

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

**DATE:** November 17, 2009

**TO:** Office of Commission Clerk (Cole)

**FROM:** Office of the General Counsel (Gervasi) *PG SML*  
 Division of Regulatory Analysis (C. Williams, Casey) *CH*  
 Division of Economic Regulation (Hewitt) *OBIA*

**RE:** Docket No. 090504-TP – Proposed amendment of Rule 25-4.0665, F.A.C., Lifeline Service.

**AGENDA:** 12/01/09 – Regular Agenda – Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Klement

**RULE STATUS:** Proposal May Be Deferred

**SPECIAL INSTRUCTIONS:** None

**FILE NAME AND LOCATION:** S:\PSC\GCL\WP\090504.RCM.DOC

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### Case Background

The Florida Public Service Commission (Commission) first initiated rulemaking regarding Lifeline service in 2004, upon a petition filed by the Office of Public Counsel (OPC) to implement a rule requiring local exchange telecommunications companies to provide Lifeline service within 30 days of certification of a customer's eligibility for such service under section 364.10(3)(a), Florida Statutes (F.S.). Staff held rule development workshops on August 9, 2004, and November 5, 2004, to obtain comments on OPC's proposed rule. On July 15, 2005, staff received a letter from OPC indicating that the local exchange companies had improved the processing of Lifeline applications and that rulemaking on the matter was no longer necessary. Therefore, that rulemaking docket, Docket No. 040451-TP, was closed by Order No. PSC-05-0911-FOF-TP, issued September 16, 2005.

DOCUMENT NUMBER-DATE  
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Thereafter, the Commission promulgated Rule 25-4.0665, Florida Administrative Code (F.A.C.), effective January 2, 2007, to implement a procedure for the notification and termination of Lifeline service. The Rule was amended effective December 6, 2007, to implement procedures for the Lifeline service Automatic Enrollment Process, in compliance with Section 364.10(3)(h)2, F.S. That section requires any state agency that determines a person is eligible for Lifeline service to immediately forward the information to the Commission for automatic enrollment, and required the Commission to adopt rules no later than December 31, 2007, creating procedures to automatically enroll eligible customers in Lifeline service.

Since the inception of the Florida Lifeline program, the Commission has issued various orders addressing specific Lifeline requirements. Further, various state and federal laws have been adopted addressing Lifeline service. The purpose of the rule amendments proposed herein is to consolidate various Lifeline and Link-Up requirements for eligible telecommunications carriers (ETCs).

On October 2, 2008, and November 13, 2009, the Commission issued Notices of Development of Rulemaking in the Florida Administrative Weekly (F.A.W.), to implement eligibility requirements for Lifeline service and to amend the requirements ETCs must follow when offering Lifeline service. Specific requirements designed to strengthen the program address certification, verification, data reporting, and other key issues related to Lifeline.

On November 5, 2008, Commission staff held a rule development workshop to allow interested persons to provide input regarding the proposed amendment of Rule 25-4.0665, F.A.C. Various interested persons participated, including various ETCs and OPC. Post-workshop comments were submitted on December 12, 2008, from the Florida Telecommunications Industry Association (FTIA), Verizon Florida LLC (Verizon), Sprint Nextel Corp. (Sprint Nextel), and Nexus Communications, Inc. (Nexus).

This recommendation addresses staff's recommended amendments to Rule 25-4.0665, F.A.C., included as Attachment A. The Commission has jurisdiction pursuant to sections 120.80(13)(d), 364.0252, 364.10, 364.105, and 364.183(1), F.S, and rulemaking authority pursuant to sections 120.54, 350.127(2), 364.0252, and 364.10(3)(j), F.S.

### **Discussion of Issues**

**Issue 1:** Should the Commission propose amendments to Rule 25-4.0665, F.A.C.?

**Recommendation:** Yes, the Commission should propose amendments to Rule 25-4.0665, F.A.C., as set forth in Attachment A. (Gervasi, C. Williams, Casey, Hewitt)

**Staff Analysis:** Staff is recommending the amendment of Rule 25-4.0665, F.A.C., to consolidate various Lifeline and Link-Up requirements for ETCs. Attachment A contains the rule language staff is recommending.

Staff has taken into consideration the comments filed by ETCs in the proposed rule amendments. In its comments, FTIA suggested that the rule language be clear that not all ETCs are required to offer Lifeline to customers based upon an income eligibility test involving the federal poverty income guidelines for Lifeline service, and that those ETCs that are not required to offer Lifeline service may do so voluntarily. Section 364.10(3)(a), F.S., requires each local exchange company (LEC) that has more than 1 million access lines and that is designated as an ETC to provide Lifeline service to any customer who meets an income eligibility test of 150% or less of the federal poverty income guidelines. Subsection (2) of the proposed rule amendments, at page 6, lines 15-17, incorporates FTIA's suggestion. There was also concern at the workshop about ETCs accepting applications electronically, since many companies are not able to do so without incurring significant cost. Subsection (7) of the proposed rule amendments, at page 7, lines 12-15, satisfies this concern by allowing customers the option to submit applications by U.S. Mail or facsimile, as well as electronically. FTIA, Verizon, and Sprint Nextel suggested that the Lifeline reporting requirements be no more often than annual. In Subsection (19), at page 11, lines 5-9, staff recommends that the reporting requirements be quarterly. Staff believes that quarterly reporting is necessary because it will allow for better oversight of the program, will provide staff with current data to track program success and to respond to external requests, and will not overly burden the ETCs. Nexus suggested an alternate means of enrollment whereby subscribers would be allowed to self-certify their eligibility in the Lifeline and Link-Up programs, under penalty of perjury, by submitting a copy of a document demonstrating their participation in one of the means-based programs approved by the Commission. Subsection (6) of the proposed rule amendments, at page 7, lines 8-11, requires ETCs to accept Public Assistance eligibility determination letters as proof of eligibility for Link-Up and Lifeline enrollment.

Subsections (1) through (8) of the proposed rule amendments, at page 6, lines 2-24, through page 7, lines 1-19, outline the eligibility requirements for Lifeline service and the enrollment process for the Lifeline and Link-up programs. Subsections (10) through (12) of the proposed rule amendments, at page 9, lines 13-22, require that ETCs not impose additional verification requirements on subscribers beyond those required by the rule or by the OPC under section 364.10(3)(a), F.S., and that ETCs provide notice of the reason for a rejected Lifeline application within 30 days of receipt of the application. Subsection (16), at page 10, lines 16-22, imposes specific advertising requirements upon ETCs of the availability of Lifeline service. Subsection (17), at page 10, lines 23-24, through page 11, lines 1-2, prohibits ETCs from charging a service deposit if the subscriber elects toll blocking or toll limitation. Subsection (18), at page 11, lines 3-4, prohibits ETCs from charging Lifeline subscribers a monthly number-

portability charge. Finally, Subsection (19), at page 11, lines 5-18, imposes specific quarterly reporting requirements upon ETCs offering Link-Up and Lifeline service.

**Statement of Estimated Regulatory Costs**

The Florida Administrative Procedure Act encourages an agency to prepare a Statement of Estimated Regulatory Costs (SERC). The SERC prepared by staff is included as Attachment B to this recommendation.

The SERC states that the proposed rule language would have an increased workload on staff, associated with implementation of the Automated Online Application Process and maintenance and review of the quarterly reports, but that the rule changes could decrease inquiries from ETCs relating to Lifeline service. The proposed rule amendments would affect approximately 21 ETCs, some of which are small businesses. Lifeline customers could experience less difficulty and delay in receiving approval of their applications, but would have to pay a deposit if they do not elect toll blocking. Outside businesses and local governments should not be affected.

Based on the foregoing, staff recommends that the Commission propose the amendment of Rule 25-4.0665, F.A.C., as set forth in Attachment A of this recommendation.

Docket No. 090504-TP  
Date: November 17, 2009

**Issue 2:** Should this docket be closed?

**Recommendation:** Yes, if no requests for hearing or comments are filed, the rule as proposed should be filed with the Secretary of State, and the docket should be closed. (Gervasi)

**Staff Analysis:** Unless comments or requests for hearing are filed, the rule, as proposed, may be filed with the Secretary of State without further Commission action. This docket may then be closed.

1 25-4.0665 Lifeline Service

2 (1) A subscriber is eligible for Lifeline service if:

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

4 1. Medicaid;

5 2. Food Stamps;

6 3. Supplemental Security Income (SSI);

7 4. Temporary Assistance for Needy Families/Temporary Cash Assistance;

8 5. "Section 8" Federal Public Housing Assistance (42 U.S.C. sec. 1437f (2009), which  
9 is incorporated herein by reference);

10 6. Low-Income Home Energy Assistance Program; or

11 7. The National School Lunch Program – Free Lunch; or

12 (b) the subscriber's eligible telecommunications carrier has more than one million

13 access lines and the subscriber's household income is at or below 150 percent of the federal  
14 poverty income guidelines.

15 (2) Eligible telecommunications carriers with less than one million access lines are not  
16 required to enroll Lifeline applicants through the income eligibility test of 150 percent or less  
17 of the federal poverty income guidelines, but may do so voluntarily.

18 (3) Eligible telecommunications carriers that charge an initial connection charge must  
19 offer Link-Up service to subscribers who are eligible for Lifeline service pursuant to this rule.

20 (4) When enrolling customers in the Lifeline service program under subsection (1)(a)  
21 of this rule, eligible telecommunications carriers shall accept Form PSC/RAD 157 (XX/XX),  
22 entitled "Application for Link-Up Florida and Lifeline Assistance," which is incorporated into  
23 this rule by reference and can be accessed from the Commission's website at  
24 www.floridapsc.com, by selecting "Link-Up Florida and Lifeline," then selecting "Need

25

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1 Discounted Phone Service?,” and then selecting “English Link-Up and Lifeline Certification  
2 Form” (also available in Spanish and Creole).

3 (5) Eligible telecommunications carriers shall enroll customers for Lifeline service  
4 who electronically submit Form PSC/RAD 158 (XX/XX), entitled “Lifeline and Link-Up  
5 Florida On-line Self Certification Form,” which is incorporated into this rule by reference and  
6 can be accessed from the Commission’s website at [www.floridapsc.com](http://www.floridapsc.com), by selecting “Link-  
7 Up Florida and Lifeline,” then selecting “Apply On-line.”

8 (6) For Lifeline applicants who do not use On-line enrollment or simplified  
9 certification enrollment, the eligible telecommunications carrier must accept Public Assistance  
10 eligibility determination letters, including those provided for food stamps, Medicaid, and  
11 public housing lease agreements, as proof of eligibility for Link-Up and Lifeline enrollment.

12 (7) Eligible telecommunications carriers must allow customers the option to submit  
13 Link-Up or Lifeline applications via U.S. Mail or facsimile, and may allow applications to be  
14 submitted electronically. Eligible telecommunications carriers must also allow customers the  
15 option to submit copies of supporting documents via U.S. Mail or facsimile.

16 (8) Eligible telecommunications carriers shall only require a customer to provide the  
17 last four digits of the customer’s social security number for application for Lifeline and Link-  
18 Up service and to verify continued eligibility for the programs as part of the annual  
19 verification process.

20 ~~(3)~~(9) All eligible telecommunications carriers shall participate in the Lifeline service  
21 Automatic Enrollment Process. For purposes of this rule, the Lifeline service Automatic  
22 Enrollment Process is an electronic interface between the Department of Children and Family  
23 Services, the Commission, and the eligible telecommunications carrier that allows low-income  
24 individuals to automatically enroll in Lifeline following enrollment in a qualifying public  
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1 assistance program.

2 (a) The Commission shall send an e-mail to the eligible telecommunications carrier  
3 informing the eligible telecommunications carrier that Lifeline service applications are  
4 available for retrieval for processing.

5 (b) The eligible telecommunications carrier shall enroll the subscriber in the Lifeline  
6 service program as soon as practicable, but no later than 60 days from the receipt of the e-mail  
7 notification. Upon completion of initial enrollment, the eligible telecommunications carrier  
8 shall credit the subscriber's bill for Lifeline service as of the date the eligible  
9 telecommunications carrier received the e-mail notification from the Commission.

10 (c) The eligible telecommunications carrier shall maintain a current e-mail address  
11 with the Commission, which the Commission will use to inform the eligible  
12 telecommunications carrier of the Commission's Lifeline secure website address and that new  
13 Lifeline service applications are available for retrieval for processing.

14 (d) The eligible telecommunications carrier shall maintain with the Commission the  
15 names, e-mail addresses and telephone numbers of one primary and one secondary company  
16 representative who will manage the user accounts on the Commission's Lifeline secure  
17 website.

18 (e) Within 20 calendar days of receiving the Commission's e-mail notification that the  
19 Lifeline service application is available for retrieval, the eligible telecommunications carrier  
20 shall provide a facsimile response to the Commission via the Commission's dedicated Lifeline  
21 service facsimile telephone line at (850)413-7142, or an electronic response via the  
22 Commission's Lifeline secure website, identifying the customer name, address, telephone  
23 number, and date of the application for:

24 1. Misdirected Lifeline service applications;

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from existing law.



- 1           2. Applications for customers currently receiving Lifeline service; and  
2           3. Rejected applicants, which shall include the reason(s) why the applicants were  
3 rejected.

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

6           (f) Pursuant to Section 364.107(1), F.S., information filed by the eligible  
7 telecommunications carrier in accordance with paragraph ~~(3)(e)~~ (9)(e) of this rule is  
8 confidential and exempt from Section 119.07(1), F.S. However, the eligible  
9 telecommunications carrier may disclose such information consistent with the criteria in  
10 Section 364.107(3)(a), F.S. For purposes of this rule, the information filed by the eligible  
11 telecommunications carrier will be presumed necessary for disclosure to the Commission  
12 pursuant to the criteria in Section 364.107(3)(a)4., F.S.

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

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

19           (12) An eligible telecommunications carrier must provide written notice to a customer  
20 within 30 days of receipt of the application providing the reason for a rejected Lifeline  
21 application, and providing contact information for the customer to get information regarding  
22 the application denial.

23           ~~(13)~~ (13) An eligible telecommunications carrier must provide 60 days written notice  
24 prior to the termination of Lifeline service. The notice of pending termination shall contain  
25

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from existing law.

1 the telephone number at which the subscriber can obtain information about the subscriber's  
2 Lifeline service from the eligible telecommunications carrier. The notice shall also inform the  
3 subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic  
4 local telecommunications service.

5 ~~(2)~~(14) If a subscriber's Lifeline service is terminated and the subscriber subsequently  
6 presents proof of Lifeline eligibility, the eligible telecommunications carrier shall reinstate the  
7 subscriber's Lifeline service as soon as practicable, but no later than 60 days following receipt  
8 of proof of eligibility. Irrespective of the date on which the eligible telecommunications  
9 carrier reinstates the subscriber's Lifeline service, the subscriber's bill shall be credited for  
10 Lifeline service as of the date the eligible telecommunications carrier received the proof of  
11 continued Lifeline eligibility.

12 ~~(4)~~(15) All eligible telecommunications carriers shall provide current Lifeline service  
13 company information to the Universal Service Administrative Company at  
14 [www.lifelinesupport.org](http://www.lifelinesupport.org) so that the information can be posted on the Universal Service  
15 Administrative Company's consumer website.

16 (16) Eligible telecommunications carriers must advertise the availability of Lifeline  
17 service to those who may be eligible for the service. At a minimum, if the eligible  
18 telecommunications carrier publishes a directory, the eligible telecommunications carrier must  
19 include in the index of the directory a notice of the availability of Lifeline service. If the  
20 eligible telecommunications carrier generates customer bills, the eligible telecommunications  
21 carrier must also place an insert in the subscriber's bill or a message on the subscriber's bill at  
22 least once each calendar year advising subscribers of the availability of Lifeline service.

23 (17) Eligible telecommunications carriers may not charge a service deposit in order to  
24 initiate Lifeline service if the subscriber voluntarily elects toll blocking or toll limitation. If

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from existing law.

1 the subscriber elects not to place toll blocking on the line, an eligible telecommunications  
2 carrier may charge a service deposit.

3 (18) Eligible telecommunications carriers may not charge Lifeline subscribers a  
4 monthly number-portability charge.

5 (19) Eligible telecommunications carriers offering Link-Up and Lifeline service must  
6 submit quarterly reports to the Commission no later than 30 days following the ending of each  
7 quarter as follows: First Quarter (January 1 through March 31); Second Quarter (April 1  
8 through June 30); Third Quarter (July 1 through September 30); Fourth Quarter (October 1  
9 through December 31). The quarterly reports shall include the following data:

10 (a) The number of Lifeline subscribers, excluding resold Lifeline subscribers, for each  
11 month during the quarter;

12 (b) The number of subscribers who received Link-Up for each month during the  
13 quarter;

14 (c) The number of new Lifeline subscribers added each month during the quarter;

15 (d) The number of transitional Lifeline subscribers who received discounted service for  
16 each month during the quarter; and

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

19 Specific Authority 120.80(13)(d), 350.127(2), 364.0252, 364.10(3)(j), FS  
20 Law Implemented 364.0252, 364.10, 364.105, 364.183(1), FS  
21 History New 1-2-07, Amended 12-6-07, Amended ~~XX-XX-XX~~.

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24 Rule 25-4.0665 – 3-9-09

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## Application for Link-Up Florida and Lifeline Assistance

Billing Name \_\_\_\_\_

Service Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Last Four Digits of Social Security Number \_\_\_\_\_ Date of Birth \_\_\_\_\_

Telephone Number (     ) \_\_\_\_\_ **(NOTE: If you do not currently have local phone service, please contact a local phone provider in your area to establish service.)**

I hereby certify that I participate in the following public assistance program(s): **(Check all that apply)**

- Temporary Cash Assistance
- Food Stamps
- Medicaid
- Low-Income Home Energy Assistance Program (LIHEAP)
- Supplemental Security Income (SSI)
- Federal Public Housing Assistance (Section 8)
- National School Lunch Program (NSLP) – Free Lunch
- Bureau of Indian Affairs Programs (Tribal Temporary Assistance for Needy Families, Head Start Subsidy, NSLP)

**I certify that I am a current recipient of the above program(s) and will notify my local telephone company when I am no longer participating in any of the above-designated program(s). I give permission to the duly authorized official(s) administering the above programs to provide to the local telephone company my participation status in any of the above program(s). I give this permission on the condition that the information in this form and any information about my participation in the above programs provided by officials be maintained by the company as confidential customer account information. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.**

\_\_\_\_\_  
**Customer's signature**

\_\_\_\_\_  
**Date**

Customers of AT&T Florida, Embarq, or Verizon who are at or below 150% of the poverty level, but are not currently receiving benefits from one of the listed programs, may be able to qualify by contacting the Florida Office of Public Counsel at **1-800-540-7039**.

**Please mail or fax this application to the telephone company that provides your service.**

<p><b>AT&amp;T Florida</b> 304 Pine Avenue - 4<sup>th</sup> Floor Albany, GA 31702 Fax: 1-888-726-3223</p>	<p><b>Alltel Wireless</b> Please visit a local Alltel retail store to determine if Alltel offers Lifeline in your area and complete an application.</p>	<p><b>American Dial Tone</b> P. O. Box 2203 Dunedin, FL 34698-2203 Fax: (727)669-9451</p>	<p><b>Budget Phone, Inc.</b> Please call 1-888-424-5588 to be referred to a local Budget Phone store to apply.</p>
<p><b>dPi Teleconnect</b> 2997 LBJ Freeway, Suite 225 Dallas, TX 75234 Fax: 1-800-610-9557</p>	<p><b>Embarq - ACS</b> P. O. Box 7086 London, KY 40742 Fax: 1-800-473-2017</p>	<p><b>Express Phone Service</b> 1803 W. Fairfield Drive Pensacola, FL 32501 Fax: (850)308-1151</p>	<p><b>FairPoint Communications</b> Offline Services Group 30 East Main Street Westfield, NY 14787 Fax: 1-877-321-3166</p>
<p><b>FLATEL/Florida Telephone Co.</b> 2300 Palm Beach Lakes Blvd., Suite 100 West Palm Beach, FL 33409 Fax: 1-877-593-9723 Phone: 1-888-777-6561</p>	<p><b>Frontier Communications</b> P. O. Box 1038 Fort Dodge, IA 50501 Fax: (515)573-1241</p>	<p><b>ITS Telecommunications</b> Attn: Customer Service P. O. Box 277 Indiantown, FL 34956 Fax: (772)597-4155</p>	<p>(Bay County Address) <b>Knology, Inc.</b> 235 W. 15<sup>th</sup> Street Panama City, FL 32401 Fax: (850)215-5800</p>
<p>(Pinellas County Address) <b>Knology, Inc.</b> 3001 Gandy Boulevard North Pinellas Park, FL 33782 Fax: (727)576-4800</p>	<p><b>Midwestern Telecommunications</b> P. O. Box 1401 Chicago Heights, IL 60411 Fax: (708)756-7721</p>	<p><b>NEFCOM</b> P. O. Box 485 Macclenny, FL 32063 Fax: (904)259-1200</p>	<p><b>Nexus Communications TSI</b> P. O. Box 247168 Columbus, Ohio 43224-7168 Fax: (614)883-6496</p>
<p><b>SafeLink Wireless/TracFone</b> Lifeline/Free Cell Phone Dept. P. O. Box 220009 Milwaukie, OR 97269-0009 Fax: 1-800-834-7713 Phone: 1-800-977-3768</p>	<p><b>Smart City Telecom</b> Attn: Customer Care P. O. Box 22555 Lake Buena Vista, FL 32830 Fax: (407)828-6701</p>	<p><b>Sprint Nextel</b> See Sprint Nextel's Web site at <a href="http://www.sprint.com/lifeline">http://www.sprint.com/lifeline</a> for more information and to download an application, or call 1-888-408-3306.</p>	<p><b>TDS Telecom - Lifeline</b> P. O. Box 608 Lancaster, WI 53813 Fax: 1-877-271-2861</p>
<p><b>Verizon - SRC</b> MC: FLSP2193/P.O. Box 11328 St. Petersburg, FL 33733-9656 Fax: 1-888-806-7026</p>	<p><b>Windstream Florida</b> 1720 Galleria Blvd. Charlotte, NC 28270 Fax: (704)849-7000</p>		

# Florida Public Service Commission



## Lifeline and Link-Up Florida On-line Self Certification Form

- English
- Español
- Creole



**Section 364.107(1), Florida Statutes provides that personal identifying information concerning a participant in a telecommunications carrier's Lifeline Assistance Plan held by the Public Service Commission is confidential.**

Customers of AT&T, Embarq or Verizon at or below 150% of the poverty level, but who are not currently receiving benefits from one of the listed programs, may be able to qualify for the Lifeline telephone assistance by contacting the Office of Public Counsel in Tallahassee at 1-800-540-7039.

### Contact Information

*Last Name	<input type="text"/>	*First Name	<input type="text"/>
*Address Line 1	<input type="text"/>		
Address Line 2	<input type="text"/>		
*City	<input type="text"/>	*State FL <input type="button" value="v"/>	*Zip Code <input type="text"/>
*Telephone (###-###-####)	<input type="text"/>	Date (mm/dd/yyyy)	<input type="text" value="11/16/2009"/>
		* Date of Birth (mm/dd/yyyy)	<input type="text" value="11/16/2009"/>
* Last 4 digits of Social Security Number	<input type="text"/>	The last four digits of your Social Security Number are required to complete this application. If you do not wish to provide this information here, please apply for Lifeline directly through your Service Provider.	

Service Provider

I hereby certify that I participate in the

<input type="radio"/> Alltel Wireless <input type="radio"/> American Dial Tone <input type="radio"/> AT&T/BellSouth <input type="radio"/> Budget Phone, Inc. <input type="radio"/> dPi Teleconnect <input type="radio"/> Embarq <input type="radio"/> Express Phone Service <input type="radio"/> FLATEL/Florida Telephone Co. <input type="radio"/> Frontier Communications <input type="radio"/> GTC FairPoint Communications <input type="radio"/> ITS Telecommunications Systems	<input type="radio"/> Knology, Inc. <input type="radio"/> Midwestern Communications (MTI) <input type="radio"/> NEFCOM <input type="radio"/> Nexus Communications (TSI) <input type="radio"/> Safelink/TracFone <input type="radio"/> Smart City Telecom <input type="radio"/> Sprint/Nextel <input type="radio"/> TDS Telecom <input type="radio"/> Verizon <input type="radio"/> Windstream	following public assistance program(s): <input type="checkbox"/> Medicaid <input type="checkbox"/> Food Stamps <input type="checkbox"/> Temporary Cash Assistance (TCA) <input type="checkbox"/> Supplemental Security Income (SSI) <input type="checkbox"/> Federal Public Housing Assistance (Section 8) <input type="checkbox"/> Low-Income Home Energy Assistance Program (LIHEAP) <input type="checkbox"/> National School Lunch Free Lunch Program
<p><b>I certify that I am a current recipient of the above program(s) and will notify my local telephone company when I am no longer participating in any of the above-designated program(s). I give permission to the duly authorized official(s) administering the above programs to provide to the local telephone company my participation status in any of the above program(s). I give this permission on the condition that the information in this form and any information about my participation in the above programs provided by officials be maintained by the company as confidential customer account information. I am aware that pursuant to Section 837.06, F.S., whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree.</b></p> <p><b>I agree to these terms and conditions:</b></p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>		
<input type="button" value="CLEAR"/>		<input type="button" value="SUBMIT"/>

Form PSC/RAD 158 (XX/XX)

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**State of Florida**



**Public Service Commission**

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TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** June 4, 2009  
**TO:** Office of General Counsel (Gervasi)  
**FROM:** Division of Economic Regulation (Hewitt) *ACW* *1/2* *M*  
**RE:** Proposed Amendment of Rule 25-4.0665, F.A.C., Lifeline Service

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DETAILED DESCRIPTION OF THE PROPOSED RULE

*1. Why are the rule amendments being proposed?*

The rule amendments would codify current Lifeline requirements and implement requirements that would facilitate enrollment in the program.

*2. What does the rule do and how does it accomplish the goal?*

The rule prescribes the requirements for eligible telecommunications carriers (ETCs) that offer Lifeline service. The requirements listed by the rule include offering toll blocking service, toll limitation service, and number-portability free of charge. Also addressed are service deposits, noticing of impending termination of Lifeline service, timing of the Lifeline credit, and distribution of Lifeline information.

IMPACT ON THE PSC

*Incremental costs*

Commission staff would have an increased workload associated with implementation of the Automated Online Application Process and maintenance and review of quarterly reports.

*Incremental benefits*

These rule changes may decrease inquiries from the ETCs relating to Lifeline service.

WHO BESIDES THE PSC WILL BE AFFECTED BY ADOPTION OF THE PROPOSAL

*Utilities*

The proposed rule amendments would affect approximately 21 ETCs.

*Customers*

Customers applying for Lifeline service would be affected and current customers could be affected.



*Outside business and local governments*

Some of the ETCs are small businesses and would be affected. Small cities or small counties should not be affected from adoption of the above rule changes.

HOW ARE THE PARTIES ABOVE AFFECTED BY THE ADOPTION OF THE PROPOSAL

*Estimated transactional costs to individuals and entities*

*Utilities*

Eight ETCs responded to a data request for the additional costs expected from the proposed rule changes. Four ETC responses indicated no or immaterial costs from the proposed changes. Two ETCs estimated additional costs below \$6,000.

One ETC estimated that accepting applications from its website would not be cost effective. Programming would be necessary to capture requested data for quarterly reports, and take six to nine months to complete, plus additional time for testing. The total possible cost for the ETC is estimated at \$25,000 or more. The ETC thinks that the PSC already has the necessary information to compile quarterly reports that are being requested in the rule amendments. On the benefits side, the ETC notes that the addition of the Commission website for retrieval of applications and for responding to misdirected applications is a plus. Also, allowing ETCs to obtain a deposit if the customer does not elect toll blocking is cited as being beneficial to the companies.

Lastly, a small business ETC responded that any additional criteria or verification from rule changes would increase personnel time, fax and telephone costs, postage, paper and material costs, storage space and container costs. Programming changes to software would result in substantial cost increases and ongoing expenses. The requirement for inclusion of a notice in customer invoices would result in costs for additional personnel to create such a notice, software costs, printing costs, paper products costs, and insertion fees. The proposed change to quarterly reports would also have a considerable impact. The completion of the current annual report requires the input of a manager, an administrative assistant, and an in-house programmer to make programming and software changes. The increased costs to the business would lower profits and impinge on the ability of the company to provide services efficiently.

If additional costs are incurred, ETCs that are small businesses may see disproportionate cost burdens because those costs are spread over a smaller customer base in a company with fewer employees.

The proposed rule amendments should enable companies to gain operating efficiencies by having clear concise direction from the PSC regarding implementation of the Lifeline program.

*Customers*

Lifeline customers would have to pay a deposit if they do not elect toll blocking. Applicants could experience less difficulty and delay in receiving approval of their applications.

*Outside businesses including specifically small businesses*

Outside businesses should not be affected by the proposed rule changes.

*Local governments*

Local governments should have no transactional costs from the rule amendments.

ANY OTHER PERTINENT COMMENTS REGARDING THE APPLICATION OF THE PROPOSED RULE

No other pertinent comments are germane to the proposed rule changes.

CH:kb

cc: Mary Andrews Bane  
Chuck Hill  
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