

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held December 4, 2025

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

TruConnect Communications, Inc.
Petition for Designation as an
Eligible Telecommunications Carrier

P-2024-3045567

ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Reconsideration (Petition), filed by TruConnect Communications, Inc. (TruConnect or Company) on September 26, 2025, seeking reconsideration of the Commission's Opinion and Order entered September 11, 2025 (*September 2025 Order*) in this docket. The Commission's *September 2025 Order* denied TruConnect's Petition for Designation as an Eligible Telecommunications Carrier (ETC) (ETC Petition) pursuant to Section 214(e)(2) of the Communications Act of 1934 (the Act) because TruConnect did not satisfy all relevant statutory criteria necessary to obtain a Lifeline-only ETC designation throughout its designated service area within the Commonwealth of Pennsylvania.

No Answer to the Petition has been filed.

HISTORY OF THE PROCEEDING

On January 18, 2024, TruConnect filed an ETC Petition pursuant to Section 214(e)(2) of the Communications Act of 1934, as amended,¹ seeking to obtain designation as a Lifeline-only service provider to qualifying low-income consumers throughout Pennsylvania. No party protested the ETC Petition or intervened in this docket. In its ETC Petition, TruConnect stated it provides prepaid wireless telecommunications services to consumers by using the underlying wireless networks of facilities-based providers, T-Mobile USA, Inc. (“TMobile”) and Verizon Wireless (“Verizon”) (collectively, “Underlying Carriers”) on a wholesale basis to offer nationwide service.”² Additionally, TruConnect stated that it would furnish this prepaid wireless services using “TruConnect” brand to market its proffered Lifeline service offerings.

The Commission issued its *September 2025 Order* denying the ETC Petition as not in the public interest because an affiliate of TruConnect, Sage Telecom Communications, LLC (Sage or Sage d/b/a TruConnect), is already operating as an ETC in Pennsylvania using the same brand name “TruConnect”. The Commission determined that this dual designation would result in customer confusion and compliance issues that would be inconsistent with the regulatory requirement in 47 C.F.R. § 54.405(d).³ The Commission also noted that the ongoing Universal Service Administrative Company (USAC) matters related to the Company’s compliance with the FCC’s eligibility regulations were troubling because TruConnect and Sage share the same compliance personnel and procedures and the Commission remains concerned that TruConnect will be incapable of complying with all applicable FCC regulations while operating two competing affiliates under the same name, to the same market, at the same time.⁴ The

¹ 47 U.S.C. 214(e)(2).

² Petition at 3.

³ A lifeline provider must “disclose the name of the eligible telecommunications carrier on all materials describing the service.”

⁴ September 2025 Order at 11.

Commission was also troubled by the “vague and open-ended nature of the proposed transition and the future of Sage.”⁵

On September 26, 2025, TruConnect filed a Petition for Reconsideration requesting the Commission reconsider its *September 2025 Order* because TruConnect averred that “there is new information addressing the Commission’s concerns about designating TruConnect as an ETC.”⁶ TruConnect claims that it has made progress on “completing its multi-state effort to expand TruConnect’s ETC footprint, as well as Sage Telecom’s willingness to define its future actions.”⁷ TruConnect further alleges that the Commission “overlooked or did not address the temporary nature of the period during which TruConnect and Sage Telecom would be operating under the same brand name in Pennsylvania.”⁸

On October 9, 2025, the Commission granted reconsideration pending review on the merits.⁹

DISCUSSION

A. Legal Standards

With respect to petitions for rehearing, reconsideration, rescission and amendment of Commission orders, the Public Utility Code (Code) establishes a party’s right to seek relief within fifteen days following the service of a Commission order pursuant to 66 Pa. C.S. § 703(f). Upon the filing of a petition for relief pursuant to Section 703(f) of the Code, the Commission may affirm, rescind or modify its original order.¹⁰ The Code further provides that the Commission may, at any time, after notice and an opportunity to be heard by all affected parties, rescind or amend any order made by the Commission,

⁵ September 2025 Order at 14.

⁶ *TruConnect Communications, Inc. Petition for Reconsideration*, Docket No. P-2024-3045567 at 1.

⁷ *Id.* at 5.

⁸ *Id.*

⁹ Order Entered October 9, 2025 at Docket No. P-2024-3045567.

¹⁰ 66 Pa. C.S. § 703(f).

pursuant to 66 Pa. C.S. § 703(g). A request for relief pursuant to Sections 703(f) or 703(g) must be brought as a petition for relief consistent with 52 Pa. Code § 5.572.

Petitions for relief predicated upon Sections 703(f) and 703(g) of the Code are reviewed by the Commission as matters seeking relief falling within the agency's discretion.

The Commission's standard for granting a petition for amendment, reconsideration, or rescission is set forth in *Philip Duick, et al. v. Pennsylvania Gas and Water Company (Duick)*¹¹:

A petition for reconsideration, under the provisions of 66 Pa. C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part on the grounds that the decision or ruling of the Commission on a matter or issue was either unwise or in error.

In this regard, we agree with the Court in the *Pennsylvania Railroad Company* case, wherein the Court said,

[b]ut the grounds for reconsideration should be restricted to the new matters and new or changed conditions set up in the joint petition, which had arisen since and were not presented in the several petitions of these appellants...and dismissed by the Commission...and not appealed from. Parties...cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them and not appealed from...¹²

When determining whether to exercise its discretion to grant relief under *Duick*, the Commission uses a two-step analysis:¹³ (1) whether a party has offered any basis to

¹¹ *Philip Duick, et. al, v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 553 (1982) (*Duick*).

¹² *Pennsylvania Railroad Co. v. Public Service Commission*, 179 A. 850 at 854 (Pa. Super. 1395).

¹³ See also *SBG Management Services, Inc./Colonial Garden Realty Co., L.P. v. Philadelphia Gas Works*, Docket Nos. C-2012-2304183 and C-2012-2304324 at 4-5 (Opinion and Order entered May 9, 2016).

persuade the Commission to exercise its discretion, including but not limited to, new and novel arguments, or identified considerations that appear to have been overlooked or not addressed by the Commission in its previous order¹⁴; and (2) evaluate any matter the Commission has deemed worthy of consideration.

Finally, we note that any argument not specifically discussed herein shall be deemed to have been duly considered and denied without further discussion. The Commission is not required to consider expressly or at length each contention or argument raised by the parties.¹⁵

B. Discussion

After careful consideration of the Petition, the record, and all filings in this matter, we deny TruConnect's Petition for Reconsideration as we are unpersuaded that reconsideration is warranted based upon the contents of the Petition.¹⁶

TruConnect presents no additional information, novel arguments or considerations that allay the Commission's concerns as set forth in the *September 2025 Order*. By its Petition, TruConnect states that Sage "will commit to future actions within a defined timeline consistent with its representations in a certification filed with the Idaho PUC."¹⁷ However, this commitment by TruConnect to satisfy another state's public utility commission is irrelevant to TruConnect's operations in the Commonwealth of Pennsylvania and remains contrary to the regulatory requirements set forth in 47 C.F.R. § 54.405(d) and 47 U.S.C. § 214(e)(2). TruConnect provides no compelling evidence, in its Petition or otherwise, as to why this Commission should overlook the

¹⁴ The initial step in the *Duick* analysis aims to examine whether a party raises the same questions that were specifically considered and decided against them by a prior Commission Order. If so, it is unlikely that the Commission will be persuaded to exercise its discretion to grant relief. *Duick* at 559 (citing *Pennsylvania Railroad Co. v. Public Service Commission*, 179 A. 850 (Pa. Super. 1935)).

¹⁵ *Consolidated Rail Corp. v. Pa. PUC*, 625 A.2d 741 (Pa. Cmwlth. 1993).

¹⁶ *See Duick*.

¹⁷ Petition at 12.

regulatory requirements outlined in Section 54.405(d) of the FCC’s Rules¹⁸ and grant it a second ETC designation when it purports to use the same exact brand name and its affiliated company to provide essentially the same Lifeline service offerings to substantially the same consumers in substantially the same service territory.¹⁹

TruConnect also avers that:

“[W]ithin one year of the effective date of an order designating TruConnect as an ETC, Sage Telecom will do one of the following:

1. offer Lifeline service to eligible low-income [Pennsylvania] consumers under a brand name other than “TruConnect” and that includes at least one plan that differs from the standard Lifeline plan offered by TruConnect;
2. enter into an agreement with a third party to be acquired or to materially change ownership; or
3. relinquish Sage Telecom’s ETC status without prejudice.²⁰

Again, these new representations made by TruConnect as to the future of Sage are speculative, at best, and provide no definitive plan to ease the Commission’s concerns outlined in the *September 2025 Order*. While TruConnect attempts to define a one-year timeline, it again offers no compelling evidence as to why this Commission should overlook the regulatory requirements outlined in Section 54.405(d) of the FCC’s Rules, even if “only” for one year.²¹ TruConnect also fails to explain how its representations could be effectively enforced.²² Further, TruConnect’s representations appear to bind

¹⁸ 47 C.F.R. § 54.405(d).

¹⁹ September 2025 Order at 11.

²⁰ Petition at 12.

²¹ 47 C.F.R. § 54.405(d).

²² We note that the commitment to use a brand name other than “TruConnect” comes with the caveat “and that includes at least one plan that differs from the standard Lifeline plan offered by TruConnect[.]”

Sage, but Sage is a separate entity with its own ETC designation, which can only be altered by Sage seeking Commission approval.²³

TruConnect further avers that “[t]he Commission’s concerns about customer confusion does not consider the fact that Sage Telecom’s current Lifeline customers have been receiving service under the TruConnect brand name.”²⁴ TruConnect states that, because Sage has been marketing its Lifeline services as TruConnect, current Sage customers would have “no need to distinguish TruConnect from Sage Telecom” and that “any new customers enrolled by TruConnect would understand that they are receiving service from TruConnect.”²⁵ Indeed, the Commission did consider this argument and determined that it was inconsistent with 47 C.F.R. § 54.405(d) and contrary to the public interest requirement pursuant to 47 U.S.C. §214(e)(2).²⁶ As of the date of this Order, TruConnect provides no additional evidence describing how a customer will differentiate whether a Lifeline provider is Sage d/b/a TruConnect or TruConnect.

²³ See Order Entered January 16, 2015 at Docket No. P-2013-2395687. We note that Sage is free to file an appropriate petition for approval should any of the events listed in its proposed commitments should come to pass.

²⁴ Petition at 8.

²⁵ Petition at 9.

²⁶ September 2025 Order at 12-14.

CONCLUSION

For the reasons set forth above, we shall deny the Petition for Reconsideration filed by TruConnect consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Petition for Reconsideration, filed by TruConnect on September 26, 2025, seeking reconsideration of the Opinion and Order entered September 11, 2025, at Docket No. P-2024-3045567, is denied, consistent with this Opinion and Order.
2. That the Secretary shall serve a copy of this Opinion and Order on all parties and the Commission's Bureau of Consumer Services.
3. That this proceeding at Docket No. P-2024-3045567 be marked closed.

BY THE COMMISSION



Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: December 4, 2025

ORDER ENTERED: December 4, 2025