

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause proceeding  
against Q LINK WIRELESS LLC for apparent  
violation of Order No. PSC-2024-0201-PAA-  
TP.

DOCKET NO. 20240146-TP  
ORDER NO. PSC-2024-0495A-FOF-TP  
ISSUED: January 7, 2025

AMENDED FINAL ORDER  
REVOKING Q LINK WIRELESS LLC  
ELIGIBLE TELECOMMUNICATIONS CARRIER STATUS

BY THE COMMISSION:

By Order No. PSC-2024-0479-PAA-TP, issued November 21, 2024, this Commission ordered Q LINK WIRELESS LLC (“Q LINK”) to show cause within 21 days why its Eligible Telecommunications Carrier (ETC) designation should not be revoked for apparent violation of Commission Order No. PSC-2024-0201-PAA-TP, due to its admission of guilt to the crime of conspiring to defraud the United States in regard to reimbursements from the Federal Communications Commission’s (FCC) Lifeline program, and because it is no longer in the public interest for Q LINK to be designated as an ETC.

No response was filed by Q LINK to the show cause order and our Final Order [PSC-2024-0495-FOF-TP] (“Final Order”) issued December 13, 2024. The Final Order required Q LINK to: (1) cease accepting new Lifeline applicants in Florida; (2) provide us with customer information so our staff could contact and advise its Lifeline customers in Florida of the need to select a new Lifeline carrier; and, (3) stated that a random sampling of its Lifeline customers would be conducted by our staff to ensure compliance by Q LINK.

Due to the extraordinary circumstances, emergency action was taken by the FCC in its order (“FCC Order”) in FCC DA 24-1182, WC Docket Nos. 11-42, 09-197 (November 22, 2024) [Attachment A], which suspended Q LINK from participation in the Lifeline program and permitted Assurance Wireless to provide Lifeline service to Q LINK’s affected customers.

Because the FCC Order renders our order’s requirements (for Q LINK to supply customer information to this Commission for our staff to assist customers) superfluous, we are amending our Final Order by striking those requirements from our order. Therefore, the following provisions (as noted with strike-through) are hereby deleted from our Final Order [PSC-2024-0495-FOF-TP], with all other provisions not amended remaining as originally stated. Therefore, it is:

ORDERED by the Florida Public Service Commission that Order No. PSC-2024-0479-PAA-TP has become effective and final. It is further

ORDERED that Q LINK shall immediately cease accepting new Lifeline applicants in Florida as of the date of the Final Order. It is further

~~ORDERED that Q LINK shall provide a spreadsheet of its existing Lifeline customers in Florida to this Commission, including names, phone numbers, mailing addresses, and, if available, email addresses within 3 days of date of issuance of this Final Order. At the time of filing the requested information with the Clerk of the Commission, Q LINK shall make a Claim of Confidentiality pursuant to §364.183(1), F.S., and Rule 25-22.006(5)(a), Florida Administrative Code. It is further~~

~~ORDERED that Q LINK shall contact all of its existing Lifeline customers in Florida in writing within 7 days of the date of this Final Order and advise of the specific need for the customer to select a new Lifeline carrier that is designated as either a wireline or wireless ETC. This notice shall include the Lifeline contact list on our Commission's website located at: [https://www.floridapsc.com/psefiles/website\\_files//PDF/Utilities/Telecomm/Lifeline/Customer-CompanyContact-EN.pdf](https://www.floridapsc.com/psefiles/website_files//PDF/Utilities/Telecomm/Lifeline/Customer-CompanyContact-EN.pdf). It is further~~

~~ORDERED that Q LINK is directed to advise this Commission in writing within 10 days of issuance of this Final Order of its compliance with the foregoing requirements of this order. Q LINK is advised that a random sampling of its Lifeline customers in Florida will be conducted approximately 15 days after issuance of this Final Order to ascertain compliance by Q LINK with this provision. In the event the random sampling by Commission staff indicates that Q LINK has failed to notify its Florida Lifeline customers as required, prior to the sentencing hearing the prosecutor in the pending U.S. District Court for the Southern District of Florida criminal proceeding against Q LINK will be notified of Q LINK's apparent failure to assist in the transition of customers to other Lifeline providers. It is further~~

ORDERED that Q LINK's ETC status shall be deemed revoked on January 12, 2025 (i.e., 30 days after issuance of our Final Order on December 13, 2024) and this docket shall thereafter be closed.

ORDER NO. PSC-2024-0495A-FOF-TP

DOCKET NO. 20240146-TP

PAGE 3

By ORDER of the Florida Public Service Commission this 7th day of January, 2025.



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ADAM J. TEITZMAN

Commission Clerk

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399

(850) 413-6770

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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

JA

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any judicial review of Commission orders that is available pursuant to Section 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.

Federal Communications Commission

DA 24-1182

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
Lifeline and Link Up Reform and Modernization	)	WC Docket No. 11-42
	)	
Telecommunications Carriers Eligible for	)	WC Docket No. 09-197
Universal Service Support	)	
	)	

**ORDER**

Adopted: November 22, 2024

Released: November 22, 2024

By the Chief, Wireline Competition Bureau:

**I. INTRODUCTION**

1. In this Order, the Wireline Competition Bureau (Bureau) takes emergency action to ensure continuity of Lifeline service for the Lifeline households formerly served by Q Link Wireless LLC (Q Link) prior to its suspension.<sup>1</sup>

2. In the extraordinary circumstances before us, we find good cause exists to temporarily waive certain Lifeline requirements to prevent disruption to certain Lifeline subscribers' service in the wake of Q Link's suspension from the Lifeline program. The waiver of these rules will allow T-Mobile USA, Inc. (T-Mobile), with which Q Link contracted as an underlying service provider for its previous Lifeline offering, to provide the Lifeline-discounted service on an emergency basis to persons who would otherwise abruptly lose that service. Most recently, despite non-payment by Q Link, T-Mobile has provided, and continues to provide, the impacted Lifeline subscriber base with service.<sup>2</sup> However, T-Mobile has indicated that it cannot do so indefinitely and these customers will remain at imminent risk for loss of service. With these temporary waivers, the impacted consumers will continue to have access to the Lifeline-supported voice and broadband service on which they rely, provided by T-Mobile through its Lifeline eligible telecommunications carrier (ETC), Assurance Wireless (Assurance<sup>3</sup>), unless and until they choose to opt-out and select a different Lifeline provider.

**II. BACKGROUND**

3. The Federal Communications Commission's (FCC or Commission) rules contain several protections to help ensure that households eligible for Lifeline are not enrolled or transferred in the program without their consent, and that the program does not make duplicate payments to multiple Lifeline providers for service provided to the same household. In particular, the Lifeline rules require providers to obtain subscribers' consent prior to submitting their personal information to the NLAD to

<sup>1</sup> See 47 CFR §§ 54.201(a)(1), 54.400(k), 54.401(a), 54.404(b)(9), 54.404(c)(5), 54.405(e)(3), 54.407(a), 54.407(e), 54.410(b)(1)(ii), 54.410(b)(2), 54.410(c)(1)(ii), 54.410(c)(2), 54.416(b), 54.417(a).

<sup>2</sup> See T-Mobile USA, Inc., Request for Designation of Funds, WC Docket Nos. 09-197 et al., at 8 (filed Nov. 21, 2024).

<sup>3</sup> Assurance is T-Mobile's primary ETC across Q Link's former service footprint. In Puerto Rico, however, Lifeline offerings are provided by T-Mobile Puerto Rico. This Order treats that entity similarly, and any references made to "Assurance" are meant to include the T-Mobile Puerto Rico ETC.

enroll or transfer the subscriber.<sup>4</sup> The program rules also limit Lifeline reimbursement to the provider that directly serves the Lifeline household, to prevent duplicate support being sent to both a direct Lifeline service provider and a wholesale provider for the same household.<sup>5</sup> The rules also require Lifeline providers to de-enroll Lifeline households that do not pay a monthly fee for their service and have not used their service for a 30-day period and have not cured their non-usage.<sup>6</sup>

4. *Q Link Suspension from the Lifeline Program.* On October 15, 2024, Q Link pleaded guilty to conspiring to defraud and commit offenses against the United States in connection with a years-long scheme to fraudulently claim over \$100 million from the Lifeline program.<sup>7</sup> Q Link and its owner admitted to engaging in conduct designed to mislead the FCC as to how many of Q Link's Lifeline subscribers were continuing to use their Lifeline service, and to prevent subscribers who sought to de-enroll from ending their relationship with Q Link, which would have prevented Q Link from billing the Lifeline program for these households.<sup>8</sup> Based on Q Link's guilty plea and factual proffer in *United States v. Q Link Wireless, LLC*, on November 8, 2024, the Commission's Enforcement Bureau suspended Q Link from participation in Lifeline or other universal service support programs and began a proceeding to debar Q Link from future participation in all federal universal service support mechanisms.<sup>9</sup>

<sup>4</sup> See 47 CFR § 54.404(b)(9) (requiring ETCs to obtain consent from subscribers to transmit to NLAD the consumer information necessary to receive Lifeline support). See also *Wireline Competition Bureau Reminds Eligible Telecommunications Carriers of NLAD Processes Regarding Benefit Transfers, Exceptions Management and Dispute Resolution*, Public Notice, 29 FCC Rcd 11443, 11444 (WCB 2014) (summarizing procedures for benefit transfers in NLAD—including requiring the ETC initiating the benefit transfer transaction to obtain the affirmative consent of the subscriber to transfer the Lifeline benefit prior to the initiation of the transfer in NLAD and requiring the ETC to keep a record of all communications made with the subscriber when obtaining consent, including records documenting the subscriber's affirmative consent).

<sup>5</sup> 47 CFR §§ 54.201(a)(1), 54.400(k), 54.401(a), 54.407(a). See also *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, 30 FCC Rcd 7818, 7899-7901, paras. 244, 249 (2015). In establishing the direct service requirement, the Commission was concerned with the possibility of over-recovery by both wholesalers and resellers seeking reimbursement from USAC for the same Lifeline subscriber and the lack of direct oversight of non-ETC resellers by state and federal regulators. *Id.* at 7899, para. 246. At that time, where both the wholesaler and the reseller were ETCs, there was no way for USAC to determine whether both the wholesaler and the reseller were seeking reimbursement for the same subscriber. *Id.* The Commission's subsequent decision to require all Lifeline claims to be directly based on subscriber NLAD enrollments independently prevents this risk of duplicate support today.

<sup>6</sup> See 47 CFR § 54.405(e)(3).

<sup>7</sup> *United States v. Q Link Wireless LLC*, Criminal Docket No. 1:24-cr-20363-RAR, Plea Agreement (S.D. Fla. Oct. 15, 2024); *United States v. Q Link Wireless LLC*, Criminal Docket No. 1:24-cr-20363-RAR, Factual Proffer (S.D. Fla. Oct. 15, 2024).

<sup>8</sup> See *id.* See also Press Release, U.S. Attorney's Office, Southern District of Florida, Department of Justice, Nationwide Telecommunications Provider and its CEO Plead Guilty to Massively Defrauding Federal Government Programs Meant to Aid the Needy (Oct. 15, 2024), <https://www.justice.gov/usao-sdfl/pr/nationwide-telecommunications-provider-and-its-ceo-plead-guilty-massively-defrauding>.

<sup>9</sup> See Letter from Christopher J. Sova, Federal Communications Commission, to Issa Asad, Chief Executive Officer, Q Link Wireless LLC, et al., DA 24-1131, at 2-4 (Nov. 8, 2024) (suspending Q Link, pursuant to 47 CFR § 54.8, "from: (a) participating in any activities associated with or related to the Lifeline program, including receiving funds or discounted services through the Lifeline program, or consulting with, assisting, or advising applicants or service providers regarding the Lifeline program; and (b) participating in any activities associated with or related to all federal universal service support mechanisms").

5. *Q Link's Business Relationship with T-Mobile.* T-Mobile provided wholesale mobile service to Q Link, which then resold that service to households participating in the Lifeline program.<sup>10</sup> The Bureau has been made aware that, due to non-payment by Q Link and more recently as a result of Q Link's guilty plea and its subsequent suspension from Lifeline, T-Mobile has been providing service to these households itself and without compensation.<sup>11</sup>

### III. DISCUSSION

6. The Bureau acts on its own motion to temporarily waive certain Lifeline rules to enable former Q Link Lifeline subscribers who would otherwise lose service to continue to receive Lifeline service through T-Mobile and Assurance Wireless. In evaluating whether good cause exists for waiver of its rules,<sup>12</sup> the Commission considers whether the particular facts make strict compliance inconsistent with the public interest.<sup>13</sup> The Commission may also take into account concerns of hardship, equity, or more effective implementation of overall policy on an individual basis.<sup>14</sup> Waiver of the Commission's rules is therefore only appropriate if special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.<sup>15</sup> As further discussed below, the Bureau finds good cause to act on delegated authority to temporarily waive the Lifeline rules as described herein.<sup>16</sup>

7. We find that good cause exists to temporarily waive for Assurance the Lifeline requirements regarding the "direct" provision of Lifeline service, subscriber consent to transmitting subscriber information in the NLAD, and certain de-enrollment timelines.<sup>17</sup> T-Mobile has continued to provide service to certain Lifeline households despite Q Link's exit from the Lifeline program and inability to continue providing Lifeline service under the terms of that suspension.<sup>18</sup> Temporarily waiving the Lifeline program's direct service requirement to the limited extent necessary to permit Assurance to claim Lifeline reimbursement for service provided to these households will enable T-Mobile and Assurance to continue providing service to impacted households and allow those Lifeline households to receive the benefits of information, outreach, and customer service support from a Lifeline provider, and the establishment of accounts with appropriate pricing and billing information.

8. We also find good cause to waive the Lifeline rules regarding household consent to transmit consumer information to the NLAD for the purpose of permitting Assurance to transfer impacted subscribers in the NLAD and continue providing Lifeline-supported service to those households. In the

<sup>10</sup> See Petition of Q Link Wireless LLC for Limited Designation as an Eligible Telecommunications Carrier in the States of Connecticut, Delaware, Florida, New Hampshire, North Carolina, and the District of Columbia, WC Docket No. 09-197, at 4, 9, 13-15 (filed Apr. 15, 2024), <https://www.fcc.gov/ecfs/document/1041597277251/1> (detailing Q Link's reliance on T-Mobile's network to provide the supported service to Q Link's subscribers).

<sup>11</sup> See T-Mobile USA, Inc., Request for Designation of Funds, WC Docket No. 09-197 et al., at 5-8 (filed Nov. 21, 2024). This Order only addresses T-Mobile's ability to enroll and claim Lifeline reimbursement for subscribers on or after the effective date of this Order, and it does not address requests related to past debts owed by Q Link.

<sup>12</sup> See 47 CFR § 1.3.

<sup>13</sup> *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990).

<sup>14</sup> *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166.

<sup>15</sup> *Northeast Cellular*, 897 F.2d at 1166.

<sup>16</sup> See 47 CFR § 0.291; *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Red 3962, 4120, para. 433 (2016).

<sup>17</sup> See 47 CFR §§ 54.201(a)(1), 54.400(k), 54.401(a), 54.404(b)(9), 54.405(e)(3), 54.407(a). Because the subscribers transferred under this Order have already undergone an eligibility determination and activated their service, with T-Mobile as Q Link's underlying service provider, a waiver of section 54.410(a)'s requirements is not necessary. See 47 CFR § 54.410(a) (requiring ETCs, prior to activating Lifeline service, to confirm subscriber qualifications to receive Lifeline and to complete subscriber eligibility determinations and certifications).

<sup>18</sup> See T-Mobile USA, Inc., Request for Designation of Funds, WC Docket No. 09-197 et al., at 6, 8.



extremely unusual and emergency circumstance of a Lifeline provider's suspension and sudden exit from the program due to criminal misconduct and the former Lifeline provider's resulting inability to continue in the Lifeline program after its suspension, we find that the privacy and consent protections of these provisions are outweighed by the strong interest in protecting Lifeline subscribers from sudden disconnection. Affected subscribers may, however, opt-out of receiving service from Assurance by transferring their Lifeline benefit to another Lifeline provider in their area, or requesting to de-enroll from the program.<sup>19</sup>

9. Our decision to provide this waiver is based on careful consideration of how to continue to support the stable provision of services through the Lifeline Program, and this waiver is limited to the extent needed to allow for the effective transition of households' Lifeline-discounted service from Q Link to Assurance for customers who would otherwise lose service. There is good cause to minimize disruptions and maintain service for these customers—especially where, as here, the customers are already receiving T-Mobile service. Additionally and through no fault of their own, the affected subscribers are at risk of losing their service solely as a result of Q Link's malfeasance.

10. In addition, we find that good cause exists for a limited waiver of Lifeline program recordkeeping requirements, to the extent accurate records are not readily available, for customers transferred from Q Link to Assurance under this Order.<sup>20</sup> It is unlikely T-Mobile can acquire accurate records as to these subscribers regarding their activity in Lifeline prior to Q Link's suspension from the program. However, we understand that T-Mobile has continued to provide service to these households.<sup>21</sup> This waiver of recordkeeping requirements only encompasses records arising during the time period before the impacted subscribers are enrolled in Assurance's Study Area Codes in NLAD. Additionally, if relevant compliance information exists in the Universal Service Administrative Company's (USAC) systems and is accessible for Assurance for these households, Assurance should maintain those records consistent with their Lifeline compliance practices.

11. Further, we find good cause to temporarily waive the Lifeline program's annual ETC certification requirement<sup>22</sup> for customers transferred from Q Link to Assurance under this Order, for a period of 180 days after the issuance of this Order. In the normal course annual ETC certifications are due on January 31,<sup>23</sup> but we believe this additional time is necessary to allow T-Mobile to work through its compliance processes for the transferred subscribers and accurately report information in the Form 555 after completing those processes. We direct USAC to permit Assurance to file revisions to their Form 555 filings to account for the households affected by this Order.

12. Finally, we waive certain Lifeline de-enrollment requirements to allow Assurance to issue notice to households that have not recently used their service prior to de-enrollment, but we do not waive the Lifeline program's usage requirements for purposes of reimbursement.<sup>24</sup> Because T-Mobile is currently providing service to these households, we anticipate that Assurance will be able to promptly determine whether or not individual subscribers are compliant with the Lifeline program's usage requirements. However, we also recognize that households who do not pay a monthly fee for their

<sup>19</sup> See 47 CFR § 54.405(e)(5); Change My Company, Universal Service Administrative Company (last visited Nov. 22, 2024), <https://www.lifelinesupport.org/change-my-company/>.

<sup>20</sup> See 47 CFR §§ 54.407(e), 54.410(b)(1)(ii), 54.410(b)(2), 54.410(c)(1)(ii), 54.410(c)(2), 54.417(a).

<sup>21</sup> See T-Mobile USA, Inc., Request for Designation of Funds, WC Docket Nos. 09-197 et al., at 8 (filed Nov. 21, 2024).

<sup>22</sup> See 47 CFR § 54.416(b).

<sup>23</sup> See USAC, *Annual Filings*, <https://www.usac.org/lifeline/rules-and-requirements/forms/annual-filings/> (last visited Nov. 22, 2024).

<sup>24</sup> See 47 CFR §§ 54.405(e)(3), 54.407(c). The transfer of subscribers under this Order, standing alone, does not provide a "reasonable basis" to believe that the affected subscribers no longer qualify for Lifeline under section 54.405(e)(1), and a waiver of that rule is therefore not necessary.



service and have not used their service for 30 days may have never been issued cure notices about their usage by Q Link, both because Q Link's access to subscriber information may have been impacted by its contractual dispute with T-Mobile and because Q Link has stipulated to facts indicating broad noncompliance with the Commission's usage rules. While we do not permit Assurance to claim reimbursement for households that do not meet the Lifeline usage requirements, it is appropriate for these households to be given notice and the opportunity to cure their non-usage. As such, Assurance is not required to de-enroll these households, but it may instead, within 45 days of the effective date of this Order, issue 15-day cure notices to households with non-usage greater than 30 days. If these households do not cure their usage within the cure period, they must be de-enrolled consistent with the Lifeline program's rules.<sup>25</sup> We will continue to apply the existing reimbursement rules for these households to ensure that only households actually using their service pursuant to the rules are claimed for reimbursement. With this waiver, households will be given the opportunity to cure their non-usage, while we are also protecting against reimbursement for service that has not been used.

13. To implement this waiver, we direct USAC to transfer subscribers that continue to receive service from T-Mobile to Assurance. The Bureau also expects that Assurance will notify affected households of the terms of their ongoing service as soon as practicable and to indicate that they may choose a different Lifeline provider at any time, consistent with Lifeline Program rules. This waiver only applies to the extent necessary to effectuate this emergency transfer to Assurance; this waiver does not apply to any other T-Mobile or Assurance subscribers. We also direct USAC to work with the Lifeline administrator in Texas, the only NLAD opt-out state with impacted subscribers, to effectuate a similar transfer. Additionally, we encourage the Texas Lifeline administrator to implement similar changes to its systems and processes to allow for similar relief, ensuring continued Lifeline service for these subscribers.

#### IV. ORDERING CLAUSES

14. ACCORDINGLY, IT IS ORDERED, pursuant to the authority contained in sections 1-4 and 254 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154 and 254, and sections 0.91, 0.291, and 1.3 of the Commission's rules, 47 CFR §§ 0.91, 0.291, and 1.3, that sections 54.201(a)(1), 54.400(k), 54.401(a), 54.404 (b)(9) and (c)(5), 54.405(e)(3), 54.407(a) and (e), 54.410(b)(1)(ii), (b)(2), (c)(1)(ii), and (c)(2), 54.416(b), and 54.417(a) of the Commission's rules, 47 CFR §§ 54.201(a)(1), 54.400(k), 54.401(a), 54.404 (b)(9) and (c)(5), 54.405(e)(3), 54.407(a) and (e), 54.410(b)(1)(ii), (b)(2), (c)(1)(ii), and (c)(2), 54.416(b), and 54.417(a), ARE WAIVED to the limited extent provided herein.

15. IT IS FURTHER ORDERED, that pursuant to section 1.102(b)(1) of the Commission's rules, 47 CFR § 1.102(b)(1), this Order SHALL BE EFFECTIVE upon release.

FEDERAL COMMUNICATIONS COMMISSION

Trent B. Harkrader  
Chief  
Wireline Competition Bureau

<sup>25</sup> See 47 CFR § 54.405(e)(3).