

State of Florida



Public Service Commission

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COMMISSION
CLERK

DATE: January 31, 2008

TO: Office of Commission Clerk (Cole)

FROM: Division of Competitive Markets & Enforcement (Williams, Casey)
Office of the General Counsel (Teitzman) *CH* *TC* *BT*

RE: Docket No. 060677-TL – 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.

AGENDA: 02/12/08 – Regular Agenda – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: McMurrian

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: None

FILE NAME AND LOCATION: S:\PSC\CMP\WP\060677.RCM.DOC

Case Background

On October 11, 2006, the Office of Public Counsel (OPC) and AARP jointly filed a petition with the Florida Public Service Commission (FPSC or Commission) requesting that the Commission order local exchange telecommunications companies in Florida to implement practices and procedures with the Department of Children and Families (DCF) to automatically enroll eligible customers in the Lifeline telephone program.¹

¹ The Lifeline and Link-Up assistance programs help low-income consumers obtain and maintain basic telecommunications service at just, reasonable, and affordable rates by providing a minimum \$13.50 monthly credit to eligible consumers.

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

Docket No. 060677-TL
Date: January 31, 2008

By Order No. PSC-07-0417-PAA-TL, issued May 11, 2007, the Commission placed this docket in abeyance in order to obtain more experience with the existing Lifeline automatic enrollment system established by the FPSC and DCF, receive feedback from the parties, and evaluate any relevant statute modifications. The Commission also directed staff to submit a status report on the automatic enrollment process in six months.

Staff presented a status report on the Lifeline automatic enrollment process to Commissioners at the October 23, 2007, Internal Affairs meeting. Staff advised the Commission that statutory-required rulemaking regarding the Lifeline automatic enrollment process was completed, and a Memorandum of Understanding (MOU) between the FPSC, DCF, and OPC, also required by statute, was signed by the parties on September 27, 2007. The rulemaking established formal procedures to automatically enroll eligible customers in the Lifeline program. The MOU clarified the specific duties of the FPSC, DCF, and OPC with respect to implementation of automatic enrollment. This recommendation addresses whether there is further need to keep this docket open now that the Lifeline automatic enrollment process has been successfully implemented.

Discussion of Issues

Issue 1: Should this docket be closed?

Recommendation: Yes. This docket should be closed. (Williams, Casey, Teitzman)

Staff Analysis: In April 2007, the FPSC and DCF implemented a joint project to develop a Lifeline automatic enrollment process whereby potential Lifeline customers, once certified through a DCF qualifying program, would have their name placed on a spreadsheet to be forwarded to the FPSC. In turn, the FPSC committed to automatically sort the list by the applicant's telephone company, then forward an automatic e-mail informing the appropriate eligible telecommunications carrier (ETC) that a Lifeline application is available for retrieval through the Commission's secure database.

The automatic enrollment process entails the DCF applicant checking a "yes" box on the DCF application providing a positive affirmation that the applicant would like to receive a discount on his or her telephone service. The "no" box provides an option to the applicant to not subscribe to Lifeline service. If the applicant answers yes, the applicant is directed to provide applicable information needed for Lifeline enrollment, and to then continue completing the DCF application. If the applicant has existing phone service, the application is automatically forwarded to the appropriate ETC by the FPSC for enrollment in the Lifeline program. If the applicant answers no, the applicant is directed to continue completing the DCF application to enroll in a DCF program.

House Bill 529, "The Consumer Choice Act of 2007," (Video Franchising Reform) included language addressing automatic enrollment of eligible customers in Lifeline service. Section 364.10(3)(h)(2), Florida Statutes, now provides that:

If any state agency determines that a person is eligible for Lifeline services, the agency shall immediately forward the information to the commission to ensure that the person is automatically enrolled in the program with the appropriate eligible telecommunications carrier. The state agency shall include an option for an eligible customer to choose not to subscribe to the Lifeline service.

In addition, Section 364.107, Florida Statutes, was created to protect the personal identifying information of Lifeline applicants by granting a public records exemption for such information. The information made confidential and exempt may be released to the applicant's telecommunications carrier for eligibility, verification, or auditing of a Lifeline Assistance Plan, and to the FPSC for enrollment purposes.

The joint petition filed by the OPC and AARP requests that the Commission order local exchange telecommunications companies in Florida to "implement practices and procedures with the Department of Children and Families to automatically enroll eligible customers in the Lifeline telephone program." As mentioned above, the FPSC and DCF have been working together on the Lifeline automatic enrollment process with promising results. DCF's partnership

in the successful development and implementation of the automatic enrollment process has been invaluable.

Since April 1, 2007, over 83,000 Lifeline applications have been received through the FPSC/DCF automatic enrollment process. The number of eligible customers participating in the Lifeline program in Florida grew 13 percent during the October 2006 - September 2007 review period, representing the largest annual increase since inception of the program, and the October 2006 - September 2007 review period only included the first six months of operation for the automatic enrollment process.

The OPC, AARP, FPSC, and DCF continue to have one common goal, to help low-income households in Florida obtain and maintain basic telephone service. The petitioners, OPC and AARP, believe the goal of the petition has been met with the existing Lifeline automatic enrollment process. Staff and the parties will continue to work together to make it easier for applicants to enroll in the Lifeline program. Therefore, staff recommends that this docket be closed.