

State of Florida



## Public Service Commission

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

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**DATE:** July 31, 2014

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

**FROM:** Office of Telecommunications (Casey) *PC*  
Office of the General Counsel (Teitzman) *AT*

**RE:** Docket No. 120052-TP – Florida Link-Up and Lifeline Program Modernization.

**AGENDA:** 08/12/14 – Regular Agenda –Interested Persons May Participate

**COMMISSIONERS ASSIGNED:** All Commissioners

**PREHEARING OFFICER:** Administrative

**CRITICAL DATES:** None

**SPECIAL INSTRUCTIONS:** None

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### Case Background

On February 6, 2012, the Federal Communications Commission (FCC) released a Report and Order (Order FCC 12-11) and Further Notice of Proposed Rulemaking addressing Lifeline and Link Up Reform and Modernization.<sup>1</sup> The stated purposes of the FCC's Order 12-11 were to strengthen protections against waste, fraud, and abuse; improve program administration and accountability; improve enrollment and consumer disclosures; initiate modernization of the program to include broadband; and constrain the growth of the program in order to reduce the burden on all who contribute to the Federal Universal Service Fund. Many of the modifications contained in Order FCC 12-11 affected Florida's Lifeline program.

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<sup>1</sup> In the Matter of Lifeline and Link Up Reform and Modernization (WC Docket No. 11-42), Lifeline and Link Up (WC Docket No. 03-109), Federal-State Joint Board on Universal Service (CC Docket No. 96-45), Advancing Broadband Availability Through Digital Literacy Training (WC Docket No. 12-23), Report and Order and Further Notice of Proposed Rulemaking. Order No. FCC 12-11. Adopted: January 31, 2012, Released: February 6, 2012.

Docket No. 120052-TP  
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To fulfill the requirements of Order FCC 12-11, this Commission, by Order No. PSC-12-0205-PAA-TP, issued April 17, 2012, ordered that non-Tribal Link Up be removed from the Florida Lifeline program, the monthly amount of Lifeline credit provided to Florida Lifeline customers be changed from \$13.50 to \$12.75, and the Florida Lifeline Simplified Certification process be eliminated as of June 1, 2012. This docket was kept open to address any additional changes that needed to be made to Florida's Lifeline program due to the FCC Lifeline Reform and Modernization. The Commission has authority under Section 364.10, Florida Statutes, to administer the Florida Lifeline and Link Up program.

### **Discussion of Issues**

**Issue 1:** Should this docket be closed?

**Recommendation:** Yes. Staff recommends this docket should be closed. (Casey, Teitzman)

**Staff Analysis:** This docket was opened to address modifications that needed to be made to the Florida Lifeline program as a result of the issuance of the FCC Lifeline Reform Order. The only outstanding issue that needed to be resolved once the Commission issued Order No. PSC-12-0205-PAA-TP was to address a permanent waiver of 47 C.F.R. §54.407(d), 47 C.F.R. §54.410(b)(2)(ii), 47 C.F.R. §54.410(c)(2)(ii), and 47 C.F.R. §54.410(e). These FCC rules stated that eligible telecommunications carriers must not seek reimbursement from the Federal universal service fund unless the eligible telecommunications carrier has received from the state Lifeline administrator or other state agency, a copy of the Lifeline subscriber's certification form.<sup>2</sup> The Order also required state Lifeline administrators or other state agencies that are responsible for the initial determination of a subscriber's eligibility for Lifeline to provide each eligible telecommunications carrier with a hard-copy of each of the Lifeline certification forms beginning June 1, 2012.

The Florida Lifeline Electronic Coordinated Enrollment process does not have the capability of printing out a hard-copy Lifeline application as required by the new FCC Rules. However, the Florida Lifeline Electronic Coordinated Enrollment process allows eligible telecommunications carriers to adhere to the requirements of the Lifeline Reform Order without the need to require or maintain hard-copy Lifeline certification applications. Therefore, on October 25, 2013, the Commission filed a petition with the FCC for permanent waiver of the hard-copy Lifeline application obligation required by Rules 47 C.F.R. §54.407(d), 47 C.F.R. §54.410(b)(2)(ii), 47 C.F.R. §54.410(c)(2)(ii), and 47 C.F.R. §54.410(e).

On June 6, 2014, the FCC released Order DA 14-785, granting Florida a permanent waiver of the FCC requirements to provide hard-copy Lifeline applications to eligible telecommunications carriers. In the Order, the FCC stated a permanent waiver is appropriate because Florida's screening system fulfills the underlying purpose of the rules to limit Lifeline benefits to eligible consumers.

Staff believes there are no further issues to be addressed regarding the FCC Lifeline Reform Order. Therefore, staff recommends that this docket should be closed.

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<sup>2</sup> 47 C.F.R. §54.407(d), 47 C.F.R. §54.410(b)(2)(ii), and 47 C.F.R. §54.410(c)(2)(ii).