

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-4.0665,
F.A.C., Lifeline Assistance.

DOCKET NO. 20230011-TP
ORDER NO. PSC-2023-0121-FOF-TP
ISSUED: April 10, 2023

The following Commissioners participated in the disposition of this matter:

ANDREW GILES FAY, Chairman
ART GRAHAM
GARY F. CLARK
MIKE LA ROSA
GABRIELLA PASSIDOMO

NOTICE OF ADOPTION OF RULE

BY THE COMMISSION:

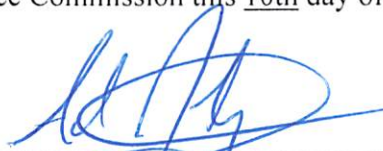
NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has adopted with technical changes Rule 25-4.0665, Florida Administrative Code.

The rule was filed with the Department of State on April 6, 2023, and will be effective on April 26, 2023. A copy of the rule as filed with the Department is attached to this Notice.

This docket is closed upon issuance of this Notice.

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By ORDER of the Florida Public Service Commission this 10th day of April, 2023.



ADAM J. TETZMAN
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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

DS

25-4.0665 Lifeline Assistance.

(1) Eligible Telecommunications Companies must offer Lifeline Assistance as prescribed by the Federal Communications Commission in Title 47, Code of Federal Regulations, Part 54, Subpart E, Universal Service Support for Low-Income Consumers, Sections 54.400 through 54.423~~47~~, as codified on October 1, 2021 as amended October 1, 2017, which are hereby incorporated into this rule by reference, and which are available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-15272> ~~40064~~ and may also be obtained from the Office of Industry & Market Analysis, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

(2) Eligible telecommunications carriers may assist customers with ~~When enrolling customers in the Lifeline program through the provider portal with the National Lifeline Eligibility Verifier, as defined in Title 47, Code of Federal Regulations, Part 54, Subpart E, Universal Service Support for Low-Income Consumers, Section 54.400(o);~~ ~~eligible telecommunications carriers shall accept FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled “Lifeline Program Application Form,” which is incorporated into this rule by reference and which is available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-10073> ~~or from the Universal Service Administrative Company’s website at~~ https://www.usac.org/_res/documents/li/pdf/nv/LI_Application_UniversalForm.pdf. The Spanish version of this form, FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled “Programa de Lifeline: Formulario de Aplicación,” is also incorporated into this rule by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10075> ~~or from the Universal Service Administrative Company’s website at~~ https://www.usac.org/_res/documents/li/pdf/nv/LI_SP_Application_UniversalForms.pdf. ~~Eligible telecommunications carriers shall also accept Form PSC 1023 (08/18), entitled “Lifeline Florida On-line Application for Recipients of Medicaid or Supplemental Nutrition Assistance Program (SNAP),” which is incorporated into this rule by reference and which is available at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-10052> ~~or from the Commission’s website at~~ www.floridapsc.com, by selecting “Lifeline Assistance,” then selecting “Public Service Commission Secure On-Line Application Form.”

(3) When recertifying customers in the Lifeline program, eligible telecommunications carriers shall accept FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819, entitled “Lifeline Program Annual Recertification Form,” which is incorporated into this rule by reference and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 10078> or from the Universal Service Administrative Company’s website at https://www.usac.org/_res/documents/li/pdf/nv/LI_Recertification_UniversalForms.pdf. The Spanish version of this form, FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819, entitled “Programa de Lifeline: Formulario de Recertificación,” is also incorporated into this rule by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 10080> or from the Universal Service Administrative Company’s website at https://www.usac.org/_res/documents/li/pdf/nv/LI_SP_Recertification_UniversalForms.pdf.

(4) To obtain information necessary to confirm whether a customer is eligible for Lifeline assistance in instances where the customer shares an address with another Lifeline recipient, eligible telecommunications carriers shall accept FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled “Lifeline Program Household Worksheet,” which is incorporated into this rule by reference and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 10081> or from the Universal Service Administrative Company’s website at https://www.usac.org/_res/documents/li/pdf/nv/LI_Worksheet_UniversalForms.pdf. The Spanish version of this form, FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled “Programa de Lifeline: Planilla de Hogar,” is also incorporated into this rule by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref 10082> or from the Universal Service Administrative Company’s website at https://www.usac.org/_res/documents/li/pdf/nv/LI_SP_Worksheet_UniversalForms.pdf.

(5) Eligible telecommunications carriers must allow customers the option to submit Lifeline application and recertification forms via U.S. Mail or facsimile, and may allow applications to be submitted electronically. Eligible telecommunications carriers must also allow customers the option to submit copies of supporting documents via U.S. Mail or facsimile.

(3)(6) All eligible telecommunications carriers shall participate in the Lifeline Promotion Simplified Enrollment Process. For purposes of this rule, the Lifeline Promotion Simplified Enrollment Process is an electronic interface between the Department of Children and Families Family Services, the Commission, and the eligible

telecommunications carrier to provide eligible consumers information on how to apply for Lifeline assistance that allows low income individuals to enroll in Lifeline following enrollment in a qualifying public assistance program.

(a) The eligible telecommunications carrier must maintain with the Commission the name(s), email address(es), and telephone number(s) of at least one company representative who will manage the user accounts on the Commission's Lifeline secure website.

~~(b)(a)~~ The Commission shall send an email to the eligible telecommunications carrier informing the eligible telecommunications carrier that a list of customers enrolled in a Lifeline qualifying public assistance program is applications are available for retrieval from the Commission's Lifeline secure website.

~~(b)~~ The eligible telecommunications carrier shall maintain at least one current email address with the Commission, which the Commission will use to inform the eligible telecommunications carrier of the Commission's Lifeline secure website address and that new Lifeline applications are available for retrieval.

(c) Eligible telecommunications carriers must contact customers on the list to whom they provide service and that do not already participate in Lifeline, to inform them of the Lifeline application process with the National Lifeline Eligibility Verifier. For customers on the list that are not contacted by the eligible telecommunications carrier, within 20 calendar days of receiving the Commission's email notification, the eligible telecommunications carrier must provide to the Commission the customer identification number, name, address, telephone number, and the Department of Children and Families application date. This information can be provided via the Commission's dedicated Lifeline facsimile telephone line at (850) 717-0108, an electronic response via the Commission's Lifeline secure website, or file the information with the Office of Commission Clerk.~~The eligible telecommunications carrier shall maintain with the Commission the names, email addresses and telephone numbers of at least one company representative who will manage the user accounts on the Commission's Lifeline secure website.~~

(d) Within 20 calendar days of receiving the Commission's email notification that the Lifeline application is available for retrieval, the eligible telecommunications carrier shall provide a facsimile response to the Commission via the Commission's dedicated Lifeline facsimile telephone line at (850)717 0108, or an electronic response via the Commission's Lifeline secure website, identifying the customer name, address, telephone number, and date of the application for:

1. Misdirected Lifeline applications; or

~~2. Applications for customers currently receiving Lifeline assistance.~~

~~In lieu of a facsimile or electronic submission, the eligible telecommunications carrier may file the information with the Office of Commission Clerk.~~

~~(d)(e)~~ Pursuant to Section 364.107(1), F.S., information filed by the eligible telecommunications carrier in accordance with paragraph (3)(c) ~~(6)-(d)~~ of this rule is confidential and exempt from Section 119.07(1), F.S. However, the eligible telecommunications carrier may disclose such information consistent with the criteria in Section 364.107(3)(a), F.S. For purposes of this rule, the information filed by the eligible telecommunications carrier will be presumed necessary for disclosure to the Commission pursuant to the criteria in Section 364.107(3)(a)4., F.S.

(4) Eligible telecommunications carriers must advertise the availability of Lifeline assistance. Pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.405(b), all eligible telecommunications carriers are obligated to publicize the availability of Lifeline assistance in a manner reasonably designed to reach those likely to qualify for the assistance. Only posting the availability of Lifeline assistance on an eligible telecommunications carrier's website is insufficient to meet this requirement. Advertising the availability of Lifeline assistance can be achieved by using any of the following media: flyers, local newspaper ads, local TV ads, mail, email, web advertisements, bill inserts, and other text-based methods of advertisement or a combination of such media. Pursuant to Title 47 of the United States Code, Section 214(e)(1)(B), as amended December 1, 1997, which is hereby incorporated into this rule by reference, and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10057> and may also be obtained from the Office of Industry & Market Analysis, Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850, charges must also be included in the Lifeline advertisement. The company may redirect consumers to a toll free customer service number and website to see applicable charges and fees in lieu of listing all charges in an advertisement.

~~(7) An eligible telecommunications carrier shall not impose additional verification requirements on subscribers beyond those which are required by this rule.~~

~~(8) Within 20 calendar days of rejecting a Lifeline application, an eligible telecommunications carrier must provide written notice to the customer providing the reason for rejecting the Lifeline application, and providing~~

~~contact information for the customer to get information regarding the application denial. Rejected applications received by way of the Simplified Enrollment Process under subsection (6) must also be reported to the Commission via the Commission's dedicated Lifeline facsimile telephone line at (850)717-0108 or electronically via the Commission's Lifeline secure website, with the reason why the application was rejected. In lieu of a facsimile or electronic submission, the eligible telecommunications carrier may file the information with the Office of Commission Clerk.~~

~~(5)(9)~~ An eligible telecommunications carrier or its designee must provide written notice prior to the termination of Lifeline assistance pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.405(e) Carrier obligation to offer Lifeline, De-enrollment, as amended October 1, 2017. The notice of impending termination shall contain the telephone number at which the subscriber can obtain information about the subscriber's Lifeline assistance from the eligible telecommunications carrier. The notice shall also inform the subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic local telecommunications service.

~~(6)(10)~~ All eligible telecommunications carriers shall provide current Lifeline program company information to the Universal Service Administrative Company at www.lifelinesupport.org so that the information can be posted on the Universal Service Administrative Company's consumer website.

~~(11)~~ Eligible telecommunications carriers must advertise the availability of Lifeline assistance. Pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.405(b), all eligible telecommunications carriers are obligated to publicize the availability of Lifeline assistance in a manner reasonably designed to reach those likely to qualify for the assistance. Only posting the availability of Lifeline assistance on an eligible telecommunications carrier's website is insufficient to meet this requirement. Advertising the availability of Lifeline assistance can be achieved by using any of the following media: flyers, local newspaper ads, local TV ads, mail, email, web advertisements, bill inserts and other text based methods of advertisement or a combination of such media. Pursuant to Title 47 of the United States Code, Section 214(e)(1)(B), as amended December 1, 1997, which is hereby incorporated into this rule by reference, and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref10057>, charges must also be included in the Lifeline advertisement. The company may redirect consumers to a 1-800 customer service number and website to see applicable charges and fees in lieu of listing all charges in an advertisement.

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~~(7)(12)~~ Eligible telecommunications carriers must file all reports with the Commission in accordance with Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.422(c), Annual reporting for eligible telecommunications carriers that receive low-income support, ~~as amended October 1, 2017, which is hereby incorporated into this rule by reference, and which is available at~~

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-10058>.~~

Rulemaking Authority 120.80(13)(d), 350.127(2), 364.10(2)(j) FS. Law Implemented 364.10, 364.105, 364.183(1)

FS. History—New 1-2-07, Amended 12-6-07, 6-23-10, 11-21-18, _____.