art 5G network.<sup>5</sup>

**C. General Description of the T-Mobile Acquisition.** Upon the Closing, UScellular will have transferred its wireless operations and customers (along with select spectrum assets) to T-Mobile, including in Washington. Because UScellular’s wireless operations and customers will become T-Mobile’s at Closing, the transition is expected to be ubiquitous as to UScellular’s current service areas in Washington and seamless from the customer perspective.<sup>6</sup> The impact of the relinquishments will be minimal because: (1) T-Mobile intends to facilitate a seamless transition of UScellular’s customers, who need take no action unless they desire to switch carriers, and (2) T-Mobile, through its affiliate Assurance Wireless, is currently an ETC in the Washington and will provide continued service to UScellular’s Lifeline customers in Washington, including the offering of Lifeline discounts to eligible households.

Assurance Wireless does not have statewide eligible ETC status in Washington. While there is substantial overlap between UScellular’s ETC Area and Assurance Wireless’s ETC Area, some gaps may exist. T-Mobile recognizes the importance of Lifeline service, and will therefore continue to provide the Lifeline benefits without seeking reimbursement from the Universal

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<sup>5</sup> See e.g., <https://www.t-mobile.com/coverage/network>.

<sup>6</sup> See generally *FCC Public Interest Statement*. T-Mobile estimates that nearly all of UScellular’s customers have compatible devices and the migration of the vast majority of UScellular customers can be accomplished almost immediately after closing. See *id.* at iii.

Service Administrative Service Company (“USAC”) for UScellular Lifeline customers that fall outside of Assurance Wireless’s ETC Area.

### **III. USCELLULAR’S NOTICE OF RELINQUISHMENT OF ITS ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION**

#### **A. UScellular’s Relinquishment of ETC Designation Complies with Federal Law**

The Commission “shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier.”<sup>7</sup> 47 U.S.C. section 214(e)(4) states in relevant part:

##### **(4) Relinquishment of universal service**

A State commission (or the Commission in the case of a common carrier designated under paragraph (6)) shall permit an eligible telecommunications carrier to 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 commission (or the Commission in the case of a common carrier designated under paragraph (6)) of such 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 commission (or the Commission in the case of a common carrier designated under paragraph (6)) 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 (or the Commission in the case of a common carrier designated under paragraph (6)) shall establish a time, not to exceed one year after the State commission (or the Commission in the case of a common carrier designated under paragraph (6)) approves such

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<sup>7</sup> 47 U.S.C. § 214(e)(4).

relinquishment under this paragraph, within which such purchase or construction shall be completed.

In summary, the statutory requirements for relinquishing ETC designation are: (1) there must be more than one ETC serving in the area of the ETC seeking relinquishment; (2) the ETC seeking relinquishment must provide advance notice to the relevant state commission; (3) the customers served by the relinquishing ETC must continue to be served by an ETC; and (4) to the extent that additional facilities are required to serve any of the relinquishing ETC's customers, sufficient notice shall be provided to ensure that the construction or purchase can be timely completed. The relevant FCC rule essentially reiterates the same requirements.<sup>8</sup>

Here, UScellular's application for relinquishment of its ETC designation in Washington complies with federal law and must be granted because: (1) there is currently more than one ETC serving the ETC Service Area; (2) UScellular is providing advance notice to the Commission of such relinquishment; (3) the remaining ETCs in the market are able to serve the Lifeline needs of consumers within their respective service areas that cover the ETC Service Area; and (4) no additional facilities will need to be purchased or constructed by the remaining ETCs.

**1. There Is More Than One ETC Currently Serving Each Wire Center in the ETC Service Area**

UScellular's ETC Service Area is currently served by more than one ETC.<sup>9</sup> Because at least one other ETC serves in UScellular's ETC Service Area, applicable federal law requires the Commission to permit UScellular to relinquish its ETC designation. Moreover, as described above, immediately following the Closing of the Transaction, all UScellular Lifeline customers will continue on their current plans. These customers will not need to take any action in order for

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<sup>8</sup> 47 C.F.R. § 54.205(a).

<sup>9</sup> There is at least one incumbent local exchange company ("ILEC") ETC in every portion of UScellular's ETC Service Area.

that to occur. While T-Mobile does not hold an ETC designation, its affiliate Assurance Wireless is designated as a Lifeline-only ETC for an ETC Area that substantially overlaps UScellular's ETC Area and which will continue to provide discounts to UScellular's Lifeline customers post-Closing, including to those UScellular customers who reside outside of Assurance Wireless's ETC Area.

## **2. UScellular Is Providing Advance Notice to the Commission**

Consistent with 47 U.S.C. §214(e)(4) and 47 C.F.R. § 54.205(a), UScellular is filing this Notice months in advance of the requested effective date of relinquishment of its ETC designation. This advance notice satisfies the requirement to provide advance notice to the Commission of UScellular's intent to relinquish its ETC designation, contingent upon and coincident with Closing of the Transaction.

## **3. The Remaining ETCs Will Serve Consumers**

To the best of UScellular's knowledge, the ILEC ETCs and Competitive Classified ETCs ("CETCs") in the ETC Service Area will continue to serve customers in the ETC Service Area. Importantly, upon Closing, all "customers served by the relinquishing carrier," that is, UScellular's customers in the ETC Area, will transfer to T-Mobile. Thus, this requirement in 47 U.S.C. § 214(e) is satisfied without the need to look to other ETCs. In addition, as discussed above, T-Mobile will provide continued discounted wireless service to UScellular's Lifeline customers through its Lifeline-only ETC affiliate Assurance Wireless. Thus, all customers within UScellular's ETC Service Area will have the opportunity to be served by an ETC, consistent with 47 U.S.C. § 214(e).

## **4. No Additional Facilities Will Need to Be Purchased or Constructed by the Remaining Eligible Telecommunications**

To the best of UScellular's knowledge, none of the remaining ETCs will be required to purchase or construct additional facilities to continue to serve consumers within the ETC Service

Area. Because the remaining ILEC ETCs currently serve the entire area in which UScellular is designated as an ETC in Washington, the Commission need not provide notice to these carriers to permit them to purchase or construct facilities to ensure that USCellular's customers will continue to receive service. In addition, as noted above, upon Closing, all "customers served by the relinquishing carrier," that is, UScellular's customers in the ETC Area, will transfer to T-Mobile. Thus, this requirement in 47 U.S.C. § 214(e) is satisfied without the need to look to other ETCs.

Through this Notice, UScellular has complied with all requirements of 47 U.S.C. §214(e)(4) and 47 C.F.R. § 54.205. There is no barrier to prevent UScellular from relinquishing its ETC designation in Washington. Therefore, the Commission should expeditiously issue an Order acknowledging UScellular's Notice of Relinquishment of its ETC designation and permitting UScellular to relinquish its Washington ETC designation contingent upon and concurrent with the Closing. UScellular will provide further notice to the Commission regarding the Closing date and therefore the actual date of relinquishment.

#### **IV. REQUEST FOR WAIVER OF WAC 480-120-083**

The Commission's rules require that any telecommunications company that ceases the provision of any telecommunications service in all or any portion of the state must provide written notice 30 days in advance of cessation of service. *See*, WAC 480-120-083(2)(c). To the extent this rule may apply to UScellular in conjunction with this Transaction, UScellular requests that the Commission waive the customer notice requirements of WAC 480-120-083.

The intent of the customer notice requirement in the rule is to avoid customer confusion. However, as noted throughout this Notice of Relinquishment, immediately following the Closing, all UScellular customers will continue on their current plans. These customers will not need to take any action in order for that to occur. In this respect, the telecommunications services that



UScellular's customers are receiving today, will not cease upon Closing of the Transaction. Requiring UScellular to notify its customers of a cessation of telecommunications services in conjunction with this Transaction would only serve to cause customers confusion. This is the exact opposite of the intent behind the rule. Accordingly, UScellular respectfully submits that the Commission should waive this customer notice requirement.

## V. CONCLUSION

Consistent with all applicable requirements, UScellular respectfully requests the Commission expeditiously issue an Order acknowledging its Notice of Relinquishment of its ETC designation in Washington, contingent upon and coincident with the Closing of the Transaction. UScellular has demonstrated that it meets the requirements for relinquishment of its ETC designation. UScellular also respectfully requests that the Commission waive the cessation of service customer notice requirements of WAC 480-120-083.

Dated this 18<sup>th</sup> day of March, 2025.

Respectfully submitted,

By:



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