

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Lifeline Service )      Docket: Undocketed  
\_\_\_\_\_ )      Filed: September 24, 2010

**COMMENTS OF VERIZON**

In compliance with Staff’s direction at the August 18, 2010 meeting of the Lifeline Working Group, Verizon Florida LLC and Cellco Partnership d/b/a Verizon Wireless (collectively, “Verizon”) submit the following comments that address the four questions raised by Staff in this proceeding.

1.    How should an eligible subscriber’s personal identifying information be shared?

Section 364.10(3)(h)(1), Florida Statutes, provides that the Department of Children and Family Services (“DCFS”), the Department of Education (“DOE”), the Commission and the Office of Public Counsel (“OPC”) may exchange “sufficient information” with specified eligible telecommunications carriers (“ETCs”) “so that the ETCs can identify and enroll an eligible person in the Lifeline and Link-Up programs.” Examples of the types of information that may be provided include the customer’s name, date of birth, service address and telephone number.<sup>1</sup> After the information has been disclosed, it remains confidential and “may only be used for the purposes of **determining eligibility** and **enrollment** in the Lifeline and Link-Up programs.”<sup>2</sup>

DCFS, DOE, the Commission and OPC have taken reasonable steps to treat customer information exchanged under section 364.10(3)(h)(1) confidentially. To ensure that confidentiality continues to be preserved, those agencies should require that

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<sup>1</sup> Section 364.10(3)(h)(1), Florida Statutes.

<sup>2</sup> *Id.* (emphasis added).

the disclosed customer information only is used for the statutorily authorized purposes – *i.e.*, either (1) determining eligibility or (2) enrolling eligible customers in the Lifeline and Link-Up programs. As discussed in response to Question 2 below, this confidential information cannot be used for marketing purposes.

2. Should an eligible subscriber's personal identifying information be used by an ETC for marketing purposes?

ETCs receiving customers' personal information under section 364.10(3)(h)(1) are prohibited from using the information for any purpose other than determining eligibility or enrolling their eligible customers in the Lifeline and Link-Up programs. Thus, ETCs cannot use such information for marketing purposes. Moreover, as a matter of policy, ETCs should not be able to use confidential consumer information they receive under section 364.10(3)(h)(1) for marketing purposes because consumers receiving benefits under state programs for low-income persons expect their participation to be kept private. Their trust would be violated if they began to receive Lifeline marketing calls or other communications that obviously were generated by their enrollment in state programs.

3. What should be the obligations of each party with respect to the use of an eligible subscriber's personal identifying information?

Each ETC should comply with section 364.10 and other applicable law concerning the treatment of customers' personal information. State agencies also must comply with applicable law and take reasonable measures (described in response to Question 1 above) to ensure that confidential information remains secure.

4. What procedures should be implemented to increase enrollment and verify eligibility in these programs?

State agencies play an important role in educating low-income consumers about the availability of the Lifeline and Link-Up programs because they interact directly with low-income consumers and retain information identifying customers who are eligible for the Lifeline discount. ETCs also have certain responsibilities to advertize the availability of the Lifeline discount.<sup>3</sup> This division of labor has worked well and does not need to be changed.

Verizon has implemented enrollment verification procedures as required by the Commission and verifies the continued eligibility of a statistically significant sampling of its Lifeline subscribers on an annual basis. The combination of state and private enrollment and annual verification procedures has proven effective and should be maintained.

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<sup>3</sup> See Section 25-4.0665(17), Florida Administrative Code.

Respectfully submitted on September 24, 2010.

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