

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of	)	
<b>MERCURY WIRELESS INDIANA LLC</b>	)	
for designation as an eligible telecommunications	)	Case No. U-20333
carrier for purposes of Connect America Fund	)	
Phase II support.	)	
_____	)	

At the February 11, 2025 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair  
Hon. Katherine L. Peretick, Commissioner  
Hon. Alessandra R. Carreon, Commissioner

**ORDER**

On September 28, 2018, Mercury Wireless Indiana LLC (Mercury) filed an application pursuant to Section 214(e)(2) of the federal Communications Act of 1934, 47 USC 214(e)(2), for designation as an eligible telecommunications carrier (ETC) for the purposes of Connect America Fund Phase II support. On January 18, 2019, Mercury filed an amended application. On March 21, 2019, the Commission issued an order conditionally approving Mercury’s application as a High Cost ETC and Lifeline ETC. On January 6, 2021, Mercury filed an application to expand its ETC service area as a result of being a winner in the Rural Digital Opportunity Fund (RDOF) auction. On May 13, 2021, the Commission issued an order approving the application to expand Mercury’s ETC service area to include all census blocks awarded in the Federal Communications Commission’s (FCC’s) RDOF auction.

On December 17, 2024, Mercury filed an application requesting approval to relinquish a portion of its current ETC designated service areas (December 17 application). Mercury states that due to unforeseen circumstances beyond its control, it has notified the FCC that it is returning a small percentage of its RDOF census blocks. Mercury states that it will not be able to fulfill its RDOF obligations for the census blocks identified in Exhibit 1 of the December 17 application and it is requesting approval of relinquishment in these areas. December 17 application, pp. 1-3.

47 USC 214(e)(4) provides as follows:

A State 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 . . . . 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 . . . 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 . . . shall establish a time, not to exceed one year after [approval of] such relinquishment under this paragraph, within which such purchase or construction shall be completed.

*See also*, 47 CFR 54.205. Thus, relinquishment may be granted to a carrier for any area that is served by more than one ETC. Mercury has affirmed that it has met the standards for relinquishment. Mercury states that each of the requested relinquishment areas listed in Exhibit 1, is currently served by at least three wireless ETCs, as listed in Exhibit 3. These companies include: Tracfone Wireless, Inc.; Tag Mobile, LLC; and Tempo Telecom, LLC. Mercury informs the Commission that there are no subscribers in the requested relinquishment areas, therefore there will be no customers affected by the relinquishment. Additionally, there will be no requirement for facilities to be purchased or constructed. Mercury maintains that it will retain a portion of its RDOF census blocks and these areas are reflected in Exhibit 2 of the December 17 application.

Mercury will continue its ETC and RDOF obligations throughout these areas. December 17 application, pp. 4-6.

Mercury operates as an ETC under Study Area Code 319048. The Commission Staff affirms that Mercury is compliant and current on all of its reporting requirements, as ordered by the Commission on May 13, 2021.

After reviewing the December 17 application, the Commission finds that the company's request for relinquishment of the census blocks set forth in Exhibit 1 to the December 17 application will further the interest of the residents of Michigan and should be approved. The Commission is convinced that the applicant has shown there to be multiple alternative ETC providers of Lifeline in its requested relinquishment service area.

All other aspects of the original May 13, 2021 order remain in effect.

THEREFORE, IT IS ORDERED that the eligible telecommunications carrier designation of the census blocks in the areas listed in Exhibit 1 to the December 17, 2024 application for Mercury Wireless Indiana LLC is relinquished effective February 11, 2025.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at [LARA-MPSC-Edockets@michigan.gov](mailto:LARA-MPSC-Edockets@michigan.gov) and to the Michigan Department of Attorney General - Public Service Division at [sheacl@michigan.gov](mailto:sheacl@michigan.gov). In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

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Daniel C. Scripps, Chair

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Katherine L. Peretick, Commissioner

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Alessandra R. Carreon, Commissioner

By its action of February 11, 2025.

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Lisa Felice, Executive Secretary


# PROOF OF SERVICE

STATE OF MICHIGAN )

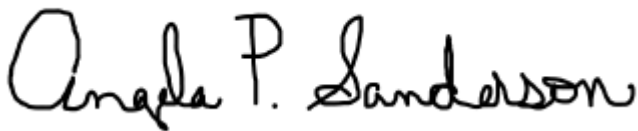
Case No. U-20333

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on February 11, 2025 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).

  
Brianna Brown

Subscribed and sworn to before me  
this 11<sup>th</sup> day of February 2025.



Angela P. Sanderson  
Notary Public, Shiawassee County, Michigan  
As acting in Eaton County  
My Commission Expires: May 21, 2030

**Service List for Case: U-20333**

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Name	On Behalf Of	Email Address
Mercury Wireless Indiana, LLC	Mercury Wireless Indiana, LLC	regulatory@mercurybroadband.com
Michael S. Ashton	Mercury Wireless Indiana, LLC	mashton@fraserlawfirm.com
Sean P. Gallagher	Mercury Wireless Indiana, LLC	sgallagher@fraserlawfirm.com