



June 3, 2004

Ms. Blanca S. Bayó, Director
Division of the Commission Clerk
and Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Petition by Citizens of Florida to initiate rulemaking that would require local exchange telecommunications companies to provide Lifeline service within 30 days of certification.
Docket No. 040451-TP

Dear Ms. Bayó:

The Florida Telecommunications Industry Association (FTIA) submits this letter in response to the Citizens of Florida (Citizens, OPC) May 13, 2004 Rulemaking Petition. Citizen's Petition seeks a rule that would require any local exchange telecommunications company authorized by the Commission to reduce its switched network access rates pursuant to Florida Statutes, Chapter §364.164 to provide Lifeline service to any eligible customer or potential customer who meets an income eligibility test at 125 percent or less of the federal poverty income guidelines to provision Lifeline service within 30 days after a customer is certified as having met the Lifeline eligibility criteria.

Currently, three ILECs are participating in the income-eligible program, BellSouth, Verizon and Sprint ("The Companies"). The Companies strive to add the benefits of Lifeline to each eligible customer in an expeditious and efficient manner. While we welcome the opportunity to have a more formal discussion of this matter with all affected interests, we believe that Citizens' Petition should not be entertained at this time for four important reasons.

First, the Petition fails to provide any factual basis for such a rule, nor does Citizen's Petition demonstrate that local exchange providers are deliberately attempting to delay enrolling customers on Lifeline. To the contrary, the current process was designed specifically with the intent to add eligible Lifeline subscribers in a timely manner.

Second, there are good reasons for the current provisioning timeframes. A brief description of the provisioning process should help to make this clear. After an ILEC receives a list of eligible customers from Citizens, the Company must manually verify that its records match the information provided by Citizens. In many instances, the Companies determine that a particular applicant's information submitted by Citizens is incorrect or incomplete. In such instances, the Companies expend the time necessary trying to rectify these problems. Next, the Companies must update the customer account codes into billing systems to ensure that the customers will receive the Lifeline discount. For eligible customers that currently do not have service, the companies must contact each customer to establish service. These potential customers may be eligible for a separate federal program known as Link-Up, which provides assistance to help defray the costs of establishing service.

It should be noted that even after these steps have been completed, the customer may not immediately receive the Lifeline credit on their first bill. This is due to ILEC's billing practices that are cyclical in nature. Each customer is assigned a billing cycle that determines the date of issuance of a bill. As a result, even though the customer is enrolled, the initial Lifeline credit may not appear on the most current bill. Following the verification process, the Companies return to Citizens a list of the customers added to Lifeline, and, if necessary, an explanation of why certain customers could not be added. The Commission should not ignore these time consuming practical realities, as Citizens urges, by forcing the Companies to comply with new and unnecessary rules.

Third, to minimize delays that Citizens' alleges some customers experience, Citizens can rectify many of these problems during their initial contact with customers. Citizens should confirm with the customer that all of the necessary information to process the submission is complete and accurate before forwarding it to the Companies. Specifically, Citizens should verify whether or not the customer currently has service with one of the Companies.

Fourth, Citizen's Petition may be inconsistent with existing rules governing availability of service, and would effectively establish two different installation criteria for Lifeline customers. Those certified by OPC would be subject to a 30 day installation requirement versus the existing 3 day rule for all other installations. See FL PSC Rule 25-4.066, Availability of Service. Given that there has been no outcry for separate service standards for Lifeline customers in the many years in which such service has been available, there is no evidence to suggest that a separate standard is necessary as a result of the expansion of Lifeline eligibility to additional income groups. Further, 364.10 (3) (a) (b) and (c) make specific requirements of the Office of Public Counsel, local exchange telecommunications companies and state agencies. However the statute does **not** require a rule making proceeding or specify a time frame applicable for the expanded Lifeline eligibility criteria.

In light of the foregoing, the Commission should decline to grant the Citizens' Petition for Rulemaking at this time pending the outcome of fact gathering. Consequently, in the alternative, the Commission should convene a staff workshop to explore the administrative processes and procedures in place for the OPC Lifeline enrollment program to help understand whether the proposed rulemaking is necessary, and to investigate practical ways to enhance the current process. It is extremely important that the process be streamlined and enhanced in a manner that will minimize customer delays in receiving Lifeline discounts, and to lessen the administrative burdens on the Companies, especially in light of the fact that small ILECs may be required to implement similar enrollment practices, if they elect to file rebalancing petitions and are granted by the Commission.

Sincerely,

S/Susan C. Langston

Susan Langston
Executive Director
FTIA