



State of New Jersey  
DIVISION OF RATE COUNSEL  
140 EAST FRONT STREET, 4<sup>TH</sup> FL  
P.O. Box 003  
TRENTON, NEW JERSEY 08625

PHIL MURPHY  
*Governor*

TAHESHA L. WAY  
*Lt. Governor*

BRIAN O. LIPMAN  
*Director*

April 4, 2024

**Via Electronic Mail Only**

Ms. Sherri Golden, Board Secretary  
New Jersey Board of Public Utilities  
44 South Clinton Avenue, 9<sup>th</sup> Floor  
P.O. Box 350  
Trenton, New Jersey 08625-0350  
[board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

Re: In the Matter of the Petition of IM Telecom, LLC d/b/a Infiniti Mobile for  
Designation as an Eligible Telecommunications Carrier in the State of  
New Jersey  
**BPU Docket No. TE23120912**

Dear Board Secretary:

The New Jersey Division of Rate Counsel (“Rate Counsel”) submits its comments for consideration on the above-referenced matter, filed by IM Telecom, LLC d/b/a Infiniti Mobile (“INFINITI”, the “Company”, or “Petitioner”) seeking approval for designation as an Eligible Telecommunications Carrier (“ETC”) in the State of New Jersey by the New Jersey Board of Public Utilities (the “Board”) for the limited purpose of offering lifeline service to qualified households pursuant to 47 U.S.C. § 214(e). Kindly acknowledge receipt of Rate Counsel’s electronic filing for Rate Counsel’s records. As discussed below, Rate Counsel does not object to a Board grant of Q Link’s request for designation as an ETC in the state of New Jersey.

**Service Offerings**

INFINITI states it is a resale-based Commercial Mobile Radio Service (“CMRS”) provider and provides prepaid wireless telecommunications services to consumers by using the underlying wireless networks of AT&T Mobility (“AT&T”), Verizon Wireless (“Verizon”) and

T-Mobile USA, Inc. (“T-Mobile”) (collectively, “Underlying Carriers”) on a wholesale basis.<sup>1</sup> INFINITI has Lifeline-only ETC status in California, Georgia, Kentucky, Maryland, Nevada, New York, Oklahoma, Pennsylvania, South Carolina, Vermont and Wisconsin.<sup>2</sup> At the time of its New Jersey filing, INFINITI also had pending ETC applications in the states of Alaska, Arkansas, Arizona, Hawaii, Iowa, Idaho, Illinois, Indiana, Kansas, Louisiana, Massachusetts, Minnesota, Mississippi, Montana, North Dakota, Nebraska, Ohio, South Dakota, United States Virgin Islands, Utah, and Virginia.<sup>3</sup>

INFINITI states it will provide affordable prepaid mobile phone service, including calling, text messaging, and broadband access, along with user-friendly handsets, tablet or hotspot devices.<sup>4</sup> In its application, INFINITI provides the basis of its qualifications for satisfaction of the requisites for ETC designation to enable it to provide wireless Lifeline services in portions of New Jersey.<sup>5</sup> ININITI proposes to offer significant cost saving advantages to eligible customers, for voice and broadband service.<sup>6</sup> Petitioner states its’ Lifeline-supported voice services will meet or exceed the minimum service standards set forth in 47 C.F.R. § 54.408 (currently 1,000 minutes), 47 C.F.R. § 54.408 for mobile broadband internet access services, including for service speed and data usage allowance, as such standards are updated going forward and will meet the equipment requirements under 47 C.F.R. § 54.408(f).<sup>7</sup> Additionally, INFINITI will not impose an additional or separate tethering charge for mobile

---

<sup>1</sup> Petition, p.3.

<sup>2</sup> Ibid.

<sup>3</sup> Response to Board Staff Discovery Requests dated March 20, 2024, at 1)iii.

<sup>4</sup> Petition, p. 3.

<sup>5</sup> Id., pp. 6-17, and Exhibit 3, Coverage Areas.

<sup>6</sup> Petition., pp. 14, 18-21.

<sup>7</sup> Id., p. 14.

data usage below the minimum standard.<sup>8</sup> INFINITI proposes two options for Lifeline service plans: Plan 1 and Plan 2.<sup>9</sup> Plan 1 includes monthly allowances of 1 GB of data, 1,000 voice minutes, and 1,000 text messages for \$14/month for Lifeline subscribers.<sup>10</sup> Plan 2 includes monthly allowances of 4.5 GB of data, 3,000 voice minutes, and unlimited text messages for \$20/month for Lifeline subscribers.<sup>11</sup> Both plans include, at no additional charge, a phone or SIM card, 911 and customer service calls, access to voicemail, caller-ID, call-waiting, call-forwarding, and 3-way calling, and long-distance calling.<sup>12</sup> If a customer needs additional service beyond the caps for each plan, customers may purchase additional 1,000 minutes and 1,000 texts for \$10, 1 GB of data for \$10, 2 GB of data for \$20, and 4 GB of data for \$30.<sup>13</sup>

Petitioner states it plans to avoid abuse in the Lifeline program by relying on the National Lifeline Eligibility Verifier to determine initial and ongoing eligibility of New Jersey Lifeline subscribers.<sup>14</sup> Thus, INFINITI contends that it meets the requirements of section 54.404 of the FCC's rules.<sup>15</sup> INFINITI notes potential customers may apply for Lifeline service through the National Lifeline Eligibility Verifier either online or by mail.<sup>16</sup> Because INFINITI utilizes the standard Lifeline application forms as required by FCC rules, the Company contends that it complies with the disclosure and information collection requirements in 47 C.F.R. § 54.410(d).<sup>17</sup>

---

<sup>8</sup> Ibid.

<sup>9</sup> Exhibit 5, Proposed Lifeline Offering.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Petition, p. 16.

<sup>15</sup> Ibid. In addition, the Company states that it emphasizes the "one Lifeline service per household" restriction in their direct sales contacts with potential customers. Ibid.

<sup>16</sup> Id. at 15.

<sup>17</sup> Ibid.

### **Commitments and Public Interest**

Petitioner asserts it is financially and technically capable of providing the services to be rendered to New Jersey customers.<sup>18</sup> In particular, Petitioner commits to the provision of quality services and consumer protection throughout the designated service territory.<sup>19</sup> Further, INFINITI asserts it will adhere to standards under the Cellular Telecommunications and Internet Association’s (“CTIA”) Consumer Code for Wireless Service<sup>20</sup> and commits to satisfactorily resolve complaints filed with the Board.<sup>21</sup>

Additionally, INFINITI asserts it will comply with certification and verification requirements,<sup>22</sup> federal reporting requirements,<sup>23</sup> and Board rules and regulations.<sup>24</sup> Lastly, Petitioner asserts approval of its application is in the public interest noting the myriad of services to be provided and the benefits flowing from the expansion of competitive choice for New Jersey customers.<sup>25</sup>

On March 20, INFINITI provided additional information in response to Board Staff’s March 13 data requests. The additional information provided by INFINITI provides additional details on customer service and service quality and further confirms services available under Petitioner’s proposed plan.<sup>26</sup>

---

<sup>18</sup> Id., at p. 13.

<sup>19</sup> Id. at p. 12.

<sup>20</sup> Ibid.

<sup>21</sup> Id. at p. 15.

<sup>22</sup> Id. at p. 15-16.

<sup>23</sup> Id. at p. 17.

<sup>24</sup> Ibid.

<sup>25</sup> Id. at pp. 18-21.

<sup>26</sup> Petitioner provided responses to a total of six information requests from the Board. Responses dated March 20, 2024.

Board Secretary, Letter  
IMO INFINITI, ETC Petition  
**BPU Docket No. TE23120912**  
April 4, 2024  
Page 5 of 5

Rate Counsel relies on the assertions provided by INFINITI in its petition and follow up information provided to the Board by INFINITI in the determination that the terms of service proposed by INFINITI should benefit eligible subscribers in New Jersey. Accordingly, based on INFINITI's service capabilities, the proposed services and commitments asserted by INFINITI in its Petition, Rate Counsel believes approval would be in the public interest and does not oppose Board action designating INFINITI as an eligible telecommunications carrier in the State of New Jersey.

Respectfully submitted,

BRIAN O. LIPMAN, ESQ.,  
DIRECTOR  
NJ DIVISION OF RATE COUNSEL

By: */s/ Robert Glover*  
Robert Glover, Esq.,  
Assistant Deputy Rate Counsel

RG/td  
c: Service List