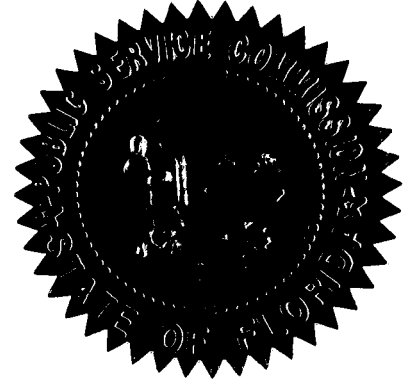


BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 060677-TL

In the Matter of

JOINT PETITION TO IMPLEMENT PRACTICES  
AND PROCEDURES WITH DEPARTMENT OF  
CHILDREN AND FAMILIES TO AUTOMATICALLY  
ENROLL ELIGIBLE CUSTOMERS IN LIFELINE  
TELEPHONE PROGRAM, BY CITIZENS OF FLORIDA  
AND AARP.



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PROCEEDINGS:           AGENDA CONFERENCE  
                          ITEM NO. 2

BEFORE:                 CHAIRMAN LISA POLAK EDGAR  
                          COMMISSIONER MATTHEW M. CARTER, II  
                          COMMISSIONER KATRINA J. MCMURRIAN

DATE:                   Tuesday, April 24, 2007

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

REPORTED BY:         JANE FAUROT, RPR  
                          Official Commission Reporter  
                          (850)413-6732

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FLORIDA PUBLIC SERVICE COMMISSION

FPSC-COMMISSION CLERK

1 APPEARANCES:

2 CHARLES E. MILSTED, appearing on behalf of AARP.

3 CHARLES BECK, ESQUIRE, and CHANEL WHITE, appearing  
4 on behalf of the Citizens of the State of Florida

5 CECILIA BRADLEY, ESQUIRE, appearing on behalf of  
6 the Office of the Attorney General.

7 ADAM TEITZMAN, ESQUIRE, appearing on behalf of the  
8 Commission Staff.

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## P R O C E E D I N G S

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2 CHAIRMAN EDGAR: We will begin our discussions with  
3 Item 2.

4 MR. CASEY: Good morning, Commissioners, Bob Casey on  
5 behalf of staff.

6 Item Number 2 addresses OPC's and AARP's petition to  
7 implement Lifeline automatic enrollment. The petition requests  
8 that the Commission order Florida's local exchange companies to  
9 implement practices and procedures with the Department of  
10 Children and Families to automatically enroll eligible  
11 customers in the Lifeline telephone program.

12 At this time staff is recommending that the  
13 Commission place this docket in abeyance without ruling on its  
14 merits in order to obtain more experience with and data from  
15 the existing Lifeline automatic enrollment system with DCF.  
16 This will also provide time to receive feedback from the  
17 parties and to evaluate any potential relevant statute  
18 modifications.

19 Although this new process isn't exactly what the  
20 petitioners have requested, leaving this docket open will allow  
21 staff and the parties to adjust or tweak the system to improve  
22 it. Staff believes this is an ongoing process and not an end.

23 The DCF, PSC Lifeline automatic enrollment process  
24 began just three weeks ago today. To date we have received  
25 over 5,400 Lifeline applications, which includes over 1,600

1 just this past week.

2 We do have some parties here this morning for this  
3 item. From DCF we have Ilene Schilling, Connie Riblett, Debbie  
4 Owens, and Cindy Keel, (phonetic) who are here to answer any  
5 questions Commissioners may have. We also have Mr. Charlie  
6 Beck and Ms. Chanel White from the Office of Public Counsel;  
7 Mr. Charles Milsted from AARP; and Ms. Cecila Bradley from the  
8 Attorney General's Office, who would like to speak before the  
9 Commission.

10 And staff is prepared to address any questions or  
11 proceed as the Chairman wishes.

12 CHAIRMAN EDGAR: Thank you. Before we go on to hear  
13 from those who are here to participate in the discussion on  
14 this item, I want to open it up by saying a sincere thank you  
15 to everybody who has participated with the Commission on this  
16 item.

17 Commissioners, as you know, a lot of work has gone  
18 into getting us to the point where we are, a lot of work from  
19 our staff, a lot of work from the Office of Public Counsel.  
20 Mr. Beck, thank you for your work and for the work of your  
21 Staff. Work from AARP, from the Attorney General's office, and  
22 in particular staff and the support of the agency head and  
23 management of the Department of Children and Families, and the  
24 work of the companies, as well.

25 As we have heard, the enrollment numbers just the

1 past few weeks have been quite impressive. I know there is  
2 more work to be done, and we will continue to learn as we move  
3 through this new process that we have put in place, but a lot  
4 of good work has been done, and I am very, very appreciative.

5 And so who would like to begin?

6 Mr. Beck.

7 MR. BECK: Thank you, Madam Chairman. Good morning,  
8 Commissioners. I thank you for having this item today, and,  
9 once again, congratulations on the new Lifeline sign-up  
10 enrollment procedure.

11 I think it's going to be the most significant step  
12 that has been taken in the history of Lifeline to get new  
13 customers. It will get eligible customers enrolled in the  
14 program. The numbers have been stagnant for years now, you  
15 know, hovering around 12 or 13 percent. And already you can  
16 see a significant improvement. So we are really looking  
17 forward to the new program going into effect.

18 We also look forward to working with staff. We have  
19 met with staff, with the Department of Children and Families,  
20 everybody has been very cooperative in seeing this through.

21 We do have some issues on the enrollment process.  
22 One of them is there is questions on the enrollment process  
23 where a person is required to answer yes or no whether they are  
24 interested in a Lifeline discount. It remains to see how many  
25 people answer that yes or no, and how many people don't answer

1 at all. And what to do if you don't -- if there is a  
2 significant number of people who doesn't answer it, because  
3 right now that stops the process in its tracks.

4 We also have interest in the wording of the  
5 application, but all of these things I think we need to see how  
6 it works. You know, we agree with the deferral. Let's see how  
7 it works, let's see what issues arise and what kind of results  
8 we get. We do not object to the deferral that staff proposed  
9 this morning. There is certain ambiguity, I think, in whether  
10 this proposal or the PAA order is actually a denial on the  
11 merits of our petition. And we don't think it is. We'd ask  
12 for clarification of that. If it is, that puts us in an issue  
13 of having to protest that. But we would prefer to defer the  
14 item, work with staff and DCF and help make this the best  
15 program it can be.

16 Thank you.

17 CHAIRMAN EDGAR: Thank you, Mr. Beck.

18 And I will look here in a moment to Mr. Teitzman for  
19 that clarification on the procedural/legal question that you  
20 have raised. I know my understanding going through this item  
21 and getting ready to be here this morning is that we would be  
22 basically holding it pending or in abeyance, which I did not  
23 read as a denial on the merits.

24 But for clarification, Mr. Teitzman, or Mr. Cooke.

25 MR. TEITZMAN: That is correct, Chairman, it is not a

1 denial on the merits.

2 CHAIRMAN EDGAR: Mr. Beck.

3 MR. BECK: Thank you. That helps.

4 CHAIRMAN EDGAR: Wonderful.

5 Ms. Bradley.

6 MS. BRADLEY: Thank you. With the clarification I  
7 think we all feel a lot better about this and are anxious to  
8 work with everyone and appreciate the efforts by the Public  
9 Service Commission and the Department of Children and Families  
10 in getting together and working on this and moving forward in  
11 what we hope will be a really effective program and really  
12 accomplish a lot for the Citizens of Florida and we are very  
13 anxious to work with you. We agree that there may be some  
14 tweaking of some language to make sure it is automatic, but we  
15 look forward to that and appreciate the opportunity.

16 Thank you.

17 CHAIRMAN EDGAR: Thank you. And as I said, I know  
18 our staff will continue to work with all interested and  
19 involved and whatever we can do to continue to improve, or  
20 refine, or streamline, or clarify, we certainly have an  
21 interest in doing.

22 Mr. Milsted, thank you for joining us.

23 MR. MILSTED: Good morning, Madam Chair and  
24 Commissioners. Thank you very much for the opportunity to be  
25 here. I have been involved with Lifeline since 1999, and I was

1 surprised. Early on I thought this was really going to be  
2 simple. Everyone benefits, all we have to do is get the word  
3 out, and here we are in 2007. But I have to say we have made  
4 tremendous progress. I have really been heartened by what I  
5 have heard from the Commissioners, from the staff, and from the  
6 Department of Children and Families. I would just like to say  
7 thank you for all of your hard work, and if the hard work can  
8 continue, and certainly the support from OPC.

9           If we and AARP could just make a couple of  
10 suggestions, something for us to consider down the road. If  
11 there is a possibility of eliminating the yes box so a person  
12 would have to specifically opt out of Lifeline, they would have  
13 to specifically make a decision. And as Mr. Beck said, maybe  
14 they wouldn't answer either one of those boxes. But if we  
15 deleted the yes box and only had the no box in there, they  
16 would specifically say I would rather not have that additional  
17 program.

18           And if we could also suggest perhaps a six-month  
19 look/see period, have a time certain where we will stop and  
20 take a look at the system, see if there are refinements, any  
21 improvements that we could make in the system, we would  
22 certainly appreciate that.

23           And, again, thank you very much for your efforts and  
24 to DCF as well and your staff.

25           Thank you.



1 CHAIRMAN EDGAR: Mr. Milsted, thank you.

2 As I have said, I know that we are going to have an  
3 ongoing, hands-on, very involved participatory review and  
4 analysis as we continue to work on all of these issues. But to  
5 have, perhaps, Commissioners, and, of course, I will look to  
6 you for thoughts as well, but if we want to go ahead and maybe  
7 ask our staff in whatever mechanism is appropriate. Maybe IA  
8 is just a suggestion. But, Dr. Bane, I will look to you to  
9 help us schedule that, but in six months to have kind of a  
10 report back as to where we are and what the numbers are and  
11 what we have learned.

12 Mr. Milsted, that may kind of go with what you are  
13 suggesting.

14 Commissioner Carter.

15 COMMISSIONER CARTER: Thank you, Madam Chairman.  
16 This is a wonderful opportunity, first of all, to you and  
17 Commissioner McMurrian in our efforts to not be satisfied with  
18 the status quo on Lifeline. And this program has just been a  
19 tremendous, tremendous benefit working cooperatively with AARP,  
20 with the Attorney General's Office, with the Office of Public  
21 Counsel, and with the communities. In fact, on Friday night,  
22 this Friday coming, I will be in Live Oak speaking about  
23 Lifeline. And I think this is an added dimension, is that from  
24 '99 to '07, you know, the numbers just don't bear that out. So  
25 we have got to do everything possible.

1           So we are going to continue our efforts as the three  
2 of us are all still going out talking to people about Lifeline.  
3 But, also, this program is a fantastic opportunity because most  
4 of our less and our least fortunate in this state have some  
5 interplay with the Department of Children and Families. And  
6 this is just -- it is not a handout, it is a hand. And that's  
7 all people are looking for, and this is just a tremendous  
8 opportunity. I think last week at the press conference with  
9 you, and AARP, and the rest of the Commission, and the Attorney  
10 General's Office, and the Office of Public Counsel, and the  
11 phone companies themselves, and people from the public, they  
12 saw the energy and they saw how sincere we were and we are  
13 about providing this necessary program to the some of Florida's  
14 most unfortunate people.

15           But I tell you one thing, is that everybody is  
16 special, and we are doing everything humanly possible to do  
17 that. This program is dynamic. I think last week, I think you  
18 said we had like 4,000. So here we are now, 5,400 in just a  
19 week's time. So that shows that there is some momentum  
20 building. And with this new program in terms of the on-line  
21 sign up and our relationship with DCF, as well as the things  
22 that we are already doing, I think it is going to be a great  
23 opportunity.

24           So I commend the parties with working with us. We  
25 will continue to look at this. I think it is appropriate for

1 us to just wait and see how things work out and then go back.  
2 There are some good ideas, and I saw staff taking notes on the  
3 recommendations made by both OPC and the AARP and the Attorney  
4 General's office, and I think we are going to do some great  
5 things.

6 Thank you, Madam Chair.

7 CHAIRMAN EDGAR: Thank you.

8 Commissioner McMurrrian.

9 COMMISSIONER McMURRIAN: I certainly agree with the  
10 things that both of you have said, and I'm excited to see such  
11 good feedback from the public on these two processes that we  
12 have got going now.

13 As to the six month look/see, I think that is a very  
14 reasonable request. In fact, I was probably thinking sooner,  
15 but six months seems absolutely reasonable. And you asked for  
16 feedback on that, and I think that is probably what we all had  
17 in mind, was some kind of report back. And six months seems  
18 like a very reasonable time frame to me. With that said --

19 CHAIRMAN EDGAR: DCF, of course, deals -- or as  
20 cross-cutting has many programs dealing with Florida citizens  
21 who are eligible from the different programs and processes that  
22 are in place. But we also -- I know I have talked with our  
23 staff and will continue and reinvigorate our efforts to work  
24 with the Department of Elder Affairs, Department of Veterans  
25 Affairs, Department of Military Affairs, and any others that I

1 haven't thought of, to work with the constituencies that they  
2 serve, too, to see if there are some other things that we can  
3 put in place maybe to do some outreach along those lines. And  
4 I know we will also continue our work with our legislators who  
5 have their pulse on the needs of their communities and  
6 constituencies that they serve. So it's all good.

7 Mr. Beck, or Mr. Milsted, Ms. Bradley, any final  
8 comments?

9 CHAIRMAN EDGAR: Very well. Thank you for joining  
10 us.

11 Commissioners, we need a motion.

12 COMMISSIONER CARTER: Madam Chairman, I just wanted  
13 to kind of parenthetically put in a mention that a lot of  
14 people overlook, and that is with Department of Military  
15 Affairs. A lot of our military people in this state, when you  
16 consider what they are paid to pay the ultimate sacrifice,  
17 sometimes they don't have the benefits. When they go over to  
18 represent us, they leave their families here, and a lot of  
19 their families, particularly enlisted personnel, need that.

20 So I know that you said the Department of Military  
21 Affairs, and some people may blow that off, but that is a  
22 significant percentage of our population in Florida, and we  
23 want to do everything humanly possible to support them.

24 I believe, Madam Chairman, that I would move that we  
25 just hold this matter in abeyance until six months and revisit

1 it. I don't know if that would be appropriate with what staff  
2 has put here, but I think that would be --

3 CHAIRMAN EDGAR: Okay. If I may paraphrase,  
4 Commissioner, I think that you have offered a motion in support  
5 of the staff recommendation with the additional request for a  
6 report back in six months.

7 COMMISSIONER CARTER: Yes, ma'am.

8 CHAIRMAN EDGAR: Commissioner McMurrin.

9 COMMISSIONER McMURRIAN: I can second that. And I  
10 also wanted to note -- I forgot to mention this earlier, that I  
11 hope the other outreach efforts continue. I think we have all  
12 enjoyed being a part of that and going throughout the state and  
13 encouraging participation in Lifeline. And I hope that that  
14 continues, as well, so that people are aware of this. But I  
15 appreciate everyone's efforts, and I definitely second the  
16 motion.

17 CHAIRMAN EDGAR: Thank you.

18 And I concur, so all in favor say aye.

19 (Unanimous affirmative vote.)

20 CHAIRMAN EDGAR: Opposed?

21 Show it adopted. Thank you.

22 MR. BECK: Thank you, Commissioners.

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STATE OF FLORIDA )

CERTIFICATE OF REPORTER

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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.

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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 29TH DAY OF APRIL, 2007.



JANE FAUROT, RPR  
Official FPSC Hearings Reporter  
Office of the Commission Clerk  
(850) 413-6732