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JUL 30 2014  
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STATE OF INDIANA

**INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF APPLICATION OF TAG ) CAUSE NO. 41052 ETC 68**  
**MOBILE, LLC FOR DESIGNATION AS A )**  
**NON-RURAL WIRELESS ELIGIBLE ) APPROVED: JUL 30 2014**  
**TELECOMMUNICATIONS CARRIER )**

**ORDER ON RECONSIDERATION**

**Presiding Officers:**

**Carol A. Stephan, Commission Chair**

**Gregory R. Ellis, Administrative Law Judge**

On May 28, 2014, the Indiana Utility Regulatory Commission (“Commission”) issued its Order in this Cause denying TAG Mobile, LLC’s (“Petitioner” or “TAG”) Petition for Designation as an Eligible Telecommunications Carrier (“ETC”) in the State of Indiana for the Limited Purpose of Offering Wireless Lifeline Service to Qualified Households. The Commission denied TAG ETC status because TAG failed to provide sufficient evidence demonstrating that it met the minimum requirements proffered by the FCC and this Commission to become an ETC. The Commission also found, among other things, that TAG made an insufficient showing of financial and technical ability to provide Lifeline services.

On June 17, 2014, TAG filed its Petition for Reconsideration (“Petition”). In its Petition, TAG indicates certain information supporting TAG’s Petition for ETC designation was not submitted to the Commission due to miscommunications between TAG and its former consultant. TAG indicates it is now providing documentation it believes would have satisfied the Commission’s requirements to be designated an ETC. TAG’s Petition specifically requests the Commission modify its Order of May 28, 2014 and grant TAG ETC status. The Petition further indicates that TAG is not requesting a hearing.

**1. Notice and Jurisdiction.** The bases for Commission jurisdiction over TAG and the subject matter of this proceeding were set out in our May 28, 2014 Order, which bases are hereby incorporated into this Order on Reconsideration. The Commission has jurisdiction over TAG and the subject matter of this proceeding.

**2. Commission Discussion and Findings.** 170 IAC 1-1.1-22(e) allows a party to file a petition for rehearing or reconsideration within twenty days after the entry of a final order. 170 IAC 1-1.1-22(e)(1) requires a petition seeking rehearing to be verified or supported by affidavit and set forth the following: the nature and purpose of the evidence to be introduced at rehearing, the reason or reasons such new evidence was not available at the time of the hearing or could not be discovered with diligence, a statement of how such evidence purportedly would affect the outcome of the proceeding if received into the record, and a showing that such evidence will not be merely cumulative.

In its Petition, TAG indicates that it is not seeking a rehearing. Instead, it seeks to introduce additional evidence in this Cause for the Commission to use in reconsidering its May 28, 2014 Order. However, the evidentiary record in this matter was closed at the conclusion of the evidentiary hearing on February 25, 2014. We further note the Commission attempted to obtain information from TAG multiple times prior to the evidentiary record being closed. Specifically, the Presiding Officers issued docket entries on August 23, 2013 and November 1, 2013 seeking information, including documentation of agreements TAG indicated that it had with Sprint and Verizon Wireless.

TAG filed its responses to the docket entry requests on October 1, 2013 and November 1, 2013. TAG's responses did not provide sufficient information to satisfy Commission's requests. Further, TAG did not attempt to provide any additional information at the evidentiary hearing. TAG now seeks to introduce evidence, which was available prior to the evidentiary record being closed, to answer those questions and provide support for other deficient areas that the Commission noted in its Order. Since TAG has not demonstrated the evidence it seeks to submit is new, was not available at the time of the evidentiary hearing, or could not have been discovered by due diligence, it has failed to meet the requirements of 170 IAC 1-1.1-22(e).

TAG does not raise any new arguments in its Motion and the Commission has already considered the evidence of record in reaching its findings and issuing the Order of May 28, 2014. Accordingly, the Commission finds that TAG's Motion should be denied and the Commission's Order be upheld without modification.

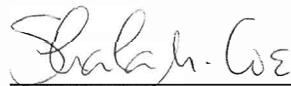
**IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:**

1. TAG's Petition for Reconsideration is hereby DENIED and the Commission's Order of May 28, 2014 is upheld.
2. This Order shall be effective on and after the date of its approval.

**STEPHAN, MAYS, WEBER, AND ZIEGNER CONCUR:**

**APPROVED:** JUL 30 2014

**I hereby certify that the above is a true and correct copy of the Order as approved.**



**Shala M. Coe**  
**Acting Secretary to the Commission**