

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO**

APPLICATION OF CRICKET)	
COMMUNICATIONS, INC. FOR)	Docket No. _____
DESIGNATION AS AN ELIGIBLE)	
TELECOMMUNICATIONS CARRIER IN)	
THE STATE OF COLORADO)	

**APPLICATION OF CRICKET COMMUNICATIONS, INC. FOR DESIGNATION AS
AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF
COLORADO**

Pursuant to Rule 1303 of the Rules of Practice and Procedure of the Public Utilities of the State of Colorado (the "Commission"), Rules 2002(a)(XI) and 2187 of Commission's Rules Regulating Telecommunications Providers, Services, and Products, Section 214(e)(2) of the Federal Communications Act of 1934, as amended (the "Act"),¹ Section 54.201 *et seq.* of the rules of the Federal Communications Commission ("FCC"),² Cricket Communications, Inc. ("Cricket" or "Applicant") submits this Application for Designation as an Eligible Telecommunications Carrier ("ETC"). Cricket requests that the Commission grant this Application expeditiously, so that low-income customers in Colorado can benefit from the variety of high-quality calling plans provided by Cricket without any unnecessary delay.

I. BACKGROUND

Cricket. Cricket provides digital wireless services on a common carrier basis, offering customers unlimited calling at flat rates without requiring a fixed-term contract or a credit check. Cricket is not a "pre-paid" wireless provider. Rather, it is a pay in advance (on a monthly basis) provider. A customer can make local calls for an unlimited amount of minutes. Cricket is a facilities-based provider, with its own personal wireless facilities and network

¹ 47 U.S.C. § 214(e)(2).

² 47 C.F.R. § 54.201 *et seq.*

deployed on stand-alone or collocated facilities, employing “EVDO” technology. Cricket is not a reseller of personal wireless services. Directly and through its affiliates, Cricket currently serves approximately 4.6 million customers in 34 states and the District of Columbia. Cricket is a Delaware corporation authorized to conduct business, and is good standing in Colorado, throughout the requested ETC area, pursuant to a Commercial Mobile Radio Service (“CMRS”) license granted by the Federal Communications Commission (“FCC”).³ It is a wholly owned subsidiary of Leap Wireless.

Designation of Eligible Telecommunications Carriers. Sections 214(e) and 254 of the Act expressly authorize the Commission to designate Cricket as an ETC.⁴ More specifically, Section 214(e)(2) of the Act provides that, upon request and consistent with the public interest, convenience, and necessity, the Commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an ETC, provided the requesting carrier: (i) offers services that are supported by federal universal service support mechanisms; and (ii) advertises the availability of such services.⁵ The FCC’s rules, as well as Rule 2187 and related rules of the Commission impose

³ Following are Cricket’s BTA license numbers provided by the FCC:

BTA 110	Denver, CO	CO	PCS - F	10	KNLG213
BTA 149	Fort Collins-Loveland, CO	CO	PCS - F	10	KNLH357
BTA 172	Greeley, CO	CO	PCS-F	10	KNLH358
BTA 366	Pueblo, CO	CO	PCS - C	10	WPQW522
BTA 366	Pueblo, CO	CO	PCS - C	10	WPSI353
BTA 89	Colorado Springs, CO	CO	PCS - C	10	WQDI524

⁴ 47 U.S.C. §§ 214(e), 254.

⁵ 47 U.S.C. § 214(e)(2). *See also* 47 C.F.R. § 54.201(d).

additional requirements on a common carrier seeking designation as an ETC. As demonstrated below, Cricket satisfies each of these requirements.

Scope of Cricket Designation Request. Cricket seeks ETC designation for the purpose of receiving available support from the federal universal service fund (“USF”) for low-income customers only (*i.e.*, Lifeline and Link-Up support). Cricket seeks such designation in its licensed service areas throughout the following counties:

- Adams
- Arapahoe
- Boulder
- Clear Creek
- Denver
- Douglas
- Eagle
- El Paso
- Fremont
- Gilpin
- Grand
- Jefferson
- Larimer
- Pueblo
- Routt
- Summit
- Teller
- Weld

Exhibit [A] contains maps showing Cricket’s current coverage area in Colorado, and Exhibit [B] contains lists of the wire centers within those coverage areas. Cricket plans to expand its coverage as customer needs and population increases dictate. However, Cricket customers may “roam” in most areas throughout Colorado for a number of minutes with no additional charge, depending on the plan chosen. Attached as Exhibit [C] is Cricket’s roaming map. The dark green (see Ex. [A]) is Cricket’s coverage area. The light green shows the significant area where Cricket customers may “roam.” Two of Cricket’s plans include some roaming. The \$50 plan includes 30 minutes of roaming and the \$60 plan includes 200 minutes of roaming. Customers

who do not have roaming included in their plans but have money in their flex bucket may make roaming calls. If there is no money in their flex bucket, then they are unable to place a roaming call. If they want to add money to their flex bucket for roaming, the cost is \$.25 per minute. If they have a plan that included roaming and they go over their allotted time, then they must have money in their flex bucket. The cost is \$.25 per minute. Customers can tell they are in an area that is roaming prior to attempting to make a call, because roaming is indicated on the face/screen of their phone. As Cricket is a pay-in-advance carrier, there are no surprise bills at the end of the month.

Cricket believes that, legally and in all fairness, a customer should only receive one lifeline subsidy — i.e., a customer should not obtain one subsidy from its service, and then another from its land line carrier. To that end, Cricket notifies customers on its website (<http://www.mycricket.com/specialoffer/view/lifelineassistance>) that “[o]nly one federally subsidized telephone is available per household. Additional lines do not qualify for the discounted lifeline rates.” In addition, Cricket asks customers to certify on their applications that, in fact, they will only receive one subsidy.

For the reasons set forth below, designating Cricket as an ETC throughout the requested service areas would serve the public interest, convenience and necessity.⁶

II. STATEMENTS IN COMPLIANCE WITH RULE 2002(b)

A. The name and address of the Applicant is:

Cricket Communications
5887 Copley Drive
San Diego, CA 92111

⁶ Pursuant to FCC precedent, no “cream-skimming” analysis is necessary because Cricket is seeking ETC designation only with respect to low-income support mechanisms. *See Virgin Mobile USA, L.P.*, Order, 24 FCC Rcd 3381, at ¶ 39 n.101 (2009).

- B. The name under which the Applicant is, or will be, providing telecommunications service in Colorado is:

Cricket

- C. The name, address, telephone number, facsimile number, and e-mail address of Cricket's representatives to whom all inquiries concerning the application should be made:

At Cricket:

Julie Buechler
Manager Government Programs
5887 Copley Drive
San Diego, CA 92111
(858) 882-9303 (direct)
(858) 882-9110 (fax)
jubuechler@cricketcommunications.com

Counsel:

Mark W. Williams
Sherman & Howard L.L.C.
633 17th Street, Suite 3000
Denver, CO 80202
(303) 299-8211 (direct)
(303) 298-0940 (fax)
mwilliams@shermanhoward.com

- D. The name, address, telephone number, facsimile number, and e-mail address of Cricket's contact person for customer inquiries concerning the application, if that contact person is different from the person listed in subparagraph (C) is:

Joey Trujillo
Cricket Communications
5680 Greenwood Plaza Boulevard
Greenwood Village, CO 80111
Telephone: (303) 224-3360
Facsimile: (720) 374-9030
Email: jtrujillo@cricketcommunications.com

- E. The town or city, and any alternate town or city, where Cricket prefers any hearings be held is:

Denver, Colorado

- F. Cricket agrees to respond to all questions propounded by the Commission or its Staff concerning the application.

- G. Cricket will permit the Commission or any member of its Staff to inspect Cricket's books and records as part of the investigation into the application.
- H. Cricket understands that if any portion of the application is found to be false or to contain material misrepresentations, any authorities granted may be revoked upon Commission order.
- I. By signing the application, Cricket understands that:
- (1) The filing of the application does not by itself constitute approval of the application.
 - (2) If the application is granted, Cricket shall not commence the requested action until it complies with applicable Commission rules and with any conditions established by Commission order granting the application.
 - (3) If a hearing is held, Cricket shall present evidence at the hearing to establish its qualifications to undertake, and its right to undertake, the requested action.
 - (4) Cricket has read, and agrees to abide by, the provisions of subparagraphs (b)(IX)(A) through (C) of Rule 2002, and other applicable Commission rules.
- J. An attestation, made under penalty of perjury, is attached hereto, and is signed by an officer of Cricket who is authorized to act on behalf of Cricket, and which states that the contents of the application are true, accurate, and correct, is attached hereto. The Affiant's complete name, title and address is:

William Ingram
Senior Vice President, Strategy
Cricket Communications
5887 Copley Drive
San Diego, CA 92111

- K. Cricket is a common carrier as defined in 47 U.S.C. § 332.
- L. Cricket will, in accordance with applicable law, contribute to the Colorado High Cost Fund, and will make payments to applicable 911 funds on behalf of its customers.

III. CRICKET SATISFIES THE STATUTORY AND REGULATORY PREREQUISITES FOR DESIGNATION AS AN ETC IN COLORADO

Cricket satisfies each of the statutory and regulatory prerequisites set forth in the Act, the FCC's rules, and Rule 2187:

A. Cricket Offers the Services and Functionalities Supported by the Federal Low-Income Universal Service Program [47 C.F.R. § 54.201(d)]

Cricket provides each of the services supported by federal universal service support mechanisms, as set forth in 47 C.F.R. § 54.101, and will offer these supported services throughout the area in which it is designated as an ETC. Cricket seeks only approval for Lifeline service. It will not seek payment from the Colorado High Cost Fund at this time. Cricket will seek funds from the Federal ETC Fund (on each monthly bill, a customer will obtain a \$13.50 discount; Cricket will seek \$10.00 from the Federal ETC Fund, and will absorb the remaining \$3.50). Cricket does not seek LITAP or EP status or service. Cricket will provide these supported services using its own facilities or a combination of its own facilities and the resale of another carrier's service. Cricket primarily will use its own network infrastructure, which includes the same antennae, cell-sites, facilities, trunking, mobile switching and interconnection facilities used to serve its existing customers. These supported services include:

Voice Grade Access [47 C.F.R. § 54.101(a)(1)]. “Voice grade access” permits a telecommunications user to transmit voice communications, including signaling the network that the caller wishes to place a call, and to receive voice communications, including receiving a signal that there is an incoming call. Through its interconnection agreements with local exchange carriers (“LECs”) in Colorado, Cricket’s customers will be able to make and receive calls on the public switched telephone network with a minimum bandwidth of 300 to 3000 Hertz.

Local Usage [47 C.F.R. § 54.101(a)(2)]. “Local usage” is an amount of minutes of use of exchange service provided without an additional charge to end users. The FCC has specified that a local usage plan is acceptable if it is “comparable to the one offered by the incumbent LEC in the service areas for which the applicant seeks designation.”⁷ This comparability analysis must proceed on a case-by-case basis, and take account of value-added capabilities and services incorporated into a plan.⁸ Cricket’s current local usage plans, summarized in Exhibit [D], are comparable in value to those offered by ILECs operating in the requested ETC service area. The price paid includes unlimited local calls (Cricket customers use an average of 1,500 minutes per month). Cricket’s plans offer consumers numerous benefits, including larger “local” calling areas, the availability of mobile service, and unlimited local and long-distance calling options. In addition, those plans incorporate value-added features, such as caller ID; unlimited domestic text and picture messaging; unlimited text messaging to Mexico; premium extended coverage providing unlimited service without additional roaming fees in over 4,600 domestic cities and towns; and call waiting, three-way calling, and voicemail, among other services.

⁷ See *Federal-State Joint Board on Universal Service*, Report and Order, 20 FCC Rcd 6371, at ¶ 32 (2005) (“2005 ETC Order”).

⁸ *Id.*

Customers pay bills in advance (Cricket is not a “pre-paid” provider). Cricket has roaming agreements throughout the area described in the map in Exhibit [A]. Customers pay no extra charge if calling within this area. An additional roaming charge may apply unless the customer’s plan includes roaming. Roaming plans are discussed above.

Dual Tone Multi-Frequency Signaling or its Functional Equivalent [47 C.F.R. § 54.101(a)(3)]. Dual tone multi-frequency (“DTMF”) signaling is a method of signaling that facilitates the transportation of call set-up and call detail information. The FCC has recognized that, with respect to wireless carriers, it “is appropriate to support out-of-band signaling mechanisms as an alternative to DTMF signaling.”⁹ Cricket currently uses out-of-band digital signaling and in-band multi-frequency signaling that is the functional equivalent to DTMF signaling.

Single-Party Service or its Functional Equivalent [47 C.F.R. § 54.101(a)(4)]. With respect to wireless carriers, “single-party service” affords a user a dedicated message path for the length of a user’s particular transmission. Cricket meets this requirement with respect to each of its service offerings.

Access to Emergency Services [47 C.F.R. § 54.101(a)(5)]. “Access to emergency service” includes access to services, such as 911 and enhanced 911 (“E-911”), provided by local governments or other public safety organizations. Cricket currently provides its voice customers in Colorado with such access, is capable of delivering automatic numbering information (“ANI”) and automatic location information (“ALI”) over its existing network, and otherwise satisfies applicable state and federal E-911 requirements. Further, Cricket pays all applicable E-911 fees in a timely manner. Cricket will continue to work with local public safety answering points

⁹ *Federal-State Joint Board on Universal Service*, Report and Order, 12 FCC Rcd 8776, at ¶ 71 (1997).

(“PSAPs”) within its ETC service areas to make 911 and E-911 service available to its customers.¹⁰

Access to Operator Services [47 C.F.R. § 54.101(a)(6)]. “Access to operator services” means access to automatic or live assistance provided to a customer to arrange for the billing or completion, or both, of a telephone call. Cricket meets this requirement by providing access to operator services with respect to billing questions to customers dialing “611,” and access to operator services with respect to call completion to customers dialing “411.”

Access to Interexchange Service [47 C.F.R. § 54.101(a)(7)]. With respect to wireless carriers, “access to interexchange service” means access to the functional equivalent of the use of the loop, as well as that portion of the switch that is paid for by the end user, necessary to access an interexchange carrier’s network. Cricket meets this requirement by providing all of its subscribers with the ability to make and receive interexchange or toll calls through Cricket’s network.

Directory Assistance [47 C.F.R. § 54.101(a)(8)]. “Access to directory assistance” means access to a service that includes, but is not limited to, making available to customers, upon request, information contained in directory listings. Cricket meets this requirement by providing access to directory assistance to customers dialing “411.”

Toll Limitation [47 C.F.R. § 54.101(a)(9)]. “Toll limitation” includes the offering of either “toll control” or “toll blocking” to qualifying low-income customers, as a means of limiting or blocking the completion of outgoing toll calls. An ETC is not required to provide either service if it is incapable of providing such service. Cricket’s calling plans do not

¹⁰ Cricket supports S.B. 120 — current legislation before the Colorado legislature — which requires “pre-paid” wireless carriers to pay into the E-911 system in Colorado. Cricket only recently became aware of S.B. 135, and takes no position on the matter at this time. Cricket does follow the exemptions currently afforded under law.

distinguish between local and toll calls at the point of dialing, such that Cricket cannot offer toll limitation without blocking all service to a customer. However, if for any reason Cricket changes the structure of its service plans to distinguish between local and toll calls, Cricket will meet the toll limitation requirement by providing toll blocking.

B. Cricket Will Advertise the Availability of and Charges for its Universal Service Qualifying Offerings [47 C.F.R. § 54.201(d)(2)]

Cricket will advertise the availability of the supported services detailed above, and the corresponding rates and charges, in a manner designed to inform the general public within its designated ETC service areas. This advertising will occur through some combination of media channels, such as television and radio, newspaper, magazine and other print advertisements, outdoor advertising, direct marketing, and the Internet. Specifically, Cricket will advertise the availability of the supported services outlined in this application, and the corresponding rates and charges, in a manner designed to inform the general public within its designated low-income only ETC service areas. Cricket's advertising and outreach plan will include any listing required by the Public Utilities Commission of the State of Colorado as a Lifeline provider, and modifying its listing with USAC. In addition, Cricket will expand its website in the Colorado market corresponding with the counties in Colorado where Cricket is currently offering Lifeline to include the market sites corresponding to this application for ETC low-income designation.¹¹

Cricket will work with all applicable Colorado agencies which administer the qualifying assistance programs and with social service agencies to ensure that they are aware Cricket is a Lifeline provider. Cricket will provide these agencies with collateral materials

¹¹ As an example of how Cricket added to its website in Oregon, please see <http://www.mycricket.com/specialoffer/view/lifelineassistanceoregon>.

outlining the Lifeline program and how to obtain Lifeline discounts. Cricket plans to expand its community outreach program in the counties where ETC designation is being sought.

Community events in the areas where potential Lifeline subscribers live will be planned. Direct mailing to the zip codes in the covered areas will also provide information on the availability of the Lifeline program. Lifeline materials will be available for non-English speaking consumers.

Advertising will occur through some combination of media channels, radio, newspaper, magazine and other print advertisements, outdoor advertising, direct marketing, and the Internet. Cricket stores and dealers will be furnished with promotional material visible to customers in the stores including posters and counter cards.

C. Cricket Will Satisfy its Additional Obligations as an ETC

In addition to those requirements set forth in Section 54.201 of the FCC's rules, Cricket will satisfy other ETC requirements adopted by this Commission and the FCC. In particular:

Commitment to Provide Service Upon Reasonable Request [47 C.F.R. § 54.202(a)(1)]. If a request is made by a potential customer within Cricket's existing network coverage, Cricket will provide service immediately using its standard customer equipment (handsets/wireless devices). If a potential customer requests service within Cricket's designated ETC service area, but outside its existing network coverage, Cricket will follow the six-step process specified in 47 C.F.R. § 54.202(a)(1)(i). Specifically, Cricket will determine if service can be provided at reasonable cost by: (i) modifying or replacing the requesting customer's equipment; (ii) deploying a roof-mounted antenna or other equipment; (iii) adjusting the nearest cell tower; (iv) adjusting network or customer facilities; (v) reselling services from another carrier's facilities to provide service; or (vi) employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment. Because Cricket seeks only low-income

support, as opposed to high-cost funding to support the construction of network facilities, it is not submitting a network improvement plan under 47 C.F.R. § 54.202(a)(1)(ii).¹²

Ability to Remain Functional in an Emergency [47 C.F.R. § 54.202(a)(2)].

Cricket is committed to providing and maintaining essential telecommunications services in times of emergency. In particular, Cricket maintains a reasonable amount of back-up power to ensure the functionality of its service without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations. More specifically, all mobile switching centers and cell sites have battery backup power, each switching center has a dedicated diesel generator, and there are several cell site generators in the market area. In instances of power outages, priority is set based upon traffic, cell site location and time of day. In certain parts of the service area, a cell on wheels (COW) can be deployed. In case of a total switch outage, a mobile command center may be established by each switch vendor.

Satisfaction of Applicable Consumer Protection and Service Quality Standards

[47 C.F.R. § 54.202(a)(3)]. Cricket will comply with all applicable state and federal consumer protection and service quality standards. Further, Cricket will abide by CTIA's Consumer Code for Wireless Service ("CTIA Code"). Cricket has already adopted the CTIA Code and is committed to compliance with the CTIA Code throughout its service areas, including in those areas where it is seeking designation as an ETC. In particular, Cricket will use its best efforts to resolve complaints received by the Commission, and designates the following contact person to work with Commission staff to resolve any complaints or other compliance matters:

¹² The FCC has made clear that this requirement applies only to carriers receiving high-cost support. *See 2005 ETC Order* at ¶ 23.

Leticia Grajiola
Corporate Relations Supervisor
Cricket Communications, Inc.
6380 South Fiddlers Green Circle
Greenwood Village, CO 80111
(720) 374-2855 (telephone)
(720) 374-9125 (facsimile)
governmentinquiry@cricketcommunications.com

Cricket will comply with “do not call” laws of Colorado. It has the ability, through its main customer/billing system, to enter a code in the customer record indicating that the customer does not wish to be contacted. This block prevents customers from showing upon on lists that are used to generate contact customers whether by phone, text or email. Customers simply must alert customer service that they do not want to be contacted and that request is entered into the system and remains until the customer requests it be changed.

Local Usage Plan [47 C.F.R. § 54.202(a)(4)]. As discussed above and in Exhibit [D], Cricket offers several local usage plans to customers. These plans, which will be available to low-income customers, are comparable to those offered by ILECs in the service areas for which Cricket seeks ETC designation.

Equal Access [47 C.F.R. § 54.202(a)(5)]. Cricket acknowledges that the FCC may require it to provide equal access to long distance carriers in the event that no other eligible telecommunications carrier is providing equal access within the service area.

Lifeline Certification and Verification [47 C.F.R. § 54.410]. Cricket will certify and verify consumer eligibility to participate in the Lifeline and Link-Up programs in accordance with the rules of this Commission and the FCC, and will make available Lifeline services, as defined in 47 C.F.R. §54.401, to qualifying low-income customers.

Regulatory Fees. Cricket pays all applicable federal, state, and local regulatory fees, including but not limited to universal service and E-911 fees, in a timely manner.

Universal Service. Cricket will offer the services that are supported by the federal universal service support mechanisms under 47 U.S.C. § 254(c). Cricket currently pays into the Colorado High Cost Support Mechanism, and will continue to do so. Cricket complies with Federal regulations concerning Telephone Relay Services.

IV. DESIGNATING CRICKET AS A COMPETITIVE ETC WILL SERVE THE PUBLIC INTEREST

Designating Cricket as an ETC will serve the public interest generally, and the needs of low-income customers in Colorado in particular. Cricket has specifically tailored its wireless service plans to share the benefits of wireless telecommunications with underserved customers who have been left behind by other providers. Cricket offers unlimited voice service at affordable rates starting as low as \$30 per month and unlimited broadband starting at \$35 per month, without the typical strings attached (such as credit checks, long-term commitments, and early termination fees) that otherwise prevent many economically disadvantaged customers from obtaining wireless services. With this foundation of simplicity and affordability as its business model, Cricket and its joint venture partners have built a network covering almost 92 million individuals in 34 states and the District of Columbia, and are steadily expanding into new communities where the telecommunications needs of consumers are not being met by existing providers.

Cricket fulfills a critical role in the marketplace by ensuring that many Americans who cannot qualify for, or afford, the services provided by other wireless providers can still enjoy the benefits of wireless telecommunications, including wireless broadband. Cricket's flat-rate, unlimited service model is ideal for many consumers on a limited budget; other carriers often impose hefty overage charges if consumers exceed their usage limit. Many consumers

cannot even qualify for service from other providers because of creditworthiness concerns or the inability to commit to a long-term contract.

As a result, Cricket's customer base of approximately 4.6 million customers is quite unlike those of other wireless providers. Notably, approximately 80 percent of Cricket's customers have annual household incomes of less than \$50,000 and 55 percent have annual household incomes of less than \$30,000. In contrast, just 48 percent of other wireless carriers' customers have annual household incomes of less than \$50,000. The usage patterns of Cricket's customers also are distinct. Ninety percent of Cricket's subscribers use the service for their primary phone (compared to an industry average of 50 percent), and 68 percent do not have a traditional landline phone service at home (compared to an industry average of 15 percent). Cricket's customers also use an average of approximately 1500 minutes per month—almost twice as many minutes per month as the industry average.

These figures reveal that Cricket reaches market segments that other carriers have ignored, and its customers look to Cricket for all of their telecommunications needs, including an entrance to the online world. In fact, nearly 50 percent of customers subscribing to Cricket's flat-rate wireless broadband service have never had Internet access at home—not even dial-up. Designating Cricket as an ETC will improve its ability to serve these customers, and thus will serve the public interest.

V. CONCLUSION

Cricket requests that the Commission grant this application. Cricket meets all requirements imposed by the FCC and this Commission. The public interest will be served by granting Cricket, a wireless provider, competitive ETC status.

DATED: March 10, 2010.

Respectfully submitted,

CRICKET COMMUNICATIONS, INC.

By: 

Mark W. Williams (#15304)

Sherman & Howard L.L.C.

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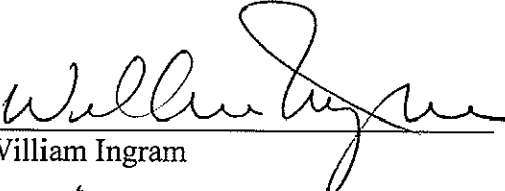
ITS COUNSEL

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

ATTESTATION
)
) ss.
)

I, William Ingram, as Senior Vice President, Strategy of Cricket Communications, Inc., state under penalty of perjury that the foregoing statements in the **APPLICATION OF CRICKET COMMUNICATIONS, INC. FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER IN THE STATE OF COLORADO** are true, accurate, and correct.

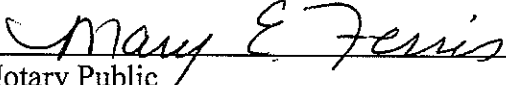
Dated this 9 day of March, 2010.


William Ingram

Subscribed and sworn to before me this 9th day of March, 2010, by William Ingram, Senior Vice President, Strategy of Cricket Communications, Inc.

Witness my hand and official seal.

My commission expires June 28, 2012.


Notary Public

[SEAL]

