

STATE OF FLORIDA

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Public Service Commission

October 5, 2007

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COMMISSION
CLERK

Mr. Scott Boyd, Executive Director
Joint Administrative Procedures
Committee
Room 120 Holland Building
Tallahassee, FL 32399-1300

RE: Docket No. 070572-TL – Proposed Amendment of Rule 25-4.0665, F.A.C., Lifeline Service

Dear Mr. Boyd:

Enclosed are the following materials concerning the above referenced proposed rule:

1. A copy of the rule.
2. A copy of the F.A.W. notice.
3. A statement of facts and circumstances justifying the proposed rule.
4. A federal standards statement.
5. A statement of estimated regulatory costs was prepared.

If there are any questions with respect to this rule, please do not hesitate to call me.

Sincerely,

Kira Scott
Associate General Counsel

DOCUMENT NUMBER - DATE
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FPSC - COMMISSION CLERK

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Enclosures

cc: Office of Commission Clerk

1 25-4.0665 Lifeline Service

2 (1) An eligible telecommunications carrier must provide 60 days written notice
3 prior to the termination of Lifeline service. The notice of pending termination shall contain
4 the telephone number at which the subscriber can obtain information about the subscriber's
5 Lifeline service from the eligible telecommunications carrier. The notice shall also inform the
6 subscriber of the availability, pursuant to Section 364.105, F.S., of discounted residential basic
7 local telecommunications service.

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

15 (3) All eligible telecommunications carriers shall participate in the Lifeline service
16 Automatic Enrollment Process. For purposes of this rule, the Lifeline service Automatic
17 Enrollment Process is an electronic interface between the Department of Children and
18 Families, the Commission, and the eligible telecommunications carrier that allows low-income
19 individuals to automatically enroll in Lifeline following enrollment in a qualifying public
20 assistance program.

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

24 (b) The eligible telecommunications carrier shall enroll the subscriber in the
25 Lifeline service program as soon as practicable, but no later than 60 days from the receipt of

CODING: Words underlined are additions; words in ~~struck through~~ type are deletions
from existing law.

1 the e-mail notification. Upon completion of initial enrollment, the eligible
2 telecommunications carrier shall credit the subscriber's bill for Lifeline service as of the date
3 the eligible telecommunications carrier received the e-mail notification from the Commission.

4 (c) The eligible telecommunications carrier shall maintain a current e-mail address
5 with the Commission, which the Commission will use to inform the eligible
6 telecommunications carrier that new Lifeline service applications are available for retrieval for
7 processing.

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

12 (e) Within 20 calendar days of receiving the Commission's e-mail notification that
13 the Lifeline service application is available for retrieval, the eligible telecommunications
14 carrier shall provide a facsimile response to the Commission via the Commission's dedicated
15 Lifeline service facsimile telephone line at (850) 413-7142, identifying the customer name,
16 address, telephone number, and date of the application for:

17 1. misdirected Lifeline service applications;
18 2. applications for customers currently receiving Lifeline service; and
19 3. rejected applicants, which shall include the reason(s) why the applicants were
20 rejected.

21 In lieu of a facsimile, the eligible telecommunications carrier may file the information with the
22 Office of Commission Clerk.

23 (f) Pursuant to Section 364.107(1), F.S., information filed by the eligible
24 telecommunications carrier in accordance with subsection (3)(e) of this rule is confidential and
25 exempt from Section 119.07(1), F.S. However, the eligible telecommunications carrier may

1 disclose such information consistent with the criteria in Section 364.107(3)(a), F.S. For
2 purposes of this rule, the information filed by the eligible telecommunications carrier will be
3 presumed necessary for disclosure to the Commission pursuant to the criteria in Section
4 364.107(3)(a)4, F.S.

5 (4) All eligible telecommunications carriers shall provide current Lifeline service
6 company information to the Universal Service Administrative Company (USAC) at
7 www.lifelinesupport.org so that the information can be posted on the USAC's consumer
8 website.

9 Specific Authority 350.127(2), 364.10(3)(j), F.S.

10 Law Implemented 364.10, 364.105, FS

11 History New 1-2-07, Amended XX-XX-XX.

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13 Rule 25-4-0665.ks.doc

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Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-4.0665: Lifeline Service

PURPOSE AND EFFECT: To implement a procedure to ensure the automatic enrollment of subscribers in Lifeline with the appropriate Eligible Telecommunications Carrier (ETC) and to require ETCs to maintain current information on the Universal Service Administrative Company website. Docket No. 070572-TL.

SUMMARY: The amendment of Rule 25-4.0665, Lifeline Service, F.A.C., creates and implements procedures to automatically enroll eligible customers in Lifeline service. Section 364.10(3)(h)2, F.S., requires the Commission to adopt such procedures by December 31, 2007.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The SERC shows that the proposed rule will benefit customers eligible for Lifeline service by expediting the enrollment process. There will be an incremental cost to the Commission in terms of time and resources. ETCs will experience some transactional costs in complying with the proposed rule. There should be no negative impact on local governments.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), 364.10(3)(j), FS

LAW IMPLEMENTED: 364.10, 364.105, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0665 Lifeline Service

(1) No change.

(2) No change.

(3) All eligible telecommunications carriers shall participate in the Lifeline service Automatic

Enrollment Process. For purposes of this rule, the Lifeline service Automatic Enrollment Process is an electronic interface between the Department of Children and Families, 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.

(c) The eligible telecommunications carrier shall maintain a current e-mail address with the Commission, which the Commission will use to inform the eligible telecommunications carrier that new Lifeline service applications are available for retrieval for processing.

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

(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) 413-7142, identifying the customer name, address, telephone number, and date of the application for:

1. misdirected Lifeline service applications;

2. applications for customers currently receiving Lifeline service; and

3. rejected applicants, which shall include the reason(s) why the applicants were rejected, In lieu of a facsimile, the eligible telecommunications carrier may file the information with the Office of Commission Clerk.

(f) Pursuant to Section 364.107(1), F.S., information filed by the eligible telecommunications carrier in accordance with subsection (3)(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.

(4) All eligible telecommunications carriers shall provide current Lifeline service company information to the Universal Service Administrative Company (USAC) at www.lifelinesupport.org so that the information can be posted on the USAC's consumer website.

Specific Authority 350.127(2), 364.10(3)(j), F.S.

Law Implemented 364.10, 364.105, FS

History New 1-2-07, Amended XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE: Curtis Williams, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6924.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 33, Number 27, July 6, 2007

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Rule 25-4.0665
Docket No. 070572-TL

STATEMENT OF FACTS AND CIRCUMSTANCES
JUSTIFYING RULE

Section 364.10(3)(h), F.S., requires any state agency that determines a person is eligible for Lifeline service to immediately forward the information to the Florida Public Service Commission for automatic enrollment. Additionally, Section 364.10(3)(h)2, F.S. requires the Florida Public Service Commission to adopt rules creating procedures to automatically enroll eligible customers in Lifeline service no later than December 31, 2007. Rule 25-4.0665, F.A.C. is being amended to implement Lifeline Automatic Enrollment procedures as required by Legislative mandate.

STATEMENT ON FEDERAL STANDARDS

There is no federal standard on the same subject.

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-

DATE: September 7, 2007
TO: Office of General Counsel (Scott)
FROM: Division of Economic Regulation (Dickens) *BD*
RE: Proposed Rule Amendment 25-4.0665 Lifeline Service

DETAILED DESCRIPTION OF THE PROPOSED RULE

1. Why it is being proposed?

In October 2006, the FPSC implemented an automatic Lifeline enrollment process through the Commission's website. The rule amendment is proposed to facilitate enrollment for Lifeline-eligible subscribers in Florida.

2. What does the rule do and how does it accomplish its goal?

The proposed rule language implements procedures for the Lifeline service Automatic Enrollment Process as mandated by the Legislature in Section 364.10(3)(h)2.

Within 20 calendar days of receiving the Commission's e-mail notification that the Lifeline service application is available for retrieval, eligible telecommunication carriers (ETCs) shall provide to the Commission thru a dedicated facsimile telephone number or electronic transmission data identifying the customer name, address, telephone number and date of the application for:

- Misdirected Lifeline service application (if applicable)
- Applications for current Lifeline Customers
- Rejected Lifeline Applications, including reasons for why such customers were rejected

IMPACT ON THE PSC

Incremental costs

The proposed rule amendment will likely result in additional Commission staff time and resources in order to ascertain the reasons why Lifeline applications were rejected.

Incremental benefits

Implementation of the rule amendment will benefit the Commission by facilitating subscriber participation in the Lifeline program.

WHO BESIDES THE PSC WILL BE AFFECTED BY ADOPTION OF THE PROPOSAL

Utilities

The proposed rule amendment requires compliance for all eligible telecommunication carriers (ETCs) operating in Florida.

Customers

The proposed rule amendment will benefit Lifeline-eligible customers by expediting the process subscribers can use to enroll in Lifeline service. This benefit for Florida ratepayers will foster greater access and promote affordability.

Outside business and local governments

There should be no negative impacts on small businesses, small cities, or small counties.

HOW ARE THE PARTIES ABOVE AFFECTED BY THE ADOPTION OF THE PROPOSAL

Estimated transactional costs to individuals and entities

Utilities

There will be some transactional costs to ETCs for compliance with section 3(e) of the proposed rule amendment. The proposed rule amendment will require carriers to allocate resources in compiling Lifeline data to support the automatic enrollment process.

Customers

Customers should have minimal transactional costs associated with the proposed rule amendment. The confidentiality of Lifeline customers is protected through the secured PSC website where Lifeline information will be transmitted between the carrier and the designated state agency that verifies a customer's eligibility.

Outside business including specifically small businesses

There will likely be minimal transactional costs for small businesses with the adoption of the proposed rule amendment.

Local governments

There should be no negative impact for small cities, and small county entities resulting from implementation of the proposed rule amendment.

ANY OTHER PERTINENT COMMENTS REGARDING THE APPLICATION OF THE PROPOSED RULE

Lower cost methods of enrollment which do not involve an automatic process have not facilitated growth in Lifeline participation. These lower cost methods generally involve a paper-based enrollment. By moving to an automatic process, Lifeline participation for eligible consumers should be enhanced.

BD:kb

cc: Mary Andrews Bane
Chuck Hill
Robert Casey
Curtis Williams
Hurd Reeves