

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-**

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**DATE:** November 1, 2018  
**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Rosanne Gervasi, Office of the General Counsel *RG*  
**RE:** Docket No. 20170233-TP

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Please file the attached rule certification packet materials for Rule(s), F.A.C., in the docket file listed above.

Thank you.

Attachment

RECEIVED-FPSC  
2018 NOV -1 PM 1:21  
COMMISSION  
CLERK

COMMISSIONERS:  
ART GRAHAM, CHAIRMAN  
JULIE I. BROWN  
DONALD J. POLMANN  
GARY F. CLARK  
ANDREW GILES FAY

STATE OF FLORIDA



OFFICE OF THE GENERAL COUNSEL  
KEITH C. HETRICK  
GENERAL COUNSEL  
(850) 413-6199

# Public Service Commission

November 1, 2018

Mr. Ernest Reddick  
Florida Department of State  
Administrative Code and Register Section  
Room 701, the Capitol  
Tallahassee, FL 32399-0250

**VIA HAND DELIVERY**

Re: Docket No. 20170233-TP; Rule 25-4.0665, F.A.C., Lifeline Service, and 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company

Dear Mr. Reddick:

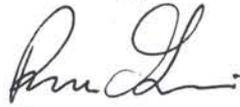
Enclosed for filing is a complete rule certification packet for Rule 25-4.0665, F.A.C., and Rule 25-4.113, F.A.C., consisting of:

- (1) One compact disc containing the coded text of the rules;
- (2) One original and two copies of the e-mail approval confirmation with the certification form required by Rule 1-1.013, F.A.C., for the materials incorporated by reference that were filed electronically;
- (3) One original and two copies of the signed rule certification form;
- (4) One original and two copies of the signed designation of minor violation rule certification form required by Rule 1-1.010, F.A.C.;
- (5) One original and two copies of the coded text of the rules, including the legal citations and history notes;
- (6) One original and two copies of the summary of the rules;
- (7) One original and two copies of the detailed written statement of the facts and circumstances justifying the rules; and
- (8) One original and two copies of the summary of the hearings held on the rule.

2018 NOV - 1 AM 11:31  
DEPARTMENT OF STATE  
TALLAHASSEE, FLORIDA  
FILED

Please let me know if you have any questions. The contact name and information for this rule are Rosanne Gervasi, Florida Public Service Commission, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0250, (850) 413-6224, [rgervasi@psc.state.fl.us](mailto:rgervasi@psc.state.fl.us).

Sincerely,

A handwritten signature in black ink, appearing to read 'Rosanne Gervasi', written in a cursive style.

Rosanne Gervasi  
Senior Attorney

Enclosures

## Julie Phillips

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**From:** FL-Rules@dos.state.fl.us  
**Sent:** Thursday, October 25, 2018 1:32 PM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10061; Reference Name: Title 47, Code of Federal Regulations, Part 54, Subpart E, Universal Service Support for Low-Income Consumers, Sections 54.400 through 54.417, as amended October 1, 2017

Click [here](#) to log in.

Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

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**From:** FL-Rules@dos.state.fl.us  
**Sent:** Friday, October 26, 2018 10:49 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10073; Reference Name: FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Application Form"

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Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

---

**From:** FL-Rules@dos.state.fl.us  
**Sent:** Friday, October 26, 2018 2:26 PM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10075; Reference Name: FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Formulario de Aplicación"

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Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

---

**From:** FL-Rules@dos.state.fl.us  
**Sent:** Thursday, October 25, 2018 10:37 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** 25-4.0665 Reference Material for Rule Adoption Approved

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10052; Reference Name: Form PSC 1023 (08/18), entitled "Lifeline Florida On-line Application for Recipients of Medicaid or Supplemental Nutrition Assistance Program (SNAP)"

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Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

---

**From:** FL-Rules@dos.state.fl.us  
**Sent:** Monday, October 29, 2018 8:23 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10078; Reference Name: FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Annual Recertification Form"

Click [here](#) to log in.

Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

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**From:** FL-Rules@dos.state.fl.us  
**Sent:** Monday, October 29, 2018 8:23 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10080; Reference Name: FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Formulario de Recertificación"

Click [here](#) to log in.

Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

---

**From:** FL-Rules@dos.state.fl.us  
**Sent:** Monday, October 29, 2018 8:24 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10081; Reference Name: FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Household Worksheet"

Click [here](#) to log in.

Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

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**From:** FL-Rules@dos.state.fl.us  
**Sent:** Monday, October 29, 2018 8:24 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

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The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10082; Reference Name: FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Planilla de Hogar"

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Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

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**From:** FL-Rules@dos.state.fl.us  
**Sent:** Thursday, October 25, 2018 10:41 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material list](#) (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10057; Reference Name: Title 47 of the United States Code, Section 214(e)(1)(B), as amended December 1, 1997

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Administrative Code and Register Staff  
Florida Department of State

## Julie Phillips

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**From:** FL-Rules@dos.state.fl.us  
**Sent:** Thursday, October 25, 2018 10:42 AM  
**To:** Julie Phillips  
**Cc:** flrules@dos.state.fl.us  
**Subject:** {BULK} 25-4.0665 Reference Material for Rule Adoption Approved

**Importance:** Low

Dear JPhillips:

The reference material for rule adoption you submitted has been approved by the Administrative Code and Register Staff.

The approved material is available in the [Review/Modify Agency Reference Material](#) list (Agency Main Menu page).

Rule Number: 25-4.0665

Reference Number: Ref-10058; Reference Name: Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.422(c), Annual reporting for eligible telecommunications carriers that receive low-income support, as amended October 1, 2017

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Administrative Code and Register Staff  
Florida Department of State

CERTIFICATION OF MATERIALS INCORPORATED

BY REFERENCE IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1-1.013, Florida Administrative Code:

(1) That materials incorporated by reference in Rule 25-4.0665 have been electronically filed with the Department of State.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be obtained at the agency by [include address(es)/location(s)].

List form number(s) and form title(s), or title of document(s) below:

Title 47, Code of Federal Regulations, Part 54, Subpart E, Universal Service Support for Low-Income Consumers, Sections 54.400 through 54.417, as amended October 1, 2017;

FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Application Form";

FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Formulario de Aplicación";

Form PSC 1023 (08/18), entitled "Lifeline Florida On-line Application for Recipients of Medicaid or Supplemental Nutrition Assistance Program (SNAP)";

FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Annual Recertification Form";

FCC Form 5630 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Formulario de Recertificación";

FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Household Worksheet";

FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Planilla de Hogar";

Title 47 of the United States Code, Section 214(e)(1)(B), as amended December 1, 1997; and

Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.422(c), Annual reporting for eligible telecommunications carriers that receive low-income support, as amended October 1, 2017.

Under the provisions of Section 120.54(3)(e)6., F. S., the attached materials take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.



---

Adam J. Teitzman

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Commission Clerk

CERTIFICATION OF FLORIDA PUBLIC SERVICE COMMISSION  
ADMINISTRATIVE RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and

(2) That there is no administrative determination under Section 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of Section 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by Section 120.54(3)(a), F.S.; and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed more than 90 days after the notice, but not more than 60 days after the administrative law judge files the final order with the clerk or until 60 days after subsequent judicial review is complete; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was being considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the Small Business Regulatory Advisory Committee.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

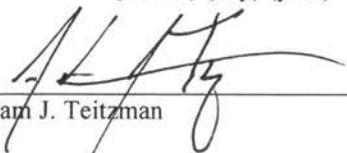
Rule Nos.

25-4.0665

25-4.113

Under the provision of Section 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_  
(month) (day) (year)

  
\_\_\_\_\_

Adam J. Teitzman

Commission Clerk  
\_\_\_\_\_

Title \_\_\_\_\_

Number of Pages Certified \_\_\_\_\_

**DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION  
CERTIFICATION**

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No.

25-4.0665

Rules covered by this certification:

Rule Nos.

25-4.0665

25-4.113



\_\_\_\_\_  
Signature of Agency Head

Chairman, Florida Public Service Commission  
Title

**25-4.0665 Lifeline Assistance Service.**

(1) Eligible Telecommunications Companies must offer Lifeline Assistance as prescribed by the Federal Communications Commission in Title 47, Code of Federal Regulations, Part 54, Subpart E, Universal Service Support for Low-Income Consumers, Sections 54.400 through 54.417, as amended October 1, 2017, which are hereby incorporated into this rule by reference, and which are available at <http://www.frules.org/Gateway/reference.asp?No=Ref-10061>. A subscriber is eligible for Lifeline service if:

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

- ~~1. Medicaid;~~
- ~~2. Food Stamps;~~
- ~~3. Supplemental Security Income (SSI);~~
- ~~4. Temporary Assistance for Needy Families/Temporary Cash Assistance;~~
- ~~5. "Section 8" Federal Public Housing Assistance;~~
- ~~6. Low-Income Home Energy Assistance Program; or~~
- ~~7. The National School Lunch Program—Free Lunch; or~~

(b) ~~The subscriber's eligible telecommunications carrier has more than one million access lines and the subscriber's household income is at or below 150 percent of the federal poverty income guidelines.~~

(2) ~~A subscriber living on federally recognized Tribal lands who does not satisfy the eligibility requirements for Lifeline service in subsection (1) of this rule is nevertheless eligible for Lifeline service if the subscriber receives benefits from one of the following Bureau of Indian Affairs programs:~~

- ~~(a) Tribal temporary assistance for needy families (TANF);~~
- ~~(b) NSL Program—Free Lunch; or~~
- ~~(c) Head Start.~~

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

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

~~(2)(5) When enrolling customers in the Lifeline service program under paragraph (1)(a) of this rule, eligible~~

telecommunications carriers shall accept FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, PSC/TEL 157 (6/10), entitled "Lifeline Program Application Form," "Application for Link-Up Florida and Lifeline Assistance," which is incorporated into this rule by reference and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10073> or can be accessed from the Universal Service Administrative Company's Commission's website at [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), [www.floridapsc.com](http://www.floridapsc.com), by selecting "Link-Up Florida and Lifeline Assistance," then selecting "Need Discounted Phone Service?," and then selecting "English Link-Up and Lifeline Certification Form" (also available in Spanish and Creole). The Spanish version of this form, FCC Form 5629 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Formulario de Aplicación," is also incorporated into this rule by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10075> or from the Universal Service Administrative Company's website at [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). Eligible telecommunications carriers shall also accept Form PSC 1023 (08/18), entitled "Lifeline Florida On-line Application for Recipients of Medicaid or Supplemental Nutrition Assistance Program (SNAP)," which is incorporated into this rule by reference and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10052> or from the Commission's website at [www.floridapsc.com](http://www.floridapsc.com), by selecting "Lifeline Assistance," then selecting "Public Service Commission Secure On-Line Application Form."

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

~~Eligible telecommunications carriers shall enroll customers for Lifeline service who electronically submit Form PSC/TEL-158 (6/10), entitled "Lifeline and Link-Up Florida On-line Self-Certification Form," which is incorporated into this rule by reference and can be accessed from the Commission's website at [www.floridapsc.com](http://www.floridapsc.com), by selecting "Link-Up Florida and Lifeline," then selecting "Apply On-line."~~

~~(7) For Lifeline applicants who do not use On-line enrollment or simplified certification enrollment, the eligible telecommunications carrier must accept Public Assistance eligibility determination letters, including those provided for food stamps, Medicaid, and public housing lease agreements, as proof of eligibility for Link-Up and Lifeline enrollment.~~

(4) To obtain information necessary to confirm whether a customer is eligible for Lifeline assistance in instances where the customer shares an address with another Lifeline recipient, eligible telecommunications carriers shall accept FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Lifeline Program Household Worksheet," which is incorporated into this rule by reference and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10081> or from the Universal Service Administrative Company's website at [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 Spanish version of this form, FCC Form 5631 (09/18), OMB APPROVAL EDITION 3060-0819, entitled "Programa de Lifeline: Planilla de Hogar," is also incorporated into this rule by reference and is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10082> or from the Universal Service Administrative Company's website at [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).

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

~~(9) Eligible telecommunications carriers shall only require a customer to provide the last four digits of the customer's social security number for application for Lifeline and Link-Up service and to verify continued eligibility for the programs as part of the annual verification process.~~

(6)(10) All eligible telecommunications carriers shall participate in the Lifeline service Simplified Automatic Enrollment Process. For purposes of this rule, the Lifeline service Simplified Automatic Enrollment Process is an electronic interface between the Department of Children and Family Services, the Commission, and the eligible

telecommunications carrier that allows low-income individuals to automatically enroll in Lifeline following enrollment in a qualifying public assistance program.

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

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

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

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

~~(d)(e)~~ Within 20 calendar days of receiving the Commission's e-mail notification that the Lifeline service application is available for retrieval, the eligible telecommunications carrier shall provide a facsimile response to the Commission via the Commission's dedicated Lifeline service facsimile telephone line at (850) 717-0108 413-7142, or an electronic response via the Commission's Lifeline secure website, identifying the customer name, address, telephone number, and date of the application for:

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

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

~~(e)(f)~~ Pursuant to Section 364.107(1), F.S., information filed by the eligible telecommunications carrier in accordance with paragraph ~~(6)(d)~~ (9)(e) of this rule is confidential and exempt from Section 119.07(1), F.S. However, the eligible telecommunications carrier may disclose such information consistent with the criteria in Section 364.107(3)(a), F.S. For purposes of this rule, the information filed by the eligible telecommunications

carrier will be presumed necessary for disclosure to the Commission pursuant to the criteria in Section 364.107(3)(a)4., F.S.

~~(7)(11)~~ An eligible telecommunications carrier shall not impose additional verification requirements on subscribers beyond those which are required by this rule.

~~(12) If the Office of Public Counsel certifies a subscriber eligible to receive Lifeline service under the income test set forth in Section 364.10(3)(a), F.S., an eligible telecommunications carrier shall not impose any additional verification requirements on the subscriber.~~

~~(8)(13) Within 20 calendar days of rejecting a Lifeline application, an~~ An eligible telecommunications carrier must provide written notice to the a customer ~~within 30 days of receipt of the application~~ providing the reason for ~~rejecting the a rejected~~ Lifeline application, and providing contact information for the customer to get information regarding the application denial. Rejected applications received by way of the Simplified Enrollment Process under subsection (6) must also be reported to the Commission via the Commission's dedicated Lifeline facsimile telephone line at (850) 717-0108 or electronically via the Commission's Lifeline secure website, with the reason why the application was rejected. In lieu of a facsimile or electronic submission, the eligible telecommunications carrier may file the information with the Office of Commission Clerk.

~~(9)(14)~~ An eligible telecommunications carrier or its designee must provide ~~60 days~~ written notice prior to the termination of Lifeline assistance service pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.405 Carrier obligation to offer Lifeline, as amended October 1, 2017. The notice of impending ~~pending~~ termination shall contain the telephone number at which the subscriber can obtain information about the subscriber's Lifeline assistance service from the eligible telecommunications carrier. The notice shall also inform the subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic local telecommunications service.

~~(15) If a subscriber's Lifeline service is terminated and the subscriber subsequently presents proof of Lifeline eligibility, the eligible telecommunications carrier shall reinstate the subscriber's Lifeline service as soon as practicable, but no later than 60 days following receipt of proof of eligibility. Irrespective of the date on which the eligible telecommunications carrier reinstates the subscriber's Lifeline service, the subscriber's bill shall be credited for Lifeline service as of the date the eligible telecommunications carrier received the proof of continued Lifeline eligibility.~~

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

(11)(17) Eligible telecommunications carriers must advertise the availability of Lifeline assistance service. Pursuant to Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.405(b), all eligible telecommunications carriers are obligated to publicize the availability of Lifeline assistance in a manner reasonably designed to reach those likely to qualify for the assistance. Only posting the availability of Lifeline assistance on an eligible telecommunications carrier's website is insufficient to meet this requirement. Advertising the availability of Lifeline assistance can be achieved by using any of the following media: flyers, local newspaper ads, local TV ads, mail, e-mail, web advertisements, bill inserts and other text-based methods of advertisement or a combination of such media. Pursuant to Title 47 of the United States Code, Section 214(e)(1)(B), as amended December 1, 1997, which is hereby incorporated into this rule by reference, and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10057>, charges must also be included in the Lifeline advertisement. The company may redirect consumers to a 1-800 customer service number and website to see applicable charges and fees in lieu of listing all charges in an advertisement. to those who may be eligible for the service. At a minimum, if the eligible telecommunications carrier publishes a directory, the eligible telecommunications carrier must include in the index of the directory a notice of the availability of Lifeline service. If the eligible telecommunications carrier generates customer bills, the eligible telecommunications carrier must also place an insert in the subscriber's bill or a message on the subscriber's bill at least once each calendar year advising subscribers of the availability of Lifeline service.

(12)(18) Eligible telecommunications carriers must file all reports with the Commission in accordance with Title 47, Code of Federal Regulations, Part 54, Subpart E, Section 54.422(c), Annual reporting for eligible telecommunications carriers that receive low-income support, as amended October 1, 2017, which is hereby incorporated into this rule by reference, and which is available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-10058>, may not charge a service deposit in order to initiate Lifeline service if the subscriber voluntarily elects toll blocking or toll control. If the subscriber elects not to place toll blocking or toll control on the line, an eligible telecommunications carrier may charge a service deposit.

(19) ~~Eligible telecommunications carriers may not charge Lifeline subscribers a monthly number portability~~

charge.

~~(20) Eligible telecommunications carriers offering Link-Up and Lifeline service must submit quarterly reports to the Commission no later than 30 days following the ending of each quarter as follows: First Quarter (January 1 through March 31); Second Quarter (April 1 through June 30); Third Quarter (July 1 through September 30); Fourth Quarter (October 1 through December 31). The quarterly reports shall include the following data:~~

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

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

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

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

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

*Rulemaking Authority 120.80(13)(d), 350.127(2), 364.10(2)(j) ~~364.10(3)(j)~~ FS. Law Implemented 364.10, 364.105, 364.183(1) FS. History—New 1-2-07, Amended 12-6-07, 6-23-10, \_\_\_\_\_.*

**25-4.113 Refusal or Discontinuance of Service by Company.**

(j) As applicable, the company may refuse or discontinue telephone service under the following conditions provided that, unless otherwise stated, the customer shall be given notice and allowed a reasonable time to comply with any rule or remedy any deficiency:

(a) For non-compliance with or violation of any state or municipal law, ordinance, or regulation pertaining to telephone service.

(b) For the use of telephone service for any other property or purpose than that described in the application.

(c) For failure or refusal to provide the company with a deposit to insure payment of bills in accordance with the company's regulations.

(d) For neglect or refusal to provide reasonable access to the company for the purpose of inspection and maintenance of equipment owned by the company.

(e) For noncompliance with or violation of the Commission's regulations or the company's rules and regulations on file with the Commission, provided 5 working days' written notice is given before termination.

(f) For nonpayment of bills for telephone service, including the telecommunications access system surcharge referred to in subsection 25-4.160(3), F.A.C., provided that suspension or termination of service shall not be made without 5 working days' written notice to the customer, except in extreme cases. The written notice shall be separate and apart from the regular monthly bill for service. A company shall not, however, refuse or discontinue service for nonpayment of a dishonored check service charge imposed by the company, nor discontinue a customer's Lifeline local service if the charges, taxes, and fees applicable to dial tone, local usage, dual tone multifrequency dialing, emergency services such as "911," and relay service are paid. No company shall discontinue service to any customer for the initial nonpayment of the current bill on a day the company's business office is closed or on a day preceding a day the business office is closed.

(g) For purposes of paragraphs (e) and (f), "working day" means any day on which the company's business office is open and the U.S. Mail is delivered.

(h) Without notice in the event of customer use of equipment in such manner as to adversely affect the company's equipment or the company's service to others.

(i) Without notice in the event of hazardous conditions or tampering with the equipment furnished and owned by the company.

(j) Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the company may, before restoring service, require the customer to make, at his own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.

(2) In case of refusal to establish service, or whenever service is discontinued, the company shall notify the applicant or customer in writing of the reason for such refusal or discontinuance.

(3) Service shall be initiated or restored when the cause for refusal or discontinuance has been satisfactorily adjusted.

(4) The following shall not constitute sufficient cause for refusal or discontinuance of service to an applicant or customer:

(a) Delinquency in payment for service by a previous occupant of the premises, unless the current applicant or customer occupied the premises at the time the delinquency occurred and the previous customer continues to occupy the premises and such previous customer shall benefit from such new service.

(b) Delinquency in payment for service by a present occupant who was delinquent at another address and subsequently joined the household of the customer in good standing.

(c) Delinquency in payment for separate telephone service of another customer in the same residence.

(d) Failure to pay for business service at a different location and a different telephone number shall not constitute sufficient cause for refusal of residence service or vice versa.

(e) Failure to pay for a service rendered by the company which is not regulated by the Commission.

(f) Failure to pay the bill of another customer as guarantor thereof.

(g) Failure to pay a dishonored check service charge imposed by the company.

(5) When service has been discontinued for proper cause, the company may charge a reasonable fee to defray the cost of restoring service, provided such charge is set out in its approved tariff on file with the Commission.

*Rulemaking Authority 350.127, 427.704(8) FS. Law Implemented 427.704 FS. History—New 12-1-68, Amended 3-31-76, 10-25-84, 10-30-86, 1-1-91, 9-16-92, 1-7-93, 1-25-95, 7-5-00, Repealed.*

## SUMMARY OF THE RULE

Rule 25-4.0665, F.A.C., establishes the requirements eligible telecommunications carriers must follow when they offer Lifeline service. The rule prescribes subscriber eligibility for Lifeline assistance, Lifeline enrollment and termination procedures, and advertising and reporting requirements. Rule 25-4.113 describes the conditions upon which a telecommunications company may refuse or discontinue telephone service.

## WRITTEN STATEMENT OF THE FACTS AND CIRCUMSTANCES JUSTIFYING THE RULE

The Commission is amending Rule 25-4.0665, F.A.C., to require eligible telecommunications carriers to offer Lifeline assistance as prescribed by the Federal Communications Commission (FCC) in Title 47, Code of Federal Regulations, Part 54, Subpart E, Universal Service Support for Low-Income Consumers, Sections 54.400 through 54.417, as amended October 1, 2017. The rule amendment incorporates those federal rules by reference. By Order FCC 16-38, released on April 27, 2016, the FCC amended the federal Lifeline program requirements, and noted that states that maintain their own Lifeline funds may still adopt any eligibility requirements that they deem necessary. Florida does not maintain state Lifeline funding. The Commission is amending Rule 25-4.0665, F.A.C., to also require written notice of termination of Lifeline assistance to be as prescribed by CFR §54.405, and advertising the availability of Lifeline assistance to be as prescribed by CFR §54.405(b) and USC § 214(e)(1)(B). Moreover, because CFR §54.422(c) prescribes annual reporting requirements for eligible telecommunications carriers that receive low-income support, the Commission is amending Rule 25-4.0665, F.A.C., to no longer require the submission of quarterly reports to the Commission.

Consistent with the 2011 deregulatory changes made to Ch. 364 FS, the Commission is repealing Rule 25-4.113, F.A.C.

## SUMMARY OF ANY HEARINGS HELD ON THE RULE

No timely request for a hearing was received by the agency, and no hearing was held.