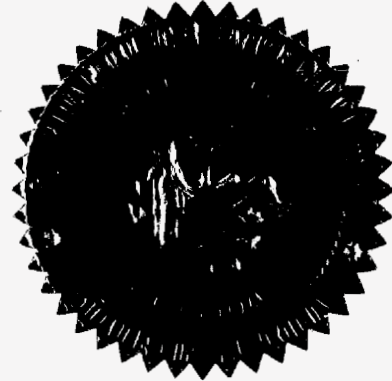


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 040451-TP

In the Matter of

PETITION BY CITIZENS OF FLORIDA
TO INITIATE RULEMAKING THAT
WOULD REQUIRE LOCAL EXCHANGE
TELECOMMUNICATIONS COMPANIES
TO PROVIDE LIFELINE SERVICE
WITHIN 30 DAYS OF CERTIFICATION.



ELECTRONIC VERSIONS OF THIS TRANSCRIPT ARE
A CONVENIENCE COPY ONLY AND ARE NOT
THE OFFICIAL TRANSCRIPT OF THE HEARING,
THE .PDF VERSION INCLUDES PREFILED TESTIMONY.

PROCEEDINGS: STAFF WORKSHOP

DATE: Friday, November 5, 2004

PLACE: Betty Easley Conference Center
Room 148
4075 Esplanade Way
Tallahassee, Florida

TRANSCRIBED FROM JANE FAUROT, RPR
TAPE BY: Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732

DOCUMENT NUMBER-DATE

FLORIDA PUBLIC SERVICE COMMISSION 12320 NOV 18 3

FPSC-COMMISSION CLERK

1 IN ATTENDANCE:

2 NANCY SIMS and MARYROSE SIRIANNI, appearing on behalf
3 of BellSouth.

4 HAROLD McLEAN, ESQUIRE, CHARLES J. BECK, ESQUIRE,
5 EARL POUCHER and SHARON WYNN, appearing on behalf of the Office
6 of Public Counsel.

7 TOM McCABE, appearing on behalf of TDS.

8 CHARLES REHWINKEL, ESQUIRE, appearing on behalf of
9 Sprint.

10 DAVID CHRISTIAN, appearing on behalf of Verizon.

11 SAMANTHA CIBULA, ESQUIRE, BOB CASEY, CHERYL
12 BULECZA-BANKS, appearing on behalf of the Commission Staff.

13

14

15

16

17

18

19

20

21

22

23

24

25

P R O C E E D I N G S

1
2 MS. CIBULA: Pursuant to notice this time and place
3 has been set for a rule development workshop in Docket Number
4 040451-TP. I'm Samantha Cibula. And also here today are
5 Commission staff Bob Casey and Cheryl Banks. This is the
6 second workshop in this docket. As you might know, there is a
7 hearing scheduled in another docket addressing Lifeline, Docket
8 Number 040604. The issues in that docket are not up for
9 discussion here today.

10 As set forth in the notice, the purpose of this
11 workshop is to discuss the Office of Public Counsel's draft
12 rule language submitted on September 3rd, 2004. A copy of the
13 draft rule language can be found on the table in the back.

14 On November 1st, 2004, staff e-mailed out some
15 initial comments on OPC's draft rule language. A copy of
16 staff's comments can also be found on the table. As I stated
17 in the e-mail, these initial comments were provided in hopes of
18 -- (telephone interruption) -- discussion here today. And just
19 to be clear, our comments are in no way set in stone, and we
20 are really looking forward to getting your input on the draft
21 rule language and your thoughts on this rulemaking in general.

22 This workshop is being transcribed, so it is
23 important that you speak into a microphone and state your name
24 before you speak. We decided to hold this workshop in the
25 large hearing room so that everyone had a microphone to use.

1 It is also important that people participating by telephone
2 state their name before they speak. And since we are on the
3 topic, let's get the names of anyone participating by telephone
4 at this time for the record. Is there anyone on the line?

5 Well, I guess they must just want to listen in.

6 Since OPC initiated this rulemaking, I would like to
7 give OPC a chance to speak first. Then we will start at the
8 end of the table and move down the line for comments. And I
9 thought it might be easiest if we go section-by-section through
10 the draft rule, so we will get comments on Section 1 of the
11 draft rule and then move on to Subsection 2.

12 I know that sometimes comments might overlap in other
13 sections, and that is fine. This is informal, we can be
14 flexible. So with that, let's start with OPC and their opening
15 statement.

16 MR. BECK: Thanks, Samantha. My name is Charlie Beck
17 with the Office of Public Counsel, and also with me is Sharon
18 Wynn, Earl Poucher, and Harold McLean I think will be here
19 momentarily, as well. We have been through the staff's
20 proposed changes to our draft rule and basically accept them.
21 We don't have any problem with the staff. So I would think as
22 we go forward today we could use the staff's draft to ours for
23 discussion, but basically we are ready to accept them. I think
24 if everybody is, we can simply accept them and go home.

25 MS. SIMS: This is Nancy Sims with BellSouth.

1 Maryrose Sirianni is also here to help me out if I miss
2 something.

3 First of all, I think overall the rules -- there are
4 some issues we have with the rules, and our first inclination
5 is that do we really need all of these rules at this time. We
6 are concerned that we have another docket going on that
7 possibly will drive possibly some decisions in some of these
8 rules, and I will get into that as we go through this. So I'm
9 thinking maybe some of this might be a little premature at this
10 point.

11 And also, the question I have is is there something
12 broken that needs fixing through these rules? And I don't know
13 that there is. But with that said, we will go through the
14 rules. And do you want to go through every one of them at this
15 point, or do you --

16 MS. CIBULA: Let's just stick to Subsection 1 right
17 now, and then we will go down and get everyone's comments.

18 MS. SIMS: Okay. Subsection 1, starting with the
19 Commission's draft of the rule. If, indeed, we read this
20 correctly, we probably don't have a problem with this
21 particular rule, but we want to make sure we understand the
22 second part of this section.

23 It says if the Lifeline applicant does not have
24 service with the company when the company receives
25 certification of eligibility, then the credit will appear on

1 the customer's first bill. And we don't have a problem with
2 that if, indeed, we are addressing only those customers that do
3 not have service with us at this time. In other words, if they
4 are just now signing up, then the credit would appear on the
5 first bill. We don't have a problem with that.

6 Now, if they are an existing customer, we can't
7 guarantee that once we qualify that they are eligible that the
8 credit will be on their next bill because of the billing cycles
9 that we have. But the way it's worded, I believe it just
10 applies to the new customer or the new service.

11 MR. CASEY: That's correct, that was our intention.

12 MR. BECK: That is ours, as well, by the way. I
13 mean, that is what we intend.

14 MS. SIMS: And that's fine.

15 MS. SIRIANNI: Okay. If that is the intention, then
16 we are fine.

17 MS. CIBULA: Do you have any comment on a definition
18 for ETC that might be provided in the rule? Because we use the
19 term ETC.

20 MS. SIRIANNI: We haven't really given too much --

21 MS. SIMS: Is the definition separate? I don't have
22 a copy of the definition.

23 MR. CASEY: We don't have a proposed definition, we
24 are just asking should there be a definition.

25 MS. SIMS: Okay.

1 MS. SIRIANNI: Doesn't the FCC provide a definition
2 of what an eligible telecommunications carrier is?

3 MS. BULECZA-BANKS: Yes, they do, and we can use that
4 language. We are just saying we are suggesting if that was
5 sufficient.

6 MS. SIRIANNI: Okay. I thought I missed something
7 there.

8 MS. SIMS: That's fine.

9 MR. REHWINKEL: This is Charles Rehwinkel with
10 Sprint. Just on an overall general comment about the rules, we
11 still hold out hope that there is an opportunity here for the
12 companies to enter into some sort of agreement with the Public
13 Counsel and/or the Public Service Commission on a set of
14 practices or standards that we would all agree to and abide by
15 as opposed to having an ironclad set of rules that may not
16 reflect everyone's practices that they currently have, with the
17 goal that the set of practices that we could agree upon with
18 the agencies would accomplish the goals that the Public Counsel
19 sets out to achieve. So I still hold out hope that we can do
20 that.

21 But while we are working within the framework of the
22 rule proposals that are here, Sprint generally is okay with the
23 staff's draft language as clarified, if you will, by Mr. Casey.
24 But we would like to suggest that on Line 6, that you consider
25 some language that would make it clear that the time frame that

1 is triggered there is from the time the customer contacts the
2 company to initiate service. There are times when the customer
3 may talk to an entity other than the company, and we need to
4 have the customer contact us to initiate service to trigger our
5 processes.

6 So I would suggest some language that would go after
7 the comma, after the stricken words Public Counsel, something
8 along the lines from the time the customer contacts the company
9 to initiate service, and then the rest would read the company
10 shall provide service within the same time frame as applicable
11 to nonLifeline customers, et cetera. That's a suggestion that
12 I would offer up to make it clear that the customer has some
13 responsibility to initiate service with the company to trigger
14 the time frames.

15 I believe that's the intent. But, again, sometimes
16 in the customer's mind the process may have been triggered
17 because he contacted Public Counsel or an agency. And we just
18 wouldn't want to be held for some lost time in there. That is
19 just a suggestion. That's all I have on 1.

20 MR. CASEY: Charlie, would you have any objection to
21 that?

22 MR. BECK: Give me a moment, please.

23 MR. CASEY: Sure.

24 MR. BECK: We don't think so offhand. I would like
25 to think about it a little bit more, but I don't think so. I

1 mean, I think if somebody is applying for Lifeline, obviously
2 they are applying for service as well is the concern I had. I
3 mean, why would you be applying for Lifeline if you are not
4 asking for telephone service? But I don't think there is any
5 issue there with what Charles said.

6 MR. CASEY: One more thing I would like to bring up.
7 He had mentioned that, well, maybe the rule isn't necessary.
8 You know, maybe we can get together. At the last workshop, I
9 believe OPC was going to get together with the companies. Has
10 anything happened on that?

11 (Inaudible. Microphone not on.)

12 MR. CASEY: Nothing happened since the last workshop?

13 (Inaudible. Microphone not on.)

14 MR. BECK: There has been some individual meetings
15 with companies and the Public Counsel, but there is nothing
16 specifically on the rule.

17 MR. CASEY: Okay. There is one more thing I would
18 like to throw out. If you are going to meet and come up with
19 some kind of stipulation or agreement, do you really think
20 rules are necessary, because we have ETCs coming in now that
21 are CLECs and wireless. And, of course, we don't regulate
22 wireless, but in the FCC orders it says they have to follow our
23 rules. So don't you think we need rules for Lifeline? Just
24 keep that in the back of your mind.

25 MR. BECK: Well, the ETCs, the inclusion of ETC, I

1 think, covers that. I mean, since they are changing it, you
2 know, staff has proposed changing it from local exchange
3 company to eligible telecommunications company.

4 MR. CASEY: Right. What I was think of in lieu of a
5 rule, you know, the companies are saying maybe we can get
6 together and not need a rule if we work something out with OPC.
7 Well, then, what happens to the wireless ETCs that are out
8 there that have been ordered to follow our rules?

9 MR. BECK: We think it is probably good to go forward
10 with a rule in that case.

11 MR. CASEY: Well, just keep that and think about it,
12 if you would.

13 MR. CHRISTIAN: Good morning. David Christian with
14 Verizon, and I also have with me Viv Newell (phonetic), who is
15 with our support and response center who is responsible for a
16 lot of Lifeline application, so if we get into details I would
17 certainly refer to her to address the workshop.

18 On Issue Number 1, I think with the changes that have
19 been discussed -- let me back up for a second. I think I echo
20 Charles' comments about trying to reach a settlement. We, for
21 one, have had discussions with Public Counsel's office and have
22 addressed some of the specific issues in this rule. And I
23 think there is an ability or desire on our part to reach some
24 consensus or some agreement, and we would strongly encourage
25 the Commission to allow us to do that.

1 We don't think a rule is necessary at this time, and
2 with that, I'll go into Number 1. I think with the changes
3 that Sprint recommended, if there is going to be a rule, we
4 probably would be okay with that.

5 MR. McCABE: Tom McCabe with TDS Telecom. Just a
6 couple of quick comments regarding eliminating local exchange
7 telecommunications company and replacing it with ETCs. I'm not
8 sure exactly, but I do know that we have resellers that provide
9 Lifeline in which we pass it on, we pass on the credits to the
10 Lifeline provider. Under this rule they are not an ETC, so
11 these rules then wouldn't apply to them. So I think you might
12 want to leave local exchange carriers in there.

13 And I am also not sure you need to be an eligible
14 telecommunications carrier to receive the funding back from the
15 feds. You do? Okay. But we do have resellers in which we
16 pass them through, so I think that may be somewhat of an issue.

17 We don't have any real problems with Issue Number 1.
18 We don't see that as a problem for our company. My concern is
19 the fact that we do have a couple of different proceedings
20 going on at this point in time which somewhat interrelate. For
21 example, on receiving certification of eligibility. I think
22 that comes into question what that certification is, given the
23 fact that we have this issue in the hearing.

24 And there is also a situation -- I received an e-mail
25 from Martha Golden last week regarding this new process, the

1 Public Service Lifeline process team, or something of that
2 nature. And in there it indicates some processes in the
3 Commission is going to have an application form. They go ahead
4 and they send out the application. For example, if they are at
5 a large event, they may have these application forms available
6 to customers. The customer fills it out, the Office of Public
7 Counsel -- I mean, the Public Service Commission may then turn
8 around and send that to us rather than the customer.

9 And in the processes it indicates that the Commission
10 will forward -- in order to avoid delay, the Commission will
11 forward that application process, even if the customer does not
12 provide documentation that they are eligible. So then the
13 question comes in if I get this application, does that
14 constitute eligibility from the Commission's standpoint even
15 though there is no documentation associated with it.

16 And now if I'm in a situation where I need to get
17 this customer to turn around and provide it, I may make several
18 attempts to get this information and never get it. So that is
19 the concern I have is the fact that we have got three different
20 items going on, and they are all happening separately.

21 MS. BULECZA-BANKS: I would not view just receiving
22 an application without the supporting documentation as
23 certification of eligibility. I think that has an
24 understanding that you have proved that you are, in fact,
25 eligible and not just filled out an application. I don't know

1 if you all do not believe that is as clear. I read that to
2 mean that you are certified eligible.

3 MR. McCABE: Well, if it wasn't for the fact that
4 this issue was also in the docket and it is going to hearing,
5 there becomes timing issues in terms of when the documentation
6 needs to be provided. And that's the only question to me that
7 exists out there. Because in the Commission's order it talks
8 about self-certification. Now, if the Commission adopts that,
9 but then we are still also required to get this documentation
10 from the customer, what are the time frames?

11 And if I'm having to chase down customers to get
12 documentation, that is the only concern I have about the 30
13 days, that is the only thing. If I have all the documentation,
14 that customer is going to get the Lifeline service tomorrow. I
15 don't want us to get in a situation where we are confused in
16 terms of when the timing goes into effect.

17 MS. BULECZA-BANKS: Well, right now this is not
18 addressing anything in that order.

19 MR. McCABE: I understand that. But what may come
20 out of that order may have an impact on this rule.

21 MS. BULECZA-BANKS: The only thing that I would see
22 that we would have to do is should that proceed and they make
23 the distinction that self-certification is acceptable, then
24 your certification of eligibility is assumed with the
25 self-certification that you are eligible. That becomes the

1 certificate of eligibility.

2 MR. BECK: And, Cheryl, at least with respect to our
3 office we don't certify a person as eligible until we have the
4 documents in our possession. So I don't think there is any
5 issue with respect to our certifying.

6 MR. McCABE: I'm just raising it as a potential
7 conflict that we may have a rule go into effect and then we
8 have got to turn around and change the rule.

9 MS. BULECZA-BANKS: Well, I think that maybe -- I
10 mean, maybe that is something we may want to think about, but I
11 think that perhaps -- and it may not be the cleanest way to do
12 that, but should that ever be the case, in the order it would
13 have to clearly state that with respect to that rule that
14 certification of eligibility means X. And you're right, but
15 that is something that I think we can deal with in the future.

16 MR. McCABE: Like I say, I don't have a problem with
17 the rule, I'm just making sure that we don't run into
18 conflicts.

19 MS. BULECZA-BANKS: It's a good point, it is.

20 MR. AUDU: Good morning. This is Jonathan Audu with
21 Supra Telecom. When I saw that staff's comment had stricken
22 out the local exchange carrier to ETC, I just wanted to be sure
23 of the definition and to be sure that my (inaudible), so I just
24 wanted to be clear on the definition of ETC and who is included
25 in that. Because a couple of people have made me understand

1 that I have no dog in this fight, so I want to remain in that
2 position. So if someone could address my question. I mean, do
3 I have to be concerned, or do I need to start eating antacid,
4 or am I okay?

5 MS. BULECZA-BANKS: You do not need to be concerned
6 unless you submit an application to the Commission seeking to
7 be an ETC.

8 MR. AUDU: Very good. Thank you.

9 MR. McCABE: Have a good day.

10 MS. CIBULA: Is there anyone on the phone that wants
11 to comment on Subsection 1 of the rule? Okay.

12 I guess we can move to Subsection 2. And we will
13 start at the end of the table again and move down the row.

14 MR. BECK: Again, we don't have any problem with the
15 staff's changes.

16 MS. SIMS: Okay. On Subsection 2, based on
17 BellSouth's current mode of operation, we don't have a problem
18 with that. But I'm not so sure that we agree that there should
19 be that type of language and that restriction in here because
20 we don't -- you know, you don't know how much you are
21 discounting some of these calling plans. **And it may be that**
22 when you put on top of that a Lifeline discount, including the
23 3.50 that is thrown in by the company, that it may cause that
24 particular package to be actually below cost.

25 So I think that we would prefer to have the

1 flexibility to be able to make that decision on our offering of
2 our services. But at the present time BellSouth doesn't
3 restrict Lifeline customers to certain services. We just don't
4 feel like the wording is necessarily -- I mean, it is almost
5 like it is a dictate on how you offer your services as far as
6 pricing is concerned, and I think most of the packages are
7 considered nonbasic services at this point.

8 MS. BULECZA-BANKS: Isn't there one package, though,
9 that isn't offered? I remember that, I believe in your
10 comments to Maryrose you had stated that there is one
11 particular package that you don't offer Lifeline on.

12 MR. CASEY: It was the multi-something package.

13 MS. BULECZA-BANKS: Yes.

14 MS. SIRIANNI: Yes. I think it is multi-line --

15 MS. BULECZA-BANKS: That is correct, multi-line.

16 MS. SIRIANNI: -- multi-line complete choice.

17 MS. SIMS: So, basically, the bottom line is we would
18 prefer to have the flexibility.

19 MR. CASEY: Would you have any suggested changes to
20 that, or would you want to eliminate that?

21 MS. SIMS: I think our position would be to eliminate
22 it. Because even the FCC is struggling with whether or not to
23 put any kind of restrictions on the offering of services. I
24 mean, they actually talked about it in their last order, but
25 they did not go as far as to make any restrictions. They

1 refrained.

2 MR. REHWINKEL: At this time Sprint really doesn't
3 have a position on this. I agree with what Ms. Sims has
4 stated, although, again, our practice is consistent with this
5 rule at this time.

6 MR. CHRISTIAN: David Christian with Verizon. We do
7 not adhere to this proposed rule language at this time. We do
8 not offer Lifeline discounts or credits to any nonbasic
9 packages we offer, and we believe that is consistent with the
10 current FCC rules on what is a supported service for Lifeline.
11 The regs in the federal code basically say that Lifeline should
12 be offered to a voice grade access line, and that is exactly
13 what we are offering. We would like to see this language
14 removed.

15 MR. McCABE: Tom McCabe for TDS. We don't
16 necessarily have a problem with the rule. I don't think that
17 the rule is needed. I don't think that the Public Service
18 Commission should be in a situation in which they determine how
19 you are going to market your services. I don't think that is
20 the role of the Commission. But we currently provide the
21 service, so customers are going to get it today. The problem
22 is we don't know what is going to happen in the future. And
23 when it fits into a rule, it changes how we may operate.

24 MS. CIBULA: Is there anyone participating by
25 telephone this would like to comment on Subsection 2 of the

1 draft rule? Okay. I guess we can --

2 MR. McLEAN: Samantha, I would like to comment on it.
3 Harold McLean, Public Counsel.

4 One of the issues we have when customers call in is
5 that they apply for Lifeline, they may go to a Lifeline rally,
6 they jump through all the hoops, and we determine some time
7 well down the road that they have not eligible for Lifeline
8 because they have subscribed to a package. The problem which
9 arises for us is how are they supposed to know that. When they
10 subscribed to the package or when they took it, how did they
11 know they were waiving their right to Lifeline. Much justice
12 could be done if the companies would tell the customers when
13 they opt for a given package that they are forgoing their right
14 to Lifeline.

15 Moreover, they should not be saddled with any sort of
16 penalty if they decide to abandon the package to avail
17 themselves of Lifeline. The simple issue of disclosure, I
18 think, would clear up a lot of problems. If they are
19 unequivocally told that if they opt for Package A, B, or C that
20 they may not get Lifeline while they are on that package.

21 That done, I think much of the injustice would be
22 eliminated, assuming that there is some, and we think there is.
23 And I don't see that written into -- I haven't studied these by
24 any means, but I have had conversations with several industry
25 representatives to whom that does not seem that big a problem.

1 And since I've got the microphone, by the way, I want
2 to -- the problem arose earlier, Bob, you asked if we had had
3 meetings. We certainly tried to have meetings. We were
4 interpreted by four big old storms, and even I thought it was
5 probably more important that they put their systems back up.
6 But Charles and I had scheduled a couple meetings and they
7 were, by necessity, canceled because of the storm activities.
8 So we have revived some effort to talk before Lifeline and that
9 is somewhat underway.

10 But anyway, back to 2. Give me disclosure, tell
11 customers what they are doing, what they are forgoing and we
12 don't have a problem.

13 MR. CHRISTIAN: Could I jump in here? I would like
14 to just follow up on Harold's comments. And I appreciate him
15 bringing that up at this workshop. We have had discussions
16 with Public Counsel about doing exactly that, and we are
17 reviewing whether we can make the changes to our disclosure
18 when a customer purchases a package. We are looking at our
19 options and how we might be able to do that and where that
20 would fit in the customer contact script with our
21 representatives. So, hopefully, I'm positive that we might
22 have a good outcome on this one and we can take this language
23 out of the rule.

24 We also do not -- when a customer switches from a
25 package to a Lifeline service, there is no termination language

1 because there is no termination of liability when you switch
2 from a package that is a tariffed offering to a different
3 package. I mean, it is not a contract, per se, like a business
4 customer would sign a contract where there is termination
5 liability if they opt out of the contract. So it is a little
6 different situation with the residential side. I wanted to
7 make that clarification.

8 MS. BULECZA-BANKS: I have a question. For those
9 that offer Lifeline on packages, when a person pays a portion
10 of their bill, but does not pay it in its entirety, do you
11 disconnect the service when they have a package of both,
12 because it is not really separately stated as you have
13 indicated. Do you disconnect service if their payment is not
14 received in full?

15 MS. SIRIANNI: Well, the partial payment that they
16 make goes directly to the basic services first, and if the
17 basic services are paid for, then, no, we don't disconnect
18 services. If the payment doesn't cover all of the basic
19 services, then there are options that we would take with the
20 customer and offer --

21 MS. BULECZA-BANKS: But since I'm having a one price,
22 how do they know that? How do they know which piece, or how
23 much, or if they have paid enough of the basic, or because it
24 is all lump sum as one package amount? See, in your mind --

25 MS. SIRIANNI: Actually let me restate that. I think

1 on the bill it has regulated, your regulated portion of your
2 bill, and it specifically states what the regulated portion of
3 the bill is, and they have to pay that portion of the bill.

4 MS. BULECZA-BANKS: Is that true for Sprint, also?

5 MR. REHWINKEL: I didn't hear everything Maryrose
6 said, but I believe if it is a regular bundled customer and
7 they don't pay or they pay partial and it is a bundled price,
8 if they don't respond within the applicable period of time,
9 they will have their service cut off. Because of the statute
10 on a Lifeline customer, it is my understanding our practice is
11 to -- if they pay to cover the basic portion, we probably will
12 turn off their -- disable their features and toll block them,
13 but keep their regulated dialtone, I mean, their basic dialtone
14 going.

15 MS. SIRIANNI: Cheryl, to get to your actual
16 question, the customer doesn't know what part of that is the
17 actual basic, because on the bill it has it broken down by the
18 regulated amount and the nonregulated amount. And the basic
19 and nonbasic are regulated amounts, but the only portion that
20 they are absolutely required to pay to not get disconnected is
21 the basic portion for Lifeline. And there is no place on the
22 bill that specifically states the basic portion. But, I mean,
23 if they make any payment at all it is our process to
24 automatically put it towards the basic.

25 MS. BULECZA-BANKS: Okay. And assuming that it

1 wasn't enough, would you then disconnect them?

2 MS. SIRIANNI: No. No. Actually the way it works is
3 they kind of have to hit some threshold before the system will
4 kick in to even go to them and say you haven't covered your
5 basic portion. And then, as in our tariff, there is options
6 where they go on a payment arrangement. And I believe we have
7 like a 12 months, and minimum of \$5 a month that they have to
8 pay, and we would block their toll, like Charles said, and take
9 the nonbasic services, like the vertical services and such and
10 may take those off. But they would not immediately disconnect
11 their service. I mean, they would have to hit some threshold.
12 And once that is hit, you would contact them and set up some
13 payment arrangement. And at that point they would know exactly
14 how much per month they have to pay, and I believe it is a
15 minimum of \$5.

16 MS. BULECZA-BANKS: Okay.

17 MS. CIBULA: Any more comments on Subsection 2?

18 Let's move to Subsection 3, then.

19 MR. CASEY: Any comments?

20 SPEAKER: Yes, we like it.

21 MR. CASEY: You like it? Okay.

22 MS. SIMS: Yes, we are okay with that one. BellSouth
23 is okay with that one.

24 MR. REHWINKEL: The same with Sprint, subject to the
25 overall comment.

1 MR. CHRISTIAN: I think this language is consistent
2 with our practices today, and if there is a need for a rule and
3 it is determined by the Commission there is, that is consistent
4 with our practices.

5 MR. REHWINKEL: We have no problem.

6 MS. CIBULA: Anyone participating by telephone that
7 has a comment? Okay. We will move to Subsection 4.

8 MS. SIMS: This one is more controversial. Our
9 position is that if a customer is eligible for Lifeline, or an
10 end user is eligible for Lifeline, then the billing has to be
11 in that particular customer's name. **Now, he or she can have it**
12 **listed -- like, for instance, if a spouse dies, and the phone**
13 **has been listed in the spouse's name, we have no problem**
14 **continuing to list that phone in the spouse's name if the**
15 **person feels more comfortable with that. But the remaining**
16 **spouse will have to qualify on their own. They will have to be**
17 **eligible on their own, and the billing will have to go into**
18 **that particular person's name.**

19 Now, the problem with the Social Security Number is
20 with a regular customer if they refuse to give us the Social
21 Security Number, we will ask them to present a photo ID and a
22 deposit of \$100. If they do not give us a Social Security
23 Number, we have to have some way to feel comfortable that the
24 person who they say they are, they are.

25 When it comes to Lifeline, we have an additional

1 problem in that we have got to somehow be able to recertify
2 these people. And, in order to do that, when they are eligible
3 for these federal/state plans they use their Social Security
4 Number. That is their identification number. So we don't see
5 how we can place people on Lifeline without having a Social
6 Security Number. And we really haven't had many problems with
7 customers giving us their Social Security Number. Maybe once
8 in a blue moon. But it is not really a difficult process to
9 get a Social Security Number.

10 We don't know how we are going to bash it against
11 the -- our position is that when we do the back-end
12 verification we are going to be bashing it against the agency
13 rolls. And without a Social Security Number, I don't know how
14 you are going to do that.

15 MS. BULECZA-BANKS: When you just used the term
16 back-end, were you are talking about recertification?

17 MS. SIMS: Right.

18 MS. BULECZA-BANKS: What if you just simply send the
19 letter out again to the customer and saying do you still
20 qualify. Because if someone has a letter that they bring you
21 for certification and they hand you a letter, it is more than
22 likely, on a program basis, it is going to have the Social
23 Security Number on the sheet. But do you necessarily have to
24 retain it? Once the person is sitting there and they are
25 matching up everything, do you necessarily have to retain the

1 number? I mean, they probably don't have any problem showing
2 you the letter.

3 MS. SIRIANNI: The only problem with that is we are
4 putting in an automatic verification process, you know, to be
5 more efficient and be able to keep these people on the rolls
6 without any time lapse.

7 MS. SIMS: And without having to send a bunch of
8 letters out.

9 MS. SIRIANNI: Right. And so, I mean, yes, what you
10 are saying we could do. But we are setting up a process to do
11 all of this automatic where, you know, when we bash our list
12 with the rolls of the agency, and if it comes back and the
13 particular person, you know, is not listed with DCF or whatever
14 agency, a letter is automatically sent to that person asking
15 them if they are eligible under any other program.

16 MS. BULECZA-BANKS: And so how do you get the list
17 from -- you are saying you are getting a list from DCF?

18 MS. SIRIANNI: We don't receive a list. All they do
19 is they take our list and we send it to them. They look at
20 their list and they send it back and they only tell us who on
21 our list is not on their list. And from that a letter is
22 automatically sent to those people who they say aren't on their
23 list.

24 MS. SIMS: We don't have to send out letters out to
25 those who continue to be qualified.

1 MS. BULECZA-BANKS: Okay. But what you're telling me
2 is when you lend the list to DCF of your names, it has a Social
3 Security Number on it for verification purposes?

4 MS. SIRIANNI: Right. Because there could be, you
5 know, John Smith 1, 2, 3, 4. I mean, we don't know how many
6 John Smiths there might be. I mean --

7 MR. CASEY: What is the possibility of just using the
8 last four numbers of the Social Security Number?

9 MS. SIRIANNI: I don't know. I would have to go back
10 and talk to our folks. I don't know how the system has been
11 built or set up, and if it is able to just take the last four
12 digits and work with the state system. I don't know, I would
13 have to go back and find out.

14 MS. FORBES: This is Kathy Forbes (phonetic) with
15 BellSouth. I would like to respond to that. We are unable to
16 do that with the last four digits the way we have programmed
17 this process.

18 MS. SIRIANNI: There is your answer.

19 MR. CASEY: Could you repeat your name, please, I
20 didn't catch it.

21 MS. FORBES: I'm sorry. My name is Kathy Forbes with
22 BellSouth.

23 MR. CASEY: Okay. Thank you.

24 MR. REHWINKEL: From Sprint's standpoint, we do not
25 have an absolute policy on the use of Social Security Number.

1 If the customer has a difficulty with the Social Security
2 Number, we will utilize some form of identification or number,
3 whether it is driver's license number, or the like, that will
4 allow us to verify who that person is. Our preference would be
5 not to have this language in here, because if you could say
6 this for Lifeline, why couldn't you say it for all other
7 aspects of taking service.

8 And it sounds easy to say, well, you shouldn't
9 absolutely have to have this information, but, you know, we do
10 deal with fraud issues all the time. Most customers, of
11 course, are very honest, and we don't have fraud problems with
12 them. But there are those customers that, you know, will
13 change their stripes over and over again, and it is a constant
14 battle. We do have issues with that. So we would prefer not
15 to have an absolute prohibition in there. So I don't know
16 exactly how that could be written, but we don't like the
17 prohibitory aspect of that language.

18 MR. CHRISTIAN: Dave Christian with Verizon. I agree
19 with the statement said by both my colleagues from BellSouth
20 and Sprint. We prefer the Social Security Number, but we do
21 not require it nor mandate it from customers for Lifeline
22 service. I would like to add that there are issues here that
23 go beyond the Social Security Number. I think we would prefer
24 to make sure that we have the right to establish a relationship
25 with our customer, and understanding who we are doing business

1 with, and I think that is consistent with what we have been
2 doing for many, many years.

3 MR. REHWINKEL: If I could also go back, I just
4 wanted to say on the first part of that Paragraph 4, like
5 BellSouth, we do believe that the billing ought to be in the
6 individual's name. But we will provide, at no additional cost
7 to that customer, the ability to list the service the way it
8 always had been. In the case of a widow situation where I know
9 for security reasons they prefer generally to keep the
10 husband's name in the listing in the directory and we have no
11 problem with that.

12 MR. CHRISTIAN: Ditto with Verizon.

13 MR. CASEY: You don't have any fees to do that?

14 MR. CHRISTIAN: No, sir. You can have up to two
15 names under a listing in the directory.

16 MR. CASEY: No, I meant the actual change. You
17 wouldn't charge the customer to recertify?

18 MR. CHRISTIAN: No.

19 MS. SIRIANNI: BellSouth does not. We will not
20 charge the customer to change the account name nor to list a
21 different name in the directory.

22 MR. CASEY: And I believe Sprint doesn't either you
23 have said in your comments.

24 MR. CHRISTIAN: The same thing.

25 MR. REHWINKEL: My comments are consistent with the

1 other three companies. I guess the one issue regarding the
2 name, the importance of that is that if that customer was to
3 call back next week and say that they wanted to the change long
4 distance carriers, we wouldn't allow that customer to make any
5 changes to that account because she is not the customer,
6 because that individual is not the customer of record. So our
7 preference is to move that customer of record onto the bill.

8 MS. CIBULA: Any comments on Subsection 4 from those
9 participating by telephone? Okay. We will move to Subsection
10 5.

11 MR. BECK: Let me just backtrack to 4. The purpose
12 of all of these rules is to address issues that we have
13 confronted with customers, and we are striving to make it
14 easier for people to get Lifeline, and that there is obstacles
15 that they perceive are taken away. And this is one of them.
16 We don't think people should be treated differently with
17 respect to providing their Social Security Number because they
18 are Lifeline. In other words, they are seeking to be treated
19 the same as any other customer.

20 I think the companies have addressed the main concern
21 about the name listing, and that is the usual problem we face
22 there is the deceased spouse. If you have a widow they want to
23 maintain the name of their deceased husband in the directory is
24 a typical concern we have with customers. And a lot of people
25 don't want to provide their Social Security Number. You know,

1 there is privacy issues there, and we think they should be
2 treated the same as anybody else. You shouldn't have to give
3 up any privacy rights you have because you are a Lifeline
4 customer.

5 MR. REHWINKEL: Could I just address that for a
6 second? Sprint doesn't have the issue that BellSouth addressed
7 about recertification, because right now we don't do that. I
8 understand the issue about privacy. But, again, that does --
9 there is no reason for Lifeline eligible customers to have
10 greater privacy rights than nonLifeline customers. At least
11 from Sprint's standpoint, we would not want to have a
12 differential in whether we required a Social Security Number
13 for purposes of subscription to Lifeline on a basis any
14 different than an individual nonLifeline customer.

15 We require it. We insist on it for all customers
16 applying for service. So from our standpoint I don't believe
17 we are in a position of having a different standard for
18 Lifeline customers. You know, I think we have been pretty
19 successful at working around the edges, because every company
20 has had to deal with someone who maybe doesn't even have a
21 Social Security Number. But we also have people who have them
22 and don't want to give them out. We find a way to work that
23 out. So it is not a Lifeline/nonLifeline issue for us.

24 MR. BECK: And that is what we are asking for
25 Lifeline customers, the same thing. That if they don't want to

1 provide a Social Security Number, we are certainly not saying
2 don't provide identification. You know, there are other ways
3 to work it out.

4 MR. REHWINKEL: That is why if we had to go forward
5 with this language in a rule, I would prefer to find another
6 way to say this so it is not prohibitory. That is kind of
7 where our difference is.

8 MR. BECK: I think we are pretty close. I mean, if
9 there is other language we are certainly open to that.

10 MR. CASEY: Something about providing other
11 identification.

12 MR. BECK: We're open. We have put our proposal out
13 there, we are open for people who wanted to have different
14 language.

15 MS. CIBULA: We are going to ask for comments at the
16 end, so maybe that is something that everyone can think about,
17 some proposed language that might work.

18 MR. BECK: With respect to Number 5, we are fine with
19 the proposal by staff to change the rule.

20 MS. SIMS: With respect to Number 5, I think we are
21 okay with that. There possibly needs to be -- some of the
22 agencies -- we need to make sure that the agencies all have
23 some type of -- maybe have something that is a little more user
24 friendly. I know that we have -- DCF has a wonderful product
25 that we use and we appreciate that. But to the extent there is

1 some other agency that doesn't have the letter that is so easy
2 to use, then perhaps we could work with some of these agencies,
3 if necessary, to get something similar, because the DCF is
4 certainly a good tool for us. It simplified our life quite a
5 bit.

6 MR. CHRISTIAN: Verizon doesn't have any issues with
7 this language.

8 MR. REHWINKEL: We don't have any issues with this
9 language. We do support, like BellSouth said, I think it would
10 be great if we have some standard form which we can receive so
11 that we don't get incomplete information. That is where the
12 biggest problem comes is when we get information and it is
13 incomplete.

14 MS. CIBULA: Any comment on Subsection 5 from those
15 participating by telephone? Okay.

16 I guess we can move to Subsection 6.

17 MS. SIMS: Okay. Subsection 6. This is one that we
18 feel like maybe should be shelved until we get through the next
19 docket. Mainly because it possibly has a bleedover effect from
20 whether or not we do self-certification. If we do
21 self-certification, we have a strong desire to possibly do
22 recertification more often than once a year because of the fact
23 that you might be opening yourself up more for fraud.
24 Especially if we don't know whether the 3.50 will be kicked in
25 or not, but it is still federal funds, it is still taxpayer

1 funds that need to be certainly utilized in the appropriate
2 way. We feel like just shelve it unless you want to change
3 this wording to say at a minimum once a year, but --

4 MR. CASEY: Doesn't the FCC order say that it will be
5 annual recertification?

6 MS. SIMS: It is at a minimum.

7 MS. SIRIANNI: The FCC order states at a minimum.

8 MS. SIMS: So we feel like maybe you should shelve
9 this one if you want to wait and see how the self-certification
10 comes out.

11 MR. BECK: Let me respond to that. We are not
12 interested in shelving this pending the outcome of the other
13 docket. I mean, who knows how long that is going to take given
14 the positions that the companies have taken. And if they are
15 unhappy with the ultimate result of the Commission, I could
16 certainly foresee them filing an appeal. We are not interested
17 in delaying this for an indeterminate amount of time.

18 MS. SIMS: Are you open to the wording at a minimum
19 of one year?

20 MR. BECK: Absolutely requiring it once a year, no, I
21 don't think so.

22 MS. SIMS: No, just saying that --

23 MS. SIRIANNI: That you will do at least --

24 MR. BECK: No. I mean, Sprint, for example, doesn't
25 do it now. I mean, this would impose a requirement that some

1 companies aren't even doing that.

2 MS. SIRIANNI: Well, then what we need to come up
3 with is something that doesn't say that it is only once a year,
4 because we may choose to do it every six months.

5 MR. BECK: And what we are proposing would stop you
6 from doing that. I mean, we like it the way it is. We don't
7 want you doing it every six months.

8 MR. CASEY: Maryrose, could you let me know where the
9 FCC -- you know, not right now, send me an e-mail.

10 MS. SIRIANNI: I have it here and I will --

11 MR. CASEY: That is not what I believe they said. I
12 have an order here that says, "We adopt the Joint Board's
13 recommendation to require ETCs to verify annually the continued
14 eligibility of a statistically valid sample of their Lifeline
15 subscribers."

16 MR. POUCHER: I can tell us what that is.

17 MR. CASEY: If you can quote that, that would be
18 great.

19 MR. POUCHER: I can update you on that. It doesn't
20 apply to Florida. That is only default states, first of all.
21 So if Florida has its own program, we are free to do what we
22 want to do. The only issue before the FCC was whether it
23 should be every two years, or three years, or one year. And
24 the Commission decided for the default states that they would
25 want an annual certification. They never discussed or even

1 considered, that was not an issue before the FCC that it should
2 be a lesser time.

3 MR. CASEY: Right. Not at a minimum?

4 MR. POUCHER: What?

5 MR. CASEY: Not at a minimum. You say a minimum of
6 one year.

7 MR. POUCHER: No, they never discussed or even
8 considered more frequent than once a year, and it only applies
9 to default states. Each of the states who have their own
10 program are free to do whatever they think is the best thing
11 for their customers.

12 MS. SIMS: We will look at that. But what is driving
13 our feeling is the fact that if self-certification goes in that
14 we feel like it needs to be more often because we are not going
15 to have any -- what we will have up front is not necessarily
16 proof from an agency that this person is eligible, and this
17 person could be on the rolls for a whole year and never have
18 actually been eligible and we will catch them 12 months later.

19 MR. REHWINKEL: Sprint doesn't have a position on
20 this, but let me suggest, could you put a caveat in here that
21 this does not apply for customers who self-certify? Would that
22 get you around that?

23 MS. SIMS: Well, I wouldn't want to put it in -- I
24 wouldn't want to put in at this point because
25 self-certification is not required yet.

1 MR. REHWINKEL: I understand. But I was just
2 wondering if that is the issue, could you accommodate both by
3 having some --

4 MS. SIMS: I don't think -- the way our process would
5 work, I think our process is going to take the whole list of
6 eligible --

7 MR. REHWINKEL: I withdraw my suggestion. But we
8 don't have a position on that, just for the record.

9 MR. McCABE: I guess I have a question of Nancy
10 regarding certification on the income-based eligibility. That
11 doesn't match in with the bashing against DCF.

12 MS. SIMS: We wouldn't be doing the certification on
13 the income-based --

14 MR. McCABE: That is what I was thinking. You know,
15 perhaps we separate those two out, that we don't do
16 recertification within a year for the income based, and that
17 would make it easier for the Office of Public Counsel.

18 MR. CHRISTIAN: Let me make one suggestion about
19 that, Tom. We believe that the FCC's order applies to every
20 state, not default states. And that includes every Lifeline
21 process, and that would include the income-based eligibility
22 tests that OPC currently does as well as the ETCs. We have
23 already filed a tariff that have moved from six months to one
24 year. That is our interpretation of the order. BellSouth and
25 others may have different interpretations. We also believe

1 that recertification will need to be done on an annual basis by
2 OPC of the customers they certify.

3 MR. CASEY: BellSouth, I noticed in your comments
4 after the first workshop you said that we would suggest that it
5 be done on an annual basis at this point. Now, the only reason
6 that you wouldn't want it on an annual basis now is because if
7 recertification comes around, is that it?

8 MS. SIMS: Self-certification.

9 MR. CASEY: Self-certification, I'm sorry.

10 MS. SIMS: And the income-based would be -- they
11 would not be part of this process.

12 MR. POUCHER: The income-based eligibility is the
13 only part that was addressed by the FCC. And, of course,
14 Public Counsel does income-based certification, not BellSouth
15 or any of the other companies, so that is really not an issue
16 here. What is at issue here in this order is the rest of the
17 recertification processes that the companies are going to do
18 based on program participation.

19 MS. BULECZA-BANKS: We might end up with some issues,
20 however, if we have other ETCs that come on line unless, you
21 know, it ends up being that Public Counsel ends up doing the
22 certification for those also.

23 MS. CIBULA: Any comments on Subsection 6 by those
24 participating by telephone? Okay.

25 We will move to Subsection 7.

1 MS. SIMS: Okay. Subsection 7. The only problem we
2 have with that is the hand delivery. We don't have -- unless
3 they hand-deliver it here in Tallahassee to our office, we
4 don't really have any location for them to hand-deliver. Now,
5 they can e-mail, they can fax, they can regular mail. So the
6 hand delivery was a problem. Now, I know it says or hand
7 delivery, but it is giving that option to the customer, and
8 with it in there, we don't provide that option.

9 MR. CASEY: How about or hand delivery if available?

10 MS. SIMS: That would be fine.

11 MS. BULECZA-BANKS: So if I'm a customer and I were
12 to go to a BellSouth office, I can't give it to them?

13 MS. SIMS: We don't have any business offices.

14 MS. BULECZA-BANKS: No business office at all?

15 MS. SIMS: No, we do not. We have payment agents,
16 but they do not accept, you know, verification for Lifeline at
17 those payment agents. Besides the payment agents do charge for
18 accepting bills and so forth, so that would not be a good
19 option.

20 MR. REHWINKEL: We have no problem with 7, unless it
21 is intended to give people an option that they don't have to
22 hand-deliver right now, which I don't know if there are very
23 many of those in the state.

24 MR. CHRISTIAN: We still have about 19 retail outlets
25 open that customers can drop off their information. Is that

1 right, hand delivery in Tampa? I believe they can. I need to
2 check on that and we will address that in comments, but my
3 understanding is they can drop it off. And I'm sure someone
4 will correct me on my staff if I'm wrong.

5 MR. REHWINKEL: We have no problem.

6 MS. CIBULA: Anyone participating by telephone that
7 has comments on Subsection 7? Okay. Let's move to Subsection
8 8.

9 MS. SIMS: BellSouth is okay with Subsection 8.

10 MR. BECK: Let me just comment. There is a comment
11 on the staff's on Number 8 saying not clear what (c) means.
12 The point, the purpose of Subsection (c) is that the company
13 would give a notice to a customer if they intended to drop them
14 from Lifeline. This would give the customer an opportunity
15 to -- by challenge it means to respond to the company and say
16 you have determined I'm not eligible, I am, and here is why.
17 And the 60-day period would be for a customer, you could call a
18 challenge, you could reword it to ask the company to reconsider
19 its determination. But that is the point of Number 7. It is
20 to give an opportunity to respond before the company actually
21 takes away Lifeline.

22 MR. CASEY: What we were concerned with there is who
23 do they challenge it to. Do they challenge it to the
24 Commission, to the company, to the FCC?

25 MR. BECK: No, I think the point would be to the

1 company. I mean, you could change it to request the company to
2 reconsider its determination if that were an issue for anybody.
3 I don't know whether it is or not.

4 MS. CIBULA: Any more comments on Subsection 8?

5 MR. CHRISTIAN: I think this language is consistent
6 with the FCC's order and their language on recertification.
7 This is certainly our process today in Verizon. We have
8 changed the challenge period from 30 days to 60 days, and we
9 believe that that challenge would be handled by the company.

10 MR. McCABE: I would just like some clarification to
11 (a), you know, how one goes about determining recertification,
12 or what have you, depending on the number of customers. I
13 mean, we simply may ask -- send out notification to customers
14 asking them to recertify and provide documentation. If they
15 don't respond to us, then (a) would seem to still indicate that
16 I would not be able to discontinue Lifeline until I have
17 determined that the customer is no longer eligible, yet the
18 customer decides that they are not going to follow up and come
19 back to me. I think that (b) and (c) I don't have a problem
20 with; (a), to me, seems to get a little bit confusing.

21 MR. CHRISTIAN: Tom, I think that refers to the
22 process that some of the larger carriers may have with the
23 Department of Children and Families where we use the electronic
24 --

25 MR. McCABE: I understand that.

1 MR. CHRISTIAN: It might not apply to you, and I
2 understand your confusion.

3 MR. McCABE: I mean, I think (b) and (c) are just
4 fine, because we would send out a notification and it would
5 come back. And if that customer refuses to, you know, respond,
6 that is where we find ourselves discontinuing.

7 MR. BECK: Right. I don't think there is a problem
8 with what we intended there. I mean, if they go for
9 recertification and the customer doesn't respond and they have
10 determined that they are not eligible based on the lack of
11 response, they send a notification to the customer saying we
12 are going to take it away, then there is that challenge period
13 where the customer can go, wait a second, I am eligible.

14 MR. McCABE: Okay. That's fine.

15 MR. CASEY: Don't you give them some period of time
16 to respond?

17 MR. McCABE: Sure. I mean, a lot of people don't
18 respond. I mean, we are comfortable with that understanding.

19 MS. CIBULA: Anyone participating by telephone that
20 wants to comment on Subsection 8? Okay. Any other comments in
21 general on the rule? Okay.

22 I guess the next thing to look at is how we are going
23 to proceed. Like I mentioned earlier, we are planning on
24 having -- to give you guys an opportunity to provide written
25 comments on the draft rule language, and we are thinking that

1 maybe you could give your comments to us by December 6th, since
2 the holidays and everything are coming up and we want to, like,
3 give you all some time to --

4 MR. CHRISTIAN: We have got testimony due on the
5 eligibility docket ten days later. I mean, I guess it would be
6 best to get these comments out of the way, but is there any
7 chance we can put these out to the first of January? Just an
8 idea. I mean, my comments are due December 17th in the
9 eligibility docket.

10 MR. CASEY: The December 17th date for the other
11 docket would be rebuttal testimony.

12 MR. CHRISTIAN: Yes, sir.

13 MR. REHWINKEL: Samantha, could I suggest something?

14 MS. CIBULA: Sure.

15 MR. REHWINKEL: Is that maybe the companies will try
16 to get together next week and see if we can come up with
17 something to propose to Public Counsel and to staff, and set up
18 a meeting for the week after next. Just fix it here, set it,
19 everybody make those dates, and we will try to get this -- see
20 if we can kind of take one stab at coming up with a common set
21 of principles that we can live with either as a rule or
22 something that would operate to bind us all.

23 And, you know, we can go ahead and set the comment
24 time frame, but I think it would be worthwhile. I think I
25 heard a lot of willingness to kind of -- I wouldn't say

1 compromise, but come up with language that would meet
2 everybody's expectations here today. We heard some new ideas
3 from Public Counsel on some issues that have been thorny, so
4 maybe that would be worthwhile for us to do, get one last shot
5 at doing before we proceed forward. I mean, I have no problem
6 with setting a time frame for filing comments, but we can all
7 commit here, I think, to us meet internally and then the week
8 after next get together.

9 MS. CIBULA: That sounds good to us.

10 MR. REHWINKEL: Does that sound good, Charlie?

11 MR. CASEY: And if you do get together, remember keep
12 in the back of your mind that there is wireless ETCs coming in
13 and CLECs.

14 MR. REHWINKEL: We'll explore that. I mean, one of
15 the things that you could do is, you know, maybe state the
16 rules at a level that is general enough to accommodate
17 differences in people's processes, but accomplishes the goals
18 you have. I know one of the things that is a proposal out
19 there in the service quality rules is to have rules, and then
20 an option that those rules don't apply if you have this other
21 arrangement, so it is something we could explore, as well.

22 MR. CASEY: After thinking about it, I remember those
23 orders now for the wireless ETCs. They state that they have to
24 follow the state program, not the rules, the state ETC program.

25 MR. REHWINKEL: We'll take a look at that, too.

1 MR. CHRISTIAN: When you mean the ETC program, what
2 are you referring to? Because the current Lifeline program is
3 tariffed by each individual company, so I'm curious about what
4 you think the ETC program is.

5 MR. CASEY: And that is the thing, do we need a rule?
6 Do we need to take all of these things and put them in a rule
7 so anybody that comes in knows what the rules are. That's up
8 for discussion.

9 MR. BECK: We agree.

10 MS. CIBULA: Upon further review we would still like
11 the comments on December 6th. Because if we start pushing it
12 out later, it is going to get closer to the hearing and --

13 MR. CHRISTIAN: Well, we will work to get those done
14 on December 6th.

15 MS. CIBULA: -- might cause problems, as well.

16 MR. CHRISTIAN: Thank you for considering it in the
17 first place.

18 MR. REHWINKEL: Well, I think if you set the 6th out
19 there and then we have a meeting set on the week of the 22nd
20 that it would give everyone incentive to not have to do those
21 comments, or at least file as their comments here is what we
22 propose if we can all agree.

23 MS. CIBULA: Okay. So December 6th is the date for
24 comments. And file it in the docket.

25 MR. REHWINKEL: Okay.

1 MS. CIBULA: Any other pending matters?

2 MR. REHWINKEL: I would just say for everyone's
3 edification that Thanksgiving is the 25th, so maybe Monday or
4 Tuesday the 22nd or 23rd is the date that everyone ought to
5 look for to get together.

6 (Inaudible.)

7 MR. REHWINKEL: Okay. The 19th? Can we all meet on
8 the 19th, and the companies just meet ahead of that? Sounds
9 good. Charlie, is the 19th -- not good for you all?

10 MR. BECK: Not that day at least.

11 MR. REHWINKEL: What about the 18th?

12 MR. BECK: Is the 18th a Wednesday?

13 MR. REHWINKEL: Thursday.

14 MR. BECK: That Wednesday, Thursday, and Friday I'm
15 out.

16 MR. REHWINKEL: Okay. What about the 29th or 30th?

17 MR. BECK: Yes, that's fine.

18 MR. REHWINKEL: That's good.

19 SPEAKER: The agenda conference is the 30th.

20 MR. REHWINKEL: The 29th? Okay. I guess we'll work
21 together to set up a meeting. And I would assume that it would
22 be with the companies, Public Counsel, and the staff if you all
23 wanted to join. Okay. All right. Okay. And so it will be up
24 to us to meet ahead of that time.

25 MS. CIBULA: Okay. And with that we can adjourn.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF FLORIDA)

:

CERTIFICATE OF REPORTER

COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, Office of Hearing Reporter Services, FPSC Division of Commission Clerk and Administrative Services, do hereby certify that the foregoing proceeding was heard at the time and place herein stated.

IT IS FURTHER CERTIFIED that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript constitutes a true transcription of my notes of said proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 17th day of November, 2004.



JANE FAUROT, RPR
Chief, Office of Hearing Reporter Services
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732