



**COMMONWEALTH OF MASSACHUSETTS**  
**DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

D.T.C. 24-1

June 7, 2024

In the Matter of IM Telecom, LLC d/b/a Infiniti Mobile for Designation as an Eligible Telecommunications Carrier in the Commonwealth of Massachusetts

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**SECOND SET OF INFORMATION REQUESTS BY THE  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE  
TO IM TELECOM, LLC**

Pursuant to 207 C.M.R. § 1.06(6)(c), the Department of Telecommunications and Cable (“Department”) submits to IM TELECOM, LLC the following information requests:

Instructions

The following instructions apply to this set of information requests, and all subsequent requests issued by the Department in this proceeding.

1. All answers should be filed with the Department by the close of business on **September 9, 2024**.
2. Unless otherwise stated, each request should be answered in writing and include: the case docket number; a reference to the request number; the name of the person responsible for the answer; and a recitation of the request.
3. The term “Infiniti Mobile” means IM Telecom, LLC d/b/a Infiniti Mobile and its corporate predecessors, agents, officers, employees, and assigns.
4. The term “affiliate” means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, Infiniti Mobile. For purposes of this definition, the term “own” means to own an equity interest (or the equivalent thereof) of more than 10 percent.
5. The term “Petition” means Infiniti Mobile’s application for designation as an ETC which the Department received on January 3, 2024.

6. The term “provide complete and detailed documentation” means: provide all data, assumptions and calculations relied upon. Provide the source of and basis for all data and assumptions employed. Include all studies, reports and planning documents from which data, estimates or assumptions were drawn and support for how the data or assumptions Infiniti Mobile used in developing the projections or estimates.
7. The term “ETC” means eligible telecommunications carrier.
8. The term “FCC” means the Federal Communications Commission.
9. The term “USF” means Universal Service Fund.
10. The term “USAC” means the Universal Service Administrative Co.
11. The term “ACP” means Affordable Connectivity Program.
12. The term “equipment” includes, but is not limited to, a SIM card and/or a mobile device.
13. The term “document” is used in its broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, correspondence, press releases, handwritten and/or typed notes, records, reports, bills, checks, articles from journals and/or other sources, legal filings, e-mails, SMS text messages, blog postings, RSS feeds, web pages, social media postings such as Facebook and Twitter, and/or other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.
14. The term “*Lifeline Reform Order*” refers to *In the Matter of Lifeline and Link Up Reform and Modernization, Report and Order and Further Notice of Proposed Rulemaking*, WC Docket No. 11-42, FCC 12-11 (rel. Feb. 6, 2012).
15. The term “*Virgin Mobile ETC Order*” refers to *In re Application of Virgin Mobile USA, L.P.’s Petition for Ltd. Designation as an Eligible Telecomms. Carrier*, D.T.C. 10-11, *Order Approving Petition* (Sept. 9, 2011).
16. The term “*T-Mobile ETC Order*” refers to *T-Mobile NE LLC Petition for Ltd. Designation as an Eligible Telecomms. Carrier for Purposes of Low-Income Support Only*, D.T.C. 12-4, *Order Approving Petition* (Aug. 30, 2012).

17. The term “*Stand Up ETC Order*” refers to *Petition of Global Connection Inc. of Am. d/b/a STAND UP WIRELESS for Designation as an Eligible Telecomms. Carrier*, D.T.C. 11-11, *Order Approving Petition* (Mar. 5, 2013).
18. The term “*Budget PrePay ETC Order*” refers to *Petition of Budget PrePay, Inc. for Ltd. Designation as a Lifeline-Only Eligible Telecomms. Carrier*, D.T.C. 11-12, *Order Approving Petition* (Mar. 5, 2013).
19. Requests shall be deemed continuing so as to require further supplemental responses if Infiniti Mobile and/or its witnesses receive or generate additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
20. If any of these requests is ambiguous, notify the Hearing Officer so that the request may be clarified prior to the preparation of a written response.

#### Requests

1. Pursuant to 47 C.F.R. § 54.202(a)(3), describe in narrative form Infiniti Mobile’s ability to satisfy applicable consumer protection and service quality standards set forth in the Department’s *Rules & Practices Relating to Telephone Service to Residential Customers* (D.P.U. 18448 (1997)).
2. Describe, in narrative form, the types of complaints Infiniti Mobile receives from Lifeline subscribers in other jurisdictions where it operates as an ETC and the company’s procedures to handle each of these complaints.
3. Provide the number of customer complaints received by Infiniti Mobile in each of the last three years from Lifeline subscribers for the following categories: 1) billing, 2) finance, 3) network coverage, 4), operational, 5) product, and 6) trouble.
4. Provide the terms and conditions of all warranties and refund policies applicable to handsets provided or sold to Lifeline subscribers.
5. Explain under which circumstances newly enrolled Massachusetts Lifeline customers must purchase a device versus when Infiniti Mobile will provide a device free of charge.
6. Describe Infiniti Mobile’s policy regarding customers returning equipment.
7. State whether Infiniti Mobile will impose an activation fee, change fee, early termination fee, or any other service fee for any of its Lifeline services. Provide a detailed description of any such fee(s) and explain whether the same or similar fee is imposed on non-Lifeline subscribers.

8. State whether Infiniti Mobile's Lifeline subscribers incur roaming charges. If so:
  - A. State whether Lifeline subscribers will be notified before they incur roaming charges;
  - B. State whether Lifeline subscribers can terminate the call before incurring such roaming charges;
  - C. Describe in narrative form how roaming charges will apply to Infiniti Mobile's Massachusetts Lifeline subscribers; and
  - D. State whether additional charges will be incurred for 911 calls made while roaming.
9. State whether Infiniti Mobile's Lifeline subscribers in Massachusetts will have free access to any web-based account management tools and, if so, please provide details on which tools will be offered.
10. Identify each social media platform Infiniti Mobile intends to use in Massachusetts and provide examples of advertising for each platform.
11. Provide complete and detailed documentation of Infiniti Mobile's market research for Massachusetts, including but not limited to any underserved groups or areas Infiniti Mobile has identified and intends to target in Massachusetts.
12. Explain how Infiniti Mobile's marketing strategy reaches underserved groups in Massachusetts.
13. Describe Infiniti Mobile's plans for providing quality customer service in Massachusetts, including but not limited to:
  - A. The number of employees in Infiniti Mobile's intended customer service operation;
  - B. The physical location of Infiniti Mobile's customer service staff; and
  - C. Infiniti Mobile's internal standards for responding to and resolving customer inquiries and complaints (e.g., expected response times, manner of communication).
14. Provide a copy of the proposed Terms and Service for Infiniti Mobile's Lifeline subscribers in Massachusetts.
15. Provide a copy of a proposed webpage where a consumer could apply for Infiniti Mobile's Lifeline offering in Massachusetts.
16. Describe how and when a Massachusetts Lifeline customer will be notified of any changes or updates to the applicable Terms and Conditions.
17. Provide a current list of all states where Infiniti Mobile or any of its affiliates has been designated as an ETC. For each state, indicate whether the designation is limited, and if so how, including any specific requirements imposed on or volunteered by Infiniti Mobile or its

affiliates. Provide complete and detailed documentation of any such designation, limitation(s), and/or requirement(s).

18. Provide a current list of all states where Infiniti Mobile or any of its affiliates has a petition currently pending for ETC designation and describe the status of each petition. If any petition has been denied, provide a copy of the denial issued by the commission or government agency.

19. State if Infiniti Mobile has ever:

- A. Formally relinquished, or unilaterally abandoned, or withdrawn an ETC designation in any state or other jurisdiction;
- B. Experienced dismissal (with or without prejudice) of an application or petition for ETC designation; and
- C. Had an ETC designation permanently revoked, rescinded, suspended, or otherwise “terminated” in any state or jurisdiction.

Explain the reason(s) for and circumstances behind each such event or occurrence falling under the foregoing categories.

20. Identify all states where Infiniti Mobile or any of its affiliates has withdrawn a petition for ETC designation. Provide complete and detailed documentation for each such withdrawal.

21. State whether the FCC, any state utilities commission, or any other government agency has, to date, rendered or entered a finding, criminal conviction (including plea agreements), or civil judgement (including money judgements) against Infiniti Mobile, its executives, or managers, during the last ten years. Provide a copy of any such finding, conviction, plea agreement, or civil judgement entered against Infiniti Mobile, its executives, or managers.

22. Provide a complete and detailed list of each of Infiniti Mobile’s affiliates and provide the names under which each does business.

23. State whether Infiniti Mobile or any of its affiliates presently offer or have in the past offered service in Massachusetts. If so, describe the scope of such service, including geographic areas of operation, types of customers served, and total number of Massachusetts customers.

24. Identify any and all ongoing litigation that affects or may affect the services offered or intended to be offered by Infiniti Mobile in Massachusetts. Provide a copy of all judicial filings made in relation to such litigation.

25. State whether Infiniti Mobile is subject to any outstanding tax liabilities, late payments, or other liabilities due and owing to the Commonwealth of Massachusetts or any government

and/or quasi-public entities in any other jurisdictions. If so, provide complete and detailed documentation identifying the amounts owed and explaining the reasons for such arrears.

26. Provide a Certificate of Good Standing from Infiniti Mobile's state of incorporation.
27. State the length of time that Infiniti Mobile has been in business, and the length of time that it has been providing Lifeline wireless service and non-Lifeline wireless service.
28. Provide complete and detailed documentation on the technical capability of Infiniti Mobile to provide Lifeline services in Massachusetts, including a list of officers, their qualifications, and their previous experience in the telecommunications industry.
29. Provide the following for each of the last five years:
  - A. Profit and loss statements;
  - B. Balance sheets; and
  - C. Statement of cashflows.
30. Identify any instances in which Infiniti Mobile or its affiliates have been ordered to, or have voluntarily undertaken, to complete independently audited financial statements, including but not limited to cashflows, assets and liabilities, incomes, and expenses.
31. Provide financial projections for Infiniti Mobile's Lifeline service business models both nationally and specifically for Massachusetts for the next three years. These projections should include costs, revenues, and profits from providing Lifeline service.
32. State how long it would take Infiniti Mobile to offer Lifeline service in Massachusetts from the date of approval if the Petition is granted by the Department.
33. Provide a list of countries that Lifeline subscribers can make calls to and the rate per minute for each of these countries.
34. State whether Infiniti Mobile is subject to the independent audit requirements under 47 C.F.R. § 54.420(a). If yes, state whether Infiniti Mobile has selected an independent auditor to assess its compliance with program requirements set forth in 47 C.F.R. § 54.420.
35. Provide a sample certification and annual verification (or re-certification) forms to be used by Infiniti Mobile in Massachusetts that satisfy 47 C.F.R. §§ 54.410(d), (f).
36. Provide a copy of the resale contract Infiniti Mobile has with its underlying facilities-based carrier(s) and provide:
  - A. The tenure of the contractual relationship;

- B. All options for renewal of the contract, if applicable; and
  - C. All events that may result in the termination of the contract by either Infiniti Mobile or the underlying facilities-based carrier(s).
37. Describe in narrative form Infiniti Mobile's ownership structure and include a list of all shareholders and their ownership stake in the company.
38. Identify any countries other than the United States in which Infiniti Mobile currently offers or has ever offered voice or broadband services.
39. Certify that Infiniti Mobile will:
- A. Provide Lifeline subscribers with 911 and E911 access regardless of activation status and availability of minutes;
  - B. Remit the 911 surcharge to the Massachusetts State 911 Department;
  - C. Provide E911 compliant handsets; and
  - D. Replace, at no additional charge to Lifeline subscribers, handsets that are not in compliance with E911.
40. Certify that Infiniti Mobile will comply with the procedures and requirements in the *Lifeline Reform Order* and, in the regulations cited below in this request #39, regarding:
- A. Screening applicants using the National Lifeline Accountability Database to be established as set forth in 47 C.F.R. § 54.404(b);
  - B. The carrier's obligations to offer Lifeline, including de-enrollment requirements, established in 47 C.F.R. § 54.405;
  - C. The subscriber eligibility determination and certification requirements established in 47 C.F.R. § 54.410;
  - D. Annual certifications required for ETCs established in 47 C.F.R. § 54.416;
  - E. Record keeping requirements established in 47 C.F.R. § 54.417;
  - F. Audit requirements established in 47 C.F.R. § 54.420; and
  - G. Annual reporting requirements established in 47 C.F.R. § 54.422.
41. Certify that Infiniti Mobile will comply with the applicable requirements established by the Department in the *Virgin Mobile ETC Order*, *T-Mobile ETC Order*, *Stand Up ETC Order*, and *Budget PrePay ETC Order*.
42. Certify that Infiniti Mobile will comply with all applicable federal, state and local laws and regulations applicable to it in connection with its operation in Massachusetts.
43. As outlined in the *Stand Up ETC Order*, certify that Infiniti Mobile will:

- A. Provide quarterly reporting to the Department of subscriber accounts terminated for inactivity;
  - B. Provide quarterly reporting of Lifeline subscribers' complaints to the Department regarding Infiniti Mobile's Lifeline service and participate in dispute resolution by the Department's Consumer Division;
  - C. Include notice of the Department's dispute resolution procedures for Lifeline-related issues at the point of sale and via Infiniti Mobile's customer service call centers;
  - D. Provide reporting to the Department of USF support received for Massachusetts Lifeline subscribers;
  - E. File with the Department, within 60 days of approval of its Petition, its terms and conditions of service, applicable to qualifying Lifeline subscribers;
  - F. Notify the Department of any changes to the rates, terms, or conditions of its Lifeline service that clearly benefit Lifeline subscribers (e.g., the only change is additional minutes or reduced cost);
  - G. Give the Department 30 days advance notice of any changes to the rates, terms, or conditions of its Lifeline service that do not clearly and solely benefit all of its Massachusetts Lifeline subscribers;
  - H. Include the Department's contact information for consumer complaints on its Lifeline application, Lifeline subscriber receipts if applicable, Lifeline terms and conditions, and marketing materials for Lifeline service;
  - I. Provide Public Safety Answering Points self-certification to the Department; and,
  - J. Provide annually the certification of an officer of Infiniti Mobile that it (1) has policies and procedures in place to review Lifeline subscribers' documentation of income and program-based eligibility; (2) is in compliance with all federal Lifeline certification procedures; and (3) has obtained a valid certification form for each Lifeline subscriber for whom the carrier seeks Lifeline reimbursement.
44. Provide a granular map detailing where Infiniti Mobile can provide wireless broadband and voice service in Massachusetts and at what strength. The map should clearly show the locations where services are available, and also where Infiniti Mobile will not be able to provide service due to lack of coverage from underlying carriers.
45. Provide the price of additional minutes and data for Infiniti Mobile's Lifeline subscribers.
46. Refer to Response #3 submitted by Infiniti Mobile on March 13, 2024. Explain how granting Infiniti Mobile's Petition will result in unique service offerings relative to other ETCs currently providing Lifeline services in Massachusetts beyond increasing competition or increasing Lifeline subscribership. Provide complete and detailed documentation.
47. Explain how the wind-down of the ACP will affect Infiniti Mobile's annual revenue and what strategies Infiniti Mobile will undertake to compensate for any potential decreases in annual revenue. Provide complete and detailed documentation.