

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

UNDOCKETED

IN RE: PROPOSED AMENDMENT OF RULE 25-4.0665, LIFELINE SERVICE

NOTICE OF PROPOSED RULE DEVELOPMENT

TO

ALL INTERESTED PERSONS

ISSUED: January 23, 2007

NOTICE is hereby given, pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated the development of Rule 25-4.0665, Florida Administrative Code, to amend provisions pertaining to Lifeline service.

The attached Notice of Proposed Rule Development appeared in the January 12, 2007, edition of the Florida Administrative Weekly. A rule development workshop will be held at the following time and place:

Florida Public Service Commission  
9:30 a.m., Tuesday, February 6, 2007  
Betty Easley Conference Center  
Room 148  
4075 Esplanade Way  
Tallahassee, Florida

One or more Commissioners may be in attendance at this workshop. A copy of the draft rule and agenda for the workshop is attached to this Notice.

Workshop participants who plan to use visual aids during the course of their presentation, such as PowerPoint, must provide an electronic copy and 21 hard copies of the presentation at least three days prior to the workshop to Samantha Cibula, who may be contacted at (850) 413-6202 or [scibula@psc.state.fl.us](mailto:scibula@psc.state.fl.us).

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

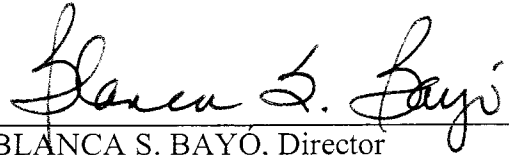
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By DIRECTION of the Florida Public Service Commission, this 23rd day of January,  
2007.

A handwritten signature in black ink, reading "Blanca S. Bayo". The signature is written in a cursive style with a horizontal line underneath it.

BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

(SEAL)

SMC

Notice of Development of Rulemaking

**PUBLIC SERVICE COMMISSION**

**Departmental**

RULE NO: RULE TITLE

25-4.0665: Lifeline Service

PURPOSE AND EFFECT: To amend the rule to codify the Commission's criteria for Lifeline enrollment, to require eligible telecommunications carriers to offer Link-Up as part of their Lifeline Assistance plan, to require the verification of continued eligibility for Lifeline service, to set forth application and reporting requirements, and to implement Lifeline service objectives.

SUBJECT AREA TO BE ADDRESSED: Lifeline service

SPECIFIC AUTHORITY: 350.127(2), 364.10(3)(j), FS

LAW IMPLEMENTED: 350.123, 364.10, 364.105, 364.17, 364.18, 364.183(1), FS

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, February 6, 2007 - 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL  
One or more Commissioners may attend this workshop.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Division of the Commission Clerk and Administrative Services at (850) 413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Curtis Williams, Division of Competitive Markets & Enforcement, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862 (850)413-6924.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

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25-4.0665 Lifeline Service

(1) In accordance with 47 C.F.R. s. 54.409(a), which is incorporated herein by reference, a subscriber is eligible for Lifeline service if:

(a) the subscriber is a participant in one of the following federal assistance programs:

1. Medicaid,
2. Food Stamps,
3. Supplemental Security Income (SSI),
4. Temporary Assistance for Needy Families (TANF),
5. Federal Public Housing Assistance (Section 8),
6. Low-Income Home Energy Assistance Program (LIHEAP), or
7. The National School Lunch (NSL) Program – Free Lunch; or

(b) the subscriber's household income is at 135 percent or below the federal poverty income guidelines.

(2) In accordance with 47 C.F.R. s. 54.409(c), which is incorporated herein by reference, a subscriber living on federally recognized Tribal lands, who does not satisfy the qualifications for Lifeline service in subsection (1) of this rule, is nevertheless eligible for Lifeline service if the subscriber receives benefits from one of the following federal assistance programs:

- (a) Tribal administered TANF,
- (b) NSL Program – Free Lunch, or
- (c) Head Start.

(3) The Lifeline service discount shall be applied to the basic local exchange service rate, or the telephone portion of any service offering which combines basic local exchange service with nonbasic service (e.g., a service package combining basic local exchange service with call waiting, call forwarding, and voice mail).

(4) As part of an eligible telecommunications carrier's (ETC) Lifeline Assistance Plan, an ETC must offer a subscriber eligible for Lifeline service, pursuant to subsections (1) and (2) of this rule, Link Up service in accordance with 47 C.F.R. s. 54.411, which is incorporated herein by reference.

(5) An ETC may use Form (00), entitled "Application for Link-Up Florida and Lifeline Assistance Telephone Savings Programs," which is incorporated herein by reference and may be obtained from the Division of Competitive Markets & Enforcement, when enrolling customers in the Lifeline service program under paragraph (1)(a) of this rule.

(6) All ETCs shall accept the "Lifeline and Link-Up Florida On-Line Self Certification Form" as proof of a subscriber's eligibility for Link-Up and Lifeline Service.

(a) A subscriber may access the "Lifeline and Link-Up Florida On-Line Self Certification Form" at the Commission's website, located at [www.floridapsc.com](http://www.floridapsc.com), then clicking on "Link-Up and Lifeline Florida," then clicking on "Apply Online."  
If the subscriber chooses to apply for Lifeline service by using the "Lifeline and Link-Up Florida On-Line Self Certification Form," the subscriber must provide the following information as part of his application:

1. The subscriber's name.
2. The subscriber's address.

3. The city in which the subscriber resides.

4. The state in which the subscriber resides.

5. The subscriber's zip code.

6. The subscriber's 10 digit telephone number.

7. The date the subscriber submits the application.

8. The last 4 digits of the subscriber's social security number.

9. The subscriber's telephone service provider.

10. The subscriber's affirmation that the subscriber participates in one or more of the programs set forth in subsection (1)(a) of this rule.

11. The subscriber's affirmation that he will notify his local telephone company when he no longer is a participant in one of the programs set forth in subsection (1)(a) of this rule.

12. The subscriber's affirmation that he will allow the Commission to provide to the local telephone company the status of the subscriber's participation in the programs set forth in subsection (1)(a) of this rule on the condition that the information will be held by the company as confidential customer account information.

13. The subscriber's statement that he agrees with the terms of the application.

(b) ETCs shall maintain the names, e-mail addresses, and telephone numbers of one primary and one secondary company representative who will be responsible for retrieving the "Lifeline and Link-Up Florida On-Line Self Certification Form" from the Commission's website and managing the user accounts for the company. ETCs shall provide this information to the Commission upon the Commission's request.

(7) The ETC must accept Public Assistance eligibility determination letters, such as those provided for food stamps and Medicaid, and public housing lease agreements, as proof of the subscriber's eligibility for Link-Up and Lifeline enrollment and verification.

(8) ETCs must allow customers the option to submit Link-Up or Lifeline applications via mail, facsimile or electronically. ETCs must also allow customers the option to mail or facsimile copies of supporting documents.

(9) ETCs shall provide the subscriber with an application receipt. The receipt must include the date the ETC received the subscriber's application along with a list of the documents, if any, that were provided with the application. The receipt shall be provided within 3 days of the ETC receiving the application.

(10) ETCs shall only require a customer to provide the last four digits of the customer's social security number for application for Lifeline and Link-Up service and to verify continued eligibility for the programs.

(11) An ETC shall be responsible for an annual verification audit of Lifeline subscribers' continued eligibility for Lifeline service under subsections (1) and (2) of this rule, as required by 47 C.F.R. s. 54.410, which is incorporated herein by reference. At a minimum, the verification audit shall be conducted using a statistically valid sample of the ETC's Lifeline subscribers.

(12) An ETC must provide to the Commission annually a copy of the certification letter to the Federal Communications Commission demonstrating that the ETC conducted the annual Lifeline verification of Lifeline subscribers' continued eligibility.

(13) If the Office of Public Counsel certifies a subscriber eligible to receive Lifeline service under the income test set forth in Section 364.10(3)(a), F.S., an ETC shall not impose any additional verification requirements on the subscriber.

(14) An ETC shall not impose additional verification requirements on subscribers beyond that which is mandated by 47 C.F.R. s. 54.410 and subsections (1) and (2) of this rule.

~~(1)~~ (15) If an ETC believes that a subscriber no longer qualifies for Lifeline service, An eligible telecommunications carrier the ETC must provide 60 days written notice prior to the termination of Lifeline service. The notice of pending termination shall contain the telephone number at which the subscriber can obtain information about the subscriber's Lifeline service from the eligible telecommunications carrier ETC. The notice shall also inform the subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic local telecommunications service.

~~(2)~~ (16) If a subscriber's Lifeline service is terminated and the subscriber subsequently presents proof of Lifeline eligibility, the eligible telecommunications carrier ETC shall reinstate the subscriber's Lifeline service as soon as practicable, but no later than 60 days following receipt of proof of eligibility. The ETC shall provide the subscriber with an application receipt as set forth in subsection (9) of this rule. Irrespective of the date on which the eligible telecommunications carrier ETC reinstates the subscriber's Lifeline service, the subscriber's bill shall be credited for Lifeline service as of the date the eligible telecommunications carrier ETC received the proof of continued Lifeline eligibility.

(17) An ETC must advertise the availability of Lifeline service to those who may be eligible for the service. At a minimum, if the ETC publishes a directory, the ETC must include



in the index of the directory a notice of the availability of Lifeline service. The ETC must also place an insert in the subscribers' bill or a message on the subscriber's bill at least once each calendar year advising subscribers of the availability of Lifeline service.

(18) A subscriber may only receive Link-Up and Lifeline service for one access line, with the exception that Lifeline-eligible Deaf or Hard of Hearing subscribers, who may qualify for two phone lines at Lifeline service rates if the subscriber uses a Telecommunications Device for the Deaf (TTY/TDD) text phone or Voice Carry-Over (VCO) phone that requires two lines.

(19) Each ETC shall offer the consumer the option of blocking all toll calls or, if technically feasible, placing a limit on the number of toll calls the consumer can make. The ETC may not charge the consumer an administrative charge or other additional fee for blocking options. An ETC may block a Lifeline service subscriber's access to all long-distance service, except for toll-free numbers, and may block the ability to accept collect calls when the subscriber owes an outstanding amount for long-distance service or amounts resulting from collect calls. The ETC may not impose a charge for blocking long-distance service. The ETC shall remove the block at the request of the subscriber without additional cost to the subscriber upon payment of the outstanding amount. An ETC may charge a service deposit before removing the block.

(20) An ETC may not collect a service deposit in order to initiate Lifeline service if the qualifying subscriber voluntarily elects toll blocking or toll limitation. If the qualifying subscriber elects not to place toll blocking on the line, an ETC may charge a service deposit.

(21) An ETC may not charge Lifeline subscribers a monthly number-portability charge.

(22) An ETC may not discontinue basic local exchange telephone service to a Lifeline subscriber because of nonpayment by the subscriber of charges for nonbasic services billed by the telecommunications company, including long-distance. A subscriber who receives Lifeline service shall be required to pay all applicable basic local exchange service fees, including the subscriber line charge, E-911, telephone relay system charges, and applicable state and federal taxes.

(23) An ETC may not refuse to connect, reconnect, or provide Lifeline service because of unpaid toll charges or nonbasic charges other than basic local exchange service.

(24) An ETC may require that payment arrangements be made for outstanding debt associated with basic local exchange service, subscriber line charges, E-911, telephone relay system charges, and applicable state and federal taxes.

(25) ETCs offering Link-Up and Lifeline service must submit quarterly reports to the Commission's Director of Competitive Markets & Enforcement no later than two weeks following the ending of each quarter as follows: First Quarter (January 1 through March 31); Second Quarter (April 1 through June 30); Third Quarter (July 1 through September 30); Fourth Quarter (October 1 through December 31). The quarterly reports shall include the following data:

(a) The number of Lifeline subscribers for each month during the quarter.

(b) The number of subscribers denied Lifeline service for each month during the quarter, including the reasons the subscribers were denied.

(c) The number of subscribers who received Link-Up for each month during the quarter.

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(d) The number of new Lifeline subscribers added each month during the quarter.

(e) The number of Lifeline subscribers removed from Lifeline service for each month during the quarter

(f) The number of Lifeline subscribers removed from Lifeline service for each month during the quarter for each of the following reasons:

1. Non-payment;
2. No longer eligible to receive benefits;
3. Abandoned Service;
4. Switched Phone Companies; and
5. Other (specify).

(g) The number of Lifeline subscribers who have ancillary services in addition to basic telephone service during the quarter.

(h) The number of Lifeline subscribers who have bundled service offerings during the quarter.

(i) The number of subscribers who received discounted service, pursuant to Section 364.105, F.S., for each month during the quarter.

(j) The number of subscribers who have Link-Up and Lifeline through subsection (2) of this rule during the quarter.

(k) The number of residential access lines with Lifeline service that were resold to other carriers each month during the quarter.

(l) The entity that submitted each Lifeline application to the ETC during the quarter and whether the application was accepted or denied.

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Specific Authority 350.127(2), 364.0252, 364.10(3)(j), F.S.

Law Implemented 350.123, 364.0252, 364.10, 364.105, 364.17, 364.18, 364.183(1), FS

History New 1-2-07, Amended XX-XX-XX.

**AGENDA**

**UNDOCKETED: PROPOSED AMENDMENT OF RULE 25-4.0665, LIFELINE  
SERVICE**

**RULE DEVELOPMENT WORKSHOP**

9:30 a.m., Tuesday, February 6, 2007  
Room 148, Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida

**OPENING REMARKS OF COMMISSION STAFF**

**DISCUSSION OF ISSUES**

- I. The application of the Lifeline service program to bundled offerings
- II. Verification of continued Lifeline eligibility
- III. Frequency of and information to be included in reports to Commission on Lifeline service
- IV. Progress on automatic enrollment in the Lifeline service program via the Department of Children and Families
- V. Other matters relating to the draft rule language

**SCHEDULE FOR ANY POST-WORKSHOP WRITTEN COMMENTS**

**CLOSING REMARKS**