

P R O C E E D I N G S

1
2 **CHAIRMAN BRISÉ:** Now moving on to Item
3 Number 3.

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

6 Item Number 3 is the staff recommendation
7 reflecting the recommended changes to the Florida
8 Link-up and Lifeline program as a result of FCC
9 Order 12-11. Staff is recommending elimination of
10 Florida's non-tribal Link-up program and
11 self-certification Lifeline process along with a
12 reduction of the monthly Lifeline credit from 13.50
13 to 12.75 to be in compliance with the new FCC
14 requirements.

15 Staff revised its recommendation on
16 March 23rd, 2012, to reflect petitions filed at the
17 FCC by both the industry and regulatory parties
18 requesting the April 2nd effective date for
19 elimination of non-tribal Link-up and reduction of
20 the Lifeline credit be deferred until October 1st,
21 2012, because of tariffing and noticing requirements
22 in some states. Instead of the April 2nd effective
23 date, the recommendation now reads, "The effective
24 date set by the FCC." The effective date of the
25 elimination of the self-certification Lifeline

1 process would remain as June 1st. And if you have
2 any questions, staff is available.

3 **CHAIRMAN BRISÉ:** Thank you.

4 Commissioner Edgar.

5 **COMMISSIONER EDGAR:** Thank you, Mr.
6 Chairman. I am the one that asked for this to be
7 pulled off.

8 When I was looking through this
9 information I had to scratch my head a little bit,
10 so I have just a couple of questions so that I am
11 clearer. First of all, do we have any idea how many
12 potentially eligible Florida consumers will be
13 impacted by the change that is recommended in Issue
14 1?

15 **MR. CASEY:** No, we don't at this time. I
16 could get that information. You're talking about
17 Link-up?

18 **COMMISSIONER EDGAR:** I'm talking about on
19 Issue 1 the recommendation to remove the non-tribal
20 Link-up program.

21 **MR. CASEY:** Correct. We don't have the
22 number of Link-up. I don't have that with me. I
23 would be able to get it for you.

24 **COMMISSIONER EDGAR:** Okay. Well, that
25 kind of brings me to my next question. And, again,

1 I was sort of a little puzzled when I was looking
2 through this. In each of the issues that are before
3 us it says that the staff recommendation is that the
4 Commission should take an action that is then
5 described. So my question is do we have discretion,
6 or is it required by the FCC that we take the
7 actions that are before us? In other words, should
8 the PSC remove non-tribal Link-up? Yes, we should.
9 To me the descriptor of should implies that we have
10 discretion and an option, but that was not clear to
11 me in the analysis.

12 **MR. CASEY:** It is a requirement, but legal
13 counsel may want to chime in on that.

14 **MR. HARRIS:** Commissioner, I'm, as a
15 general matter, very loath to tell you are required
16 to do anything. In this case, I think that you
17 probably would have some discretion not to do it.
18 However, you have got to remember this money comes
19 from the FCC. And so if you don't do it and order
20 the companies to continue providing these amounts at
21 these dates, they will not be able to get
22 reimbursement from USAC. And so while, I guess,
23 you're not required to take these actions, you can't
24 change the fact that USAC has changed these amounts
25 and these dates, and USAC is the one that pays the

1 bills. And, therefore, by not taking these actions
2 I think you would put the companies in a position of
3 being required to provide amounts that they would
4 not be able to be reimbursed for.

5 **COMMISSIONER EDGAR:** I'm probably going to
6 come back to that point, but, if I may, I have a
7 couple of other questions sort of in the same
8 general vicinity. I'm looking at right now Issue 1
9 and coming down Page 3 of the analysis, the very
10 last sentence of the last full paragraph says that
11 Florida ETCs will not be able to recover Link-up
12 support after this date. Is the term "after this
13 date" referring to April 1, or October, or June, or
14 other?

15 **MR. CASEY:** It would be the effective date
16 set by the FCC. Because we don't know at this time
17 whether the FCC will extend that date or how long --
18 it may be to October 1st, it may only be 90 days --
19 we believed it was better just to say whatever the
20 effective date of the FCC is set by the FCC.

21 **COMMISSIONER EDGAR:** Okay. And I
22 understand that answer, and that makes sense to me,
23 but I have to say I'm not sure that's what this
24 says. Can I go ahead?

25 **CHAIRMAN BRISÉ:** Sure. Go right ahead.

1 **COMMISSIONER EDGAR:** I'm going to move, if
2 I may, to Issue 3. And, again, the way the issue is
3 framed is should we eliminate the Florida Lifeline
4 simplified certification process; and the staff
5 recommendation is staff recommends that we should,
6 basically. So that brings me back to the same
7 question I asked earlier about, again, should
8 implies discretion.

9 The response that you gave me on Issue 1
10 about the impact being as to the reimbursement,
11 basically, to the companies, this seems like a
12 little different scenario or a little different
13 mechanism. So to kick that off, I would say do we
14 have discretion as to whether to eliminate the
15 simplified certification process or do we not?

16 **MR. HARRIS:** The answer I think is the
17 same. You do have discretion. However, if the
18 companies allow this self-certification, USAC will
19 not accept those certifications for reimbursement
20 purposes. So to the extent that you allow the
21 companies to continue that and they do, they will
22 not be able to be reimbursed for anyone who enrolls
23 through that process.

24 **COMMISSIONER EDGAR:** Under the simplified
25 certification process, as I understand it, we are

1 basically allowing eligible consumers to
2 self-certify.

3 **MR. HARRIS:** Yes, ma'am.

4 **COMMISSIONER EDGAR:** And then the ETC
5 would be able to verify that after that fact, would
6 they not?

7 **MR. HARRIS:** I imagine that they would,
8 yes, ma'am.

9 **COMMISSIONER EDGAR:** So why would they not
10 be eligible for reimbursement if the consumer were
11 to self-certify and then they were to verify?

12 **MR. HARRIS:** I think we could, perhaps,
13 ask the companies. I can speculate. What I would
14 speculate is, A, if a company chooses not to it
15 would cost, I would imagine, a significant amount of
16 money for the company to go back and obtain that
17 documentation. They would have to have staff to do
18 this; they would have to have a process in place. I
19 can imagine that some companies might choose not to
20 do that and, therefore, they would not be
21 reimbursed. For those companies that did do that,
22 they would incur significant additional costs for
23 the documentation. And depending on what the
24 company chose to obtain as documentation, USAC
25 could, I suppose, and, again, I'm speculating, come

1 back and audit and say we don't find that the
2 documentation you claim to have obtained is, in
3 fact, sufficient. We are going to deny these
4 reimbursements. And, again, that's speculation.

5 **COMMISSIONER EDGAR:** I have a little
6 concern about eliminating programs that we have --
7 Commissioners, that we have purposefully over the
8 years tried to increase our outreach, increase the
9 take rate, candidly, for eligible consumers to
10 address a fact that we are a donor state in all of
11 these areas, if we are dealing with speculation.
12 And I'm also a little confused because also in the
13 description and other information that I have read,
14 I believe that we have said that if we were to
15 eliminate the self-certification process that it
16 would be a fairly seamless transition, but yet what
17 I thought I heard you say is that it would be very
18 difficult for the companies to verify. Could I ask
19 you to maybe address that, again?

20 **MR. CASEY:** The seamless transition was
21 referring to the coordinated enrollment process
22 which we set up with DCF, which you are very
23 familiar with.

24 **COMMISSIONER EDGAR:** I am.

25 **MR. CASEY:** People can now go to DCF and

1 apply for their food stamps, or Medicaid, or TANF,
2 and automatically get enrolled in Lifeline if they
3 so choose. There is also the portal that was set up
4 where ETCs can actually go into that portal and
5 verify that that person is participating in one of
6 those programs.

7 **COMMISSIONER EDGAR:** So, therefore, then
8 why would be so cumbersome since you -- because
9 there is that portal to verify, why would it be so
10 cumbersome to continue the option for
11 self-certification, but for the ETCs then to go
12 through that process that you have just recognized
13 in order to meet the FCC requirement for
14 verification?

15 **MR. CASEY:** That process is available to
16 all ETCs. As a matter of fact, we have spoken to
17 DCF and advised them that they may want to ramp up
18 that portal, because the ETCs will be using it more
19 now.

20 **COMMISSIONER EDGAR:** Then why do we need
21 to get rid of the self-certification process?

22 **MR. HARRIS:** One other thing we should
23 probably -- I believe is the case, the FCC -- from
24 the time they self-certify, they could start
25 receiving that benefit. The FCC won't allow

1 reimbursement until the documentation is received.
2 So depending on how long it takes for the company --
3 from the enrollment to obtaining that documentation,
4 there could be a gap. The company could potentially
5 not face reimbursement for that gap. And if it was
6 a month or two months, that would leave the company
7 on the hook for that amount that they allowed the
8 discount but did not receive reimbursement for.

9 **COMMISSIONER EDGAR:** Well, then I would
10 expect the companies would be motivated to make that
11 verification process efficient and accurate.

12 **MR. HARRIS:** As would I.

13 **COMMISSIONER EDGAR:** Commissioners, and to
14 our staff who I know have worked on these issues for
15 a very, very long time, I am not personally -- and
16 I'm still trying to get educated and clear on what
17 the FCC order does require and what some of the
18 thinking was that went behind it. From the
19 information that I do have, it does seem to say that
20 the FCC order is concerned about waste, fraud, and
21 abuse and is trying eliminate that, and that is
22 something that as a Commission we have also
23 expressed concerns about and have put in processes
24 here in Florida to try to uphold the integrity of
25 the system and of the process at the same time that

1 we have very actively over the past years, as I said
2 earlier, tried to increase our methods of outreach
3 so that those who are eligible here in Florida are
4 aware of the program, and so that being able to take
5 advantage of their eligibility is not overly
6 burdensome.

7 So I absolutely am in support, of course,
8 of this Commission taking whatever actions the
9 federal changes in orders and rules may require us
10 to do, but I also want to make sure that we
11 understand what the ramifications are and what,
12 indeed, we are required to do versus where we may
13 have some discretion to take to continue the good
14 work that we have done here in Florida, so that
15 while this is a federal program that is available
16 and consumers are paying into it, that those that
17 are eligible in our state have the opportunity to
18 draw down.

19 And I'm just not completely sure I
20 understand all of that, but with that I do recognize
21 that there are representatives from the companies
22 who actually implement this program, and I'm sure
23 that they can elaborate.

24 Thank you.

25 **CHAIRMAN BRISÉ:** Mr. Hatch, I'm sure you

1 have some comments.

2 **MR. HATCH:** A couple of quick comments.
3 First, we are fine with the staff recommendation.
4 Since it has been modified we are okay, because
5 there were some timelines and so forth that we were
6 concerned about. Based on the discussion, I just
7 want to make a couple of comments just for your
8 consideration, and that is I think the posture that
9 the Commission finds itself in with respect to
10 Lifeline and Link-Up is that you, the Commission, is
11 in the posture as an implementing agent of the FCC.
12 Lifeline and Link-Up, they are all federal programs
13 that are designed and built at the federal level.
14 The states could administer them at the local level
15 if they wished, or they didn't have to. You know,
16 they could say, yes, we want to, or, no, we will let
17 the FCC deal with it.

18 The Florida Commission has basically taken
19 the position that we will take care of this
20 implementing issue on the state level and be the
21 local administrator for it. And so to get back to
22 the point of your original questions, do we have
23 much discretion here, I think you have to be careful
24 here because Florida doesn't have its own
25 independent universal service program authority

1 independent of the federal program.

2 And so to the extent you want to start
3 designing and building a program that you think is
4 better, or different, or more appropriate than the
5 FCC, I think you're going to have a fundamental
6 authority program to move forward doing that, so you
7 are going to have to think very closely about that.
8 And so when the FCC says here is how we are changing
9 the program, it kind of flows downhill, and I think
10 you are kind of stuck with some of the stuff that
11 they are doing. Because, as Mr. Harris and Mr.
12 Casey have pointed out, if you don't make these
13 changes, then essentially you are expecting us as
14 the actual implementers and providers of universal
15 service to start eating more money than we already
16 do, and then there is a big question about that.

17 **COMMISSIONER EDGAR:** I wasn't sure if I
18 was supposed to respond to that or not. Clearly I'm
19 aware that we do not have a state universal service
20 program and some of the pros and some of the cons
21 and some of the results from that, and there are
22 both advantages and there are disadvantages. What
23 I'm trying to understand, though, is more with the
24 issue that is before us, what, if any, discretion we
25 do have, and it was unclear. And maybe I'm just

1 being slow, but it is still kind of unclear to me as
2 to the necessity to eliminate the self-certification
3 process in toto and what the ramifications of that
4 are.

5 And I recognize that -- I actually had a
6 question, as well, on Page 7 of the analysis, the
7 last full paragraph that references the FCC Order
8 12-11, and then in the next sentence it makes some
9 statements, for instance, up to an estimated 15
10 percent of existing Lifeline subscribers could be
11 ineligible for Lifeline benefits. Is that a staff
12 opinion, or is that an FCC finding?

13 **MR. CASEY:** That's an FCC finding through
14 USAC audits.

15 **COMMISSIONER EDGAR:** That's nationwide?

16 **MR. CASEY:** That's nationwide, right.

17 **COMMISSIONER EDGAR:** Do we have some sort
18 of comparable figure in Florida?

19 **MR. CASEY:** They did audit duplications.
20 They wanted to see if a Lifeline customer had two
21 Lifeline credits each month. In other words, from a
22 cell phone and wire line. And they did find about
23 6 percent in Florida duplications, and that has now
24 been taken care of. They have sent letters out to
25 the people asking them to choose one or the other.

1 They can't have both.

2 **MR. HARRIS:** Commissioner, if I may.
3 You've asked about your discretion, and as I
4 commented, I'm loath to tell you you have to do
5 something or you cannot do something. In this case
6 it really shades towards that you have to do
7 something. This is a federal program. The order
8 does not say that the state commission shall do
9 these actions. However, you are expected to be in
10 consistency with federal law and the findings of the
11 FCC. To the extent that you all choose to exercise
12 discretion not to do that thing, I believe you can.
13 My advice is it would put you probably out of
14 compliance with at least what the FCC intends
15 through the order. It might put you out of
16 compliance with what most of the other states do,
17 and it could potentially cause a situation where
18 Florida is viewed by the federal government as being
19 somewhat different.

20 You still have discretion, Commissioner,
21 but my advice would be to the extent that you are
22 inclined to comply with the FCC order, that might
23 be, unless there's a reason not to, a more smooth
24 course of action.

25 **COMMISSIONER EDGAR:** Does the FCC order

1 specifically require the elimination of
2 self-certification programs followed subsequently by
3 company verification?

4 **MR. HARRIS:** Not that I'm aware.

5 **MR. CASEY:** Yes, it does. I have read the
6 order many, many times. It does require
7 verification of the certification after June 1st.

8 **COMMISSIONER EDGAR:** Okay. I don't think
9 that answers my question.

10 **MR. CASEY:** Okay.

11 **COMMISSIONER EDGAR:** My question is does
12 the FCC order specifically require the elimination
13 of self-certification if it is followed by company
14 verification?

15 **MR. CASEY:** The order states that when
16 they do sign a customer up they have to have the
17 certification at that time. Does that help?

18 **COMMISSIONER EDGAR:** Not really, no. And
19 if I may, I will pose that to Mr. Hatch or others.

20 **MR. FOLLENSBEE:** This is Greg Follensbee
21 with AT&T. We can accept it as an application for
22 service. The point being, though, in the past when
23 we received it that would initiate the service
24 because they were self-certified. We can't do that
25 anymore. So we could treat it as an application for

1 service no different than if they contacted our
2 office directly. We are going to have to then get
3 the documentation required however they think they
4 have qualified, and that then forms the basis for us
5 to be able to offer them service.

6 You might need to change the name of it
7 from self-certification to self-applying or
8 something, but the point being that there's nothing
9 wrong with treating it as just another form of
10 applying for the Lifeline program. But Mr. Casey is
11 right, in any event we can't submit any
12 reimbursement request until we have, in fact, gotten
13 appropriate documentation knowing that they, in
14 fact, qualify for the program.

15 **COMMISSIONER EDGAR:** And that is a change
16 that is directed by the FCC order?

17 **MR. FOLLENSBEE:** It is a change for the
18 self-certification. In the past we still do that
19 anyway, because if a customer contacted our office
20 directly, we would require them to provide us the
21 documentation, so we already have that proposes in
22 place. This will just add to that process of the
23 number we have to do, because there was a certain
24 percent that were self-certified and we didn't worry
25 about, we would possibly catch them in our annual

1 audit. But this is a case where 100 percent of the
2 time now we will have to get documentation from them
3 prior to signing them up for the program.

4 **COMMISSIONER EDGAR:** Thank you. And that
5 does help me, and I appreciate that very much and
6 welcome any other discussion, Mr. Chairman.

7 **CHAIRMAN BRISÉ:** All right. Any further
8 comments on this issue from any of our fellow
9 Commissioners?

10 Okay. Seeing none, Commissioner Edgar.

11 **COMMISSIONER EDGAR:** Thank you. And if I
12 may pose a question to our staff. I recognize that
13 initially it looked like there was an April
14 deadline. The item has been revised to reflect that
15 there have been requests to the FCC, I believe, for
16 additional time. The item still does say that April
17 2nd is a critical date, which, again, seems a little
18 inconsistent to me with the revised analysis, so let
19 me ask this. Is there a critical date that requires
20 our action today?

21 **MR. HARRIS:** At this point the date is
22 April 2nd. There is some reason to believe that the
23 FCC may extend that date, but at this point they
24 have not. And so as far as we know sitting here
25 today on Tuesday, April 2nd is the date that these

1 changes will take effect and so we are treating that
2 as the critical date.

3 **COMMISSIONER EDGAR:** Okay. Thank you, and
4 let me ask this question.

5 And obviously I don't know how comfortable
6 my other colleagues are with this. I would like a
7 little additional information and to have a little
8 breadth and depth of understanding of the FCC order
9 and how it impacts eligible Florida consumers more
10 directly, if at all possible. So turning that
11 question on its head, would it be possible to defer
12 this and to ask our staff to bring us back some
13 additional information? Recognizing, again, I
14 certainly support us taking whatever action we are
15 required to do to comply with federal law to not
16 increase burdens on the implementing companies, but
17 also I want to make sure that we are doing all that
18 we can to keep the benefits that we have put in
19 place over the past years to continue our outreach
20 and streamlining efforts.

21 **MR. CASEY:** Can I have a moment to confer?

22 **COMMISSIONER EDGAR:** It's okay with me.

23 **CHAIRMAN BRISÉ:** Sure.

24 **MR. HARRIS:** Commissioner, in line with my
25 previous comments, I believe you, in fact, have

1 discretion. I do not know what the effect of that
2 will have on reimbursements for the companies for
3 April. Mr. Casey advises that the April
4 reimbursements will be filed in May, so it's
5 possible, if we can get this to the first April
6 agenda and you all can make a decision, we can get
7 that in place in time for the companies to be able
8 to take action in time for their reimbursement
9 rates. What I'm saying is I do not know what effect
10 it will have on the companies.

11 **COMMISSIONER EDGAR:** Then I would, if I
12 may, Mr. Chairman, pose that question to Mr. Hatch.

13 **MR. HATCH:** Here's kind of where I see it
14 is that you have a conflict between the FCC says no
15 Link-up after April 1st, but the Commission in its
16 rules and orders says you have to do Link-up. So
17 there's a conflict on April 1st if it isn't changed.

18 The net effect of that would be is if we
19 comply with your current rules and orders, et
20 cetera, then we would end up at some point possibly
21 eating that expense because the FCC would not
22 reimburse the Lifeline or the Link-up credit. If we
23 give it and then we submit it, they would reject it,
24 so in a sense we are giving away the credit out of
25 our own pocket.

1 **COMMISSIONER EDGAR:** Hypothetically --

2 **MR. HATCH:** Which begs a whole subsidiary
3 question of could you do it ab initio without the
4 FCC's authority.

5 **COMMISSIONER EDGAR:** So we would be
6 talking about hypothetically the potential new
7 subscribers that would receive the Link-up credit
8 for a period of approximately April 1st to
9 April 14th?

10 **MR. HATCH:** Well, I mean, in practical
11 terms, I suspect it's not a big deal. I could get
12 shot for saying that, but, nonetheless. In
13 practical terms, the amount of the --

14 **COMMISSIONER EDGAR:** Occasionally
15 practical terms works for me, too.

16 **MR. HATCH:** I don't know what the activity
17 on the Link-up credit is for us. I don't have a
18 feel for what those numbers are. I suspect it's not
19 enormous.

20 **COMMISSIONER EDGAR:** Commissioners, I feel
21 like I'm little bit between a rock and a hard place
22 if you understand the overused analogy.

23 **MR. HARRIS:** One thing, Commissioner, that
24 may be a proposal. I know you have a time certain
25 on Labrador for 1:00 o'clock, the Commission will be

1 meeting on agenda after that time. If you wanted to
2 temporarily defer this item today, we could go and
3 work very hard on this and try to get you whatever
4 information we can before you adjourn agenda for
5 today. I don't know how long Labrador will take,
6 but that gives us some time to work on this and
7 perhaps we can come up with the information you need
8 and be able to present that to you later today. So
9 that might be an option.

10 **COMMISSIONER EDGAR:** I appreciate that.

11 Mr. Chairman, I might be interested in
12 that if that is not too much of a hardship for
13 others. And, you know, I do have a little bit of a
14 concern about an item being placed before us that
15 says you should do something, our staff recommends
16 that you should take action, and first I'm told that
17 I have discretion as to whether to take that action
18 or not and then I'm told that, no, I do not have
19 discretion, and it's brought to us bumping up
20 against a deadline that then I'm told gives us no
21 discretion. So I would like the opportunity to meet
22 with staff about this perhaps at the lunch break,
23 Mr. Chairman, if that is something that you would be
24 willing to consider.

25 **CHAIRMAN BRISÉ:** I don't see that that

1 causes any harm. It may add a little bit of time to
2 our afternoon, but I think that's what we are here
3 to do is to do the work. So if staff can address
4 all the issues that have been brought up and have
5 all the information necessary and make themselves
6 available for all the Commissioners, as necessary,
7 if there are questions in between then, and we will
8 take up this issue again this afternoon after
9 Labrador.

10 **MR. HARRIS:** Yes, sir.

11 **CHAIRMAN BRISÉ:** Thank you. Now we are
12 moving on to Item Number 5.

13 **MR. HATCH:** I'm assuming -- I'm trying to
14 just get a sense of timing for the issue. If you're
15 done with everything else before 1:00 o'clock, are
16 you going to take it up before 1:00 o'clock or --

17 **CHAIRMAN BRISÉ:** No, we have a time
18 certain at 1:00 o'clock, and it begins at 1:00
19 o'clock.

20 **MR. HATCH:** This item will be taken up
21 after your item that starts at 1:00 o'clock.

22 **CHAIRMAN BRISÉ:** Sure.

23 * * * * *

24 **CHAIRMAN BRISÉ:** All right. We are going
25 to come back to Item 3.

1 **MR. HARRIS:** Thank you, Commissioners.
2 Staff does appreciate you passing this item earlier
3 and giving us a chance to have some discussions. We
4 have discussed the staff recommendation and believe
5 we have a number of clarifications and some
6 suggestions that hopefully will help explain the
7 staff recommendation a little bit better.

8 First, I did want to go back and clarify
9 some of my earlier comments regarding your
10 discretion. And we could have a lengthy discussion
11 about your legal discretion in this matter, but
12 practically the FCC's order is fairly prescriptive
13 and it essentially requires that the Florida program
14 match the federal program. Given that, in this
15 instance your discretion is significantly curtailed
16 to the point where the practical considerations are
17 that there is no realistic option other than to
18 approve the changes as outlined by staff in the
19 recommendation.

20 That being said, we have had some
21 discussions about ways that we can continue to
22 maximize the benefit of the program for Florida's
23 consumers, and I believe Mr. Casey has a number of
24 suggestions that we can put forth that may help with
25 this matter a little bit.

1 **MR. CASEY:** I would just like to bring
2 forth a few comments. As you are aware, the
3 Commission has been heavily involved in Lifeline
4 over a number of years. The Commission has filed
5 many comments at the FCC to promote changes which
6 would benefit Florida consumers. The FCC has held
7 the Florida Lifeline program up as an example for
8 the rest of the nation. In a December 2011 letter
9 to all state commissions, the FCC Chairman
10 recognized Florida for combating waste, fraud, and
11 abuse in the universal service program.

12 This morning the Commission expressed
13 their concerns of the impact of this order on
14 consumers. Staff does agree with your concerns. I
15 apologize if I didn't articulate staff's Lifeline
16 efforts and commitment in my recommendation and
17 analysis. Staff believes the Lifeline program is
18 very beneficial, helping many Florida consumers.
19 Presently there is about 950,000 participants in the
20 program.

21 We do believe the Lifeline
22 self-certification process has been successful in
23 increasing participation in the program. We will
24 move forward to create a new process making Lifeline
25 enrollment as easy as possible for consumers. Staff

1 will, number one, call a meeting of the Lifeline
2 working group to solicit ideas on how the enrollment
3 process can be streamlined and made simpler for the
4 consumer. The Lifeline working group by statute
5 includes all ETCs, OPC, and the Department of
6 Children and Families, so we can all get our heads
7 together and come up with some ideas.

8 We will look at creating a new Lifeline
9 application using the DCF portal for verification of
10 program participation. It may be as simple as just
11 coming up with an application that has three
12 programs on it, all three DCF programs. If a person
13 fills that out it could be certified through the DCF
14 portal within a day.

15 And, lastly, we will encourage the use of
16 the computer Lifeline verification portal by all
17 ETCs, and I'm sure when we meet with the Lifeline
18 working group we will get a number of ideas, as I
19 said once we put all our heads together.

20 **CHAIRMAN BRISÉ:** Commissioner Edgar.

21 **COMMISSIONER EDGAR:** Thank you, Mr.
22 Chairman. And thank you, Commissioners, for your
23 patience.

24 A special thanks to our staff. I had the
25 opportunity to meet with them on the lunch break and

1 had my questions answered in more detail, which I
2 very, very much appreciate, and I'm very
3 appreciative of the summary that you have given.

4 As has been pointed out by our staff and
5 we have discussed many, many times, Florida has been
6 a leader in this area. I did have a concern earlier
7 that the analysis was not clear as to what the
8 impact on Florida consumers might be from the
9 changes that were suggested to us in the
10 recommendation, and a concern that inadvertently we
11 would perhaps be taking a step backwards with the
12 efforts that we have made as a state to increase our
13 outreach and to increase the streamlined -- lessen
14 the burden of application and implementation for
15 eligible consumers for eligible populations. And it
16 did seem to me in the write-up that that was unclear
17 and potentially could be viewed as a setback and
18 maybe in practical terms even be a little bit of a
19 step back.

20 I also had a little bit of concern about
21 the language that seemed to, perhaps, between the
22 lines imply that the waste, fraud, and abuse had
23 been an issue here in Florida. And my understanding
24 and belief, although no system is ever going to be
25 100 percent free of problems, that the steps that we

1 have taken with all of the partners in this process
2 have made strides and have -- we have a very good
3 reputation for those individuals that are eligible
4 and that the program is supposed to reach out being
5 the ones that have the benefit that the program
6 affords.

7 So with all of that, Commissioners, thank
8 you for your forbearance. I am much more
9 comfortable than I was before, and I know our
10 staff -- not that they needed to today, but has
11 reaffirmed their commitment to take on the
12 responsibility that I believe this agency has to do
13 everything we can so that while this federal program
14 is out there that it benefits the consumers in
15 Florida that it is intended to.

16 And so with and those additional messages,
17 I would move the staff recommendation on all issues.

18 **CHAIRMAN BRISÉ:** Is there a second?

19 **COMMISSIONER BROWN:** Second.

20 **CHAIRMAN BRISÉ:** All right. Moved and
21 properly seconded. Any further discussion? Seeing
22 none, all in favor say aye.

23 (Vote taken.)

24 **CHAIRMAN BRISÉ:** All right. The motion
25 carries.

1 We want to thank staff very much for your
2 hard work today. It was a long day, but I think it
3 was a very productive day. I want to think the
4 Commissioners for your disposition today, as always,
5 and for your hard work today, as well.

6 Thank you and we stand adjourned.

7 (The Agenda Conference concluded at
8 5:16 p.m.)

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1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

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

7

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.

10


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.

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DATED THIS 30th day of March, 2012.

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JANE FAUROT, RPR
Official FPSC Hearings Reporter
(850) 413-6732

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