

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

NOTICE OF DEVELOPMENT OF RULEMAKING

TO

ALL INTERESTED PERSONS

UNDOCKETED

IN RE: PROPOSED AMENDMENT OF RULE 25-4.0665, F.A.C., LIFELINE ASSISTANCE

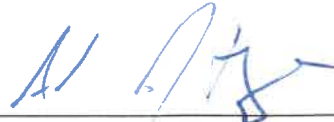
ISSUED: October 18, 2022

NOTICE is hereby given pursuant to Section 120.54, Florida Statutes, that the Florida Public Service Commission staff has initiated rulemaking to amend Rule 25-4.0665, Florida Administrative Code, to clarify and update the rule and implement changes to Section 364.10, Florida Statutes, made in the 2022 Legislative Session.

The attached Notice of Development of Rulemaking appeared in the October 17, 2022 edition of the Florida Administrative Register. If requested in writing and not deemed unnecessary by the agency head, a rule development workshop will be scheduled and noticed in the next available Florida Administrative Register. Written requests for a rule development workshop must be submitted to [dsunshin@psc.state.fl.us](mailto:dsunshin@psc.state.fl.us) by November 1, 2022. A copy of the preliminary draft rule is attached.

NOTICE OF DEVELOPMENT OF RULEMAKING  
UNDOCKETED  
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By DIRECTION of the Florida Public Service Commission this 18th day of October,  
2022.



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ADAM J. TEITZMAN  
Commission Clerk  
Florida Public Service Commission  
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(850) 413-6770  
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

DDS

Notice of Development of Rulemaking

**PUBLIC SERVICE COMMISSION**

RULE NO:    RULE TITLE:

25-4.0665    Lifeline Assistance

PURPOSE AND EFFECT: To clarify and update the rule and implement changes to Section 364.10, Florida Statutes, made in the 2022 Legislative Session.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Lifeline Assistance application process.

RULEMAKING AUTHORITY: 120.80(13)(d), 350.127(2), 364.10(2)(i) FS.

LAW IMPLEMENTED: 364.10, 364.105, 364.183(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE

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

Douglas D. Sunshine, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224, dsunshin@psc.state.fl.us.

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

1       **25-4.0665 Lifeline Assistance.**

2       (1) Eligible Telecommunications Companies must offer Lifeline Assistance as prescribed  
3 by the Federal Communications Commission in Title 47, Code of Federal Regulations, Part  
4 54, Subpart E, Universal Service Support for Low-Income Consumers, Sections 54.400  
5 through 54.423~~47~~, in effect as of September 8, 2022~~as amended October 1, 2017~~, which are  
6 hereby incorporated into this rule by reference, and which are available at  
7 <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX10061>.

8       (2) Eligible telecommunications carriers may assist customers with ~~When enrolling~~  
9 ~~customers in the Lifeline program through the provider portal with the National Lifeline~~  
10 ~~Eligibility Verifier, as defined in Title 47, Code of Federal Regulations, Part 54, Subpart E,~~  
11 ~~Universal Service Support for Low-Income Consumers, Section 54.400(o),~~ eligible  
12 ~~telecommunications carriers shall accept FCC Form 5629 (09/18), OMB APPROVAL~~  
13 ~~EDITION 3060-0819, entitled “Lifeline Program Application Form,” which is incorporated~~  
14 ~~into this rule by reference and which is available at~~  
15 <http://www.flrules.org/Gateway/reference.asp?No=Ref-10073> or from the Universal Service  
16 Administrative Company’s website at  
17 [https://www.usac.org/\\_res/documents/li/pdf/nv/LI\\_Application\\_UniversalForm.pdf](https://www.usac.org/_res/documents/li/pdf/nv/LI_Application_UniversalForm.pdf). The  
18 Spanish version of this form, FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-  
19 0819, entitled “Programa de Lifeline: Formulario de Aplicación,” is also incorporated into this  
20 rule by reference and is available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-](http://www.flrules.org/Gateway/reference.asp?No=Ref-10075)  
21 [10075](http://www.flrules.org/Gateway/reference.asp?No=Ref-10075) or from the Universal Service Administrative Company’s website at  
22 [https://www.usac.org/\\_res/documents/li/pdf/nv/LI-SP\\_Application\\_UniversalForms.pdf](https://www.usac.org/_res/documents/li/pdf/nv/LI-SP_Application_UniversalForms.pdf).  
23 ~~Eligible telecommunications carriers shall also accept Form PSC 1023 (08/18), entitled~~  
24 ~~“Lifeline Florida On-line Application for Recipients of Medicaid or Supplemental Nutrition~~  
25 ~~Assistance Program (SNAP),” which is incorporated into this rule by reference and which is~~  
CODING: Words underlined are additions; words in ~~struck through~~ type are deletions from  
existing law.

1 available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10052> or from the  
2 Commission's website at [www.floridapsc.com](http://www.floridapsc.com), by selecting "Lifeline Assistance," then  
3 selecting "Public Service Commission Secure On-Line Application Form."

4 (3) When recertifying customers in the Lifeline program, eligible telecommunications  
5 carriers shall accept FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819,  
6 entitled "Lifeline Program Annual Recertification Form," which is incorporated into this rule  
7 by reference and which is available at [http://www.flrules.org/Gateway/reference.asp?No=Ref-  
8 10078](http://www.flrules.org/Gateway/reference.asp?No=Ref-10078) or from the Universal Service Administrative Company's website at  
9 [https://www.usac.org/\\_res/documents/li/pdf/nv/LI\\_Recertification\\_UniversalForms.pdf](https://www.usac.org/_res/documents/li/pdf/nv/LI_Recertification_UniversalForms.pdf). The  
10 Spanish version of this form, FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-  
11 0819, entitled "Programa de Lifeline: Formulario de Recertificación," is also incorporated into  
12 this rule by reference and is available at  
13 <http://www.flrules.org/Gateway/reference.asp?No=Ref-10080> or from the Universal Service  
14 Administrative Company's website at [https://www.usac.org/\\_res/documents/li/pdf/nv/LI-  
16 SP\\_Recertification\\_UniversalForms.pdf](https://www.usac.org/_res/documents/li/pdf/nv/LI-<br/>15 SP_Recertification_UniversalForms.pdf).

16 (4) To obtain information necessary to confirm whether a customer is eligible for Lifeline  
17 assistance in instances where the customer shares an address with another Lifeline recipient,  
18 eligible telecommunications carriers shall accept FCC Form 5631 (09/18), OMB APPROVAL  
19 EDITION 3060-0819, entitled "Lifeline Program Household Worksheet," which is  
20 incorporated into this rule by reference and which is available at  
21 <http://www.flrules.org/Gateway/reference.asp?No=Ref-10081> or from the Universal Service  
22 Administrative Company's website at  
23 [https://www.usac.org/\\_res/documents/li/pdf/nv/LI\\_Worksheet\\_UniversalForms.pdf](https://www.usac.org/_res/documents/li/pdf/nv/LI_Worksheet_UniversalForms.pdf). The  
24 Spanish version of this form, FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-  
25 0819, entitled "Programa de Lifeline: Planilla de Hogar," is also incorporated into this rule by  
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1 reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10082> or  
2 from the Universal Service Administrative Company's website at  
3 [https://www.usac.org/\\_res/documents/li/pdf/nv/LI-SP\\_Worksheet\\_UniversalForms.pdf](https://www.usac.org/_res/documents/li/pdf/nv/LI-SP_Worksheet_UniversalForms.pdf).

4 ~~(5) Eligible telecommunications carriers must allow customers the option to submit~~  
5 ~~Lifeline application and recertification forms via U.S. Mail or facsimile, and may allow~~  
6 ~~applications to be submitted electronically. Eligible telecommunications carriers must also~~  
7 ~~allow customers the option to submit copies of supporting documents via U.S. Mail or~~  
8 ~~facsimile.~~

9 ~~(3)~~<sup>(6)</sup> All eligible telecommunications carriers ~~must~~<sup>shall</sup> participate in the Lifeline  
10 Promotion Simplified Enrollment Process. For purposes of this rule, the Lifeline Promotion  
11 Simplified Enrollment Process is an electronic interface between the Department of Children  
12 and Family Services, the Commission, and the eligible telecommunications carrier to provide  
13 eligible consumers information on how to apply for Lifeline assistance that allows low income  
14 individuals to enroll in Lifeline following enrollment in a qualifying public assistance  
15 program.

16 (a) The eligible telecommunications carrier must maintain with the Commission the  
17 name(s), email address(es), and telephone number(s) of at least one company representative  
18 who will manage the user accounts on the Commission's Lifeline secure website.

19 ~~(b)~~<sup>(a)</sup> The Commission ~~will~~<sup>shall</sup> send an email to the eligible telecommunications carrier  
20 informing the eligible telecommunications carrier that a list of customers enrolled in a Lifeline  
21 qualifying public assistance program is applications are available for retrieval from the  
22 Commission's Lifeline secure website.

23 ~~(b)~~ ~~The eligible telecommunications carrier shall maintain at least one current email~~  
24 ~~address with the Commission, which the Commission will use to inform the eligible~~  
25 ~~telecommunications carrier of the Commission's Lifeline secure website address and that new~~  
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1 ~~Lifeline applications are available for retrieval.~~

2 (c) Eligible telecommunications carriers must contact customers on the list to whom they  
3 provide service and that do not already participate in Lifeline, to inform them of the Lifeline  
4 application process with the National Lifeline Eligibility Verifier. For customers on the list  
5 that are not contacted by the eligible telecommunications carrier, within 20 calendar days of  
6 receiving the Commission's email notification, the eligible telecommunications carrier must  
7 provide to the Commission the customer identification number, name, address, telephone  
8 number, and the Department of Children and Family application date. This information can be  
9 provided via the Commission's dedicated Lifeline facsimile telephone line at (850) 717-0108,  
10 an electronic response via the Commission's Lifeline secure website, or file the information  
11 with the Office of Commission Clerk. The eligible telecommunications carrier shall maintain  
12 with the Commission the names, email addresses and telephone numbers of at least one  
13 company representative who will manage the user accounts on the Commission's Lifeline  
14 secure website.

15 ~~(d) Within 20 calendar days of receiving the Commission's email notification that the~~  
16 ~~Lifeline application is available for retrieval, the eligible telecommunications carrier shall~~  
17 ~~provide a facsimile response to the Commission via the Commission's dedicated Lifeline~~  
18 ~~facsimile telephone line at (850)717-0108, or an electronic response via the Commission's~~  
19 ~~Lifeline secure website, identifying the customer name, address, telephone number, and date~~  
20 ~~of the application for:~~

21 ~~1. Misdirected Lifeline applications; or~~

22 ~~2. Applications for customers currently receiving Lifeline assistance.~~

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

25 ~~(d)(e)~~ Pursuant to Section 364.107(1), F.S., information filed by the eligible

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1 telecommunications carrier in accordance with paragraph (3)(c) ~~(6)-(d)~~ of this rule is  
2 confidential and exempt from Section 119.07(1), F.S. However, the eligible  
3 telecommunications carrier may disclose such information consistent with the criteria in  
4 Section 364.107(3)(a), F.S. For purposes of this rule, the information filed by the eligible  
5 telecommunications carrier will be presumed necessary for disclosure to the Commission  
6 pursuant to the criteria in Section 364.107(3)(a)4., F.S.

7 (4) Eligible telecommunications carriers must advertise the availability of Lifeline  
8 assistance. Pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section  
9 54.405(b), all eligible telecommunications carriers are obligated to publicize the availability of  
10 Lifeline assistance in a manner reasonably designed to reach those likely to qualify for the  
11 assistance. Only posting the availability of Lifeline assistance on an eligible  
12 telecommunications carrier's website is insufficient to meet this requirement. Advertising the  
13 availability of Lifeline assistance can be achieved by using any of the following media: flyers,  
14 local newspaper ads, local TV ads, mail, email, web advertisements, bill inserts, and other  
15 text-based methods of advertisement or a combination of such media. Pursuant to Title 47 of  
16 the United States Code, Section 214(e)(1)(B), as amended December 1, 1997, which is hereby  
17 incorporated into this rule by reference, and which is available at  
18 <http://www.flrules.org/Gateway/reference.asp?No=Ref-10057>, charges must also be included  
19 in the Lifeline advertisement. The company may redirect consumers to a toll free customer  
20 service number and website to see applicable charges and fees in lieu of listing all charges in  
21 an advertisement.

22 ~~(7) An eligible telecommunications carrier shall not impose additional verification~~  
23 ~~requirements on subscribers beyond those which are required by this rule.~~

24 ~~(8) Within 20 calendar days of rejecting a Lifeline application, an eligible~~  
25 ~~telecommunications carrier must provide written notice to the customer providing the reason~~

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1 for rejecting the Lifeline application, and providing contact information for the customer to  
2 get information regarding the application denial. Rejected applications received by way of the  
3 Simplified Enrollment Process under subsection (6) must also be reported to the Commission  
4 via the Commission's dedicated Lifeline facsimile telephone line at (850)717-0108 or  
5 electronically via the Commission's Lifeline secure website, with the reason why the  
6 application was rejected. In lieu of a facsimile or electronic submission, the eligible  
7 telecommunications carrier may file the information with the Office of Commission Clerk.

8 ~~(5)~~(9) An eligible telecommunications carrier or its designee must provide written notice  
9 prior to the termination of Lifeline assistance pursuant to Title 47, Code of Federal  
10 Regulations, Part 54, Subpart E, Section 54.405(e) Carrier obligation to offer Lifeline, De-  
11 enrollment, as amended October 1, 2017. The notice of impending termination must~~shall~~  
12 contain the telephone number at which the subscriber can obtain information about the  
13 subscriber's Lifeline assistance from the eligible telecommunications carrier. The notice  
14 must~~shall~~ also inform the subscriber of the availability, pursuant to Section 364.105, F.S., of  
15 discounted residential basic local telecommunications service.

16 ~~(6)~~(10) All eligible telecommunications carriers must~~shall~~ provide current Lifeline  
17 program company information to the Universal Service Administrative Company at  
18 www.lifelinesupport.org so that the information can be posted on the Universal Service  
19 Administrative Company's consumer website.

20 ~~(11)~~ Eligible telecommunications carriers ~~must advertise the availability of Lifeline~~  
21 ~~assistance. Pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section~~  
22 ~~54.405(b), all eligible telecommunications carriers are obligated to publicize the availability of~~  
23 ~~Lifeline assistance in a manner reasonably designed to reach those likely to qualify for the~~  
24 ~~assistance. Only posting the availability of Lifeline assistance on an eligible~~  
25 ~~telecommunications carrier's website is insufficient to meet this requirement. Advertising the~~

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1 availability of Lifeline assistance can be achieved by using any of the following media: flyers,  
2 local newspaper ads, local TV ads, mail, email, web advertisements, bill inserts and other text-  
3 based methods of advertisement or a combination of such media. Pursuant to Title 47 of the  
4 United States Code, Section 214(e)(1)(B), as amended December 1, 1997, which is hereby  
5 incorporated into this rule by reference, and which is available at  
6 <http://www.flrules.org/Gateway/reference.asp?No=Ref-10057>, charges must also be included  
7 in the Lifeline advertisement. The company may redirect consumers to a 1-800 customer  
8 service number and website to see applicable charges and fees in lieu of listing all charges in  
9 an advertisement.

10 (7)(12) Eligible telecommunications carriers must file all reports with the Commission in  
11 accordance with Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.422(c),  
12 Annual reporting for eligible telecommunications carriers that receive low-income support, as  
13 amended October 1, 2017, which is hereby incorporated into this rule by reference, and which  
14 is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10058>.

15 *Rulemaking Authority 120.80(13)(d), 350.127(2), 364.10(2)(ij) FS. Law Implemented*  
16 *364.10, 364.105, 364.183(1) FS. History—New 1-2-07, Amended 12-6-07, 6-23-10, 11-21-18,*  
17 \_\_\_\_\_.

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