

Torry R. Somers  
Utah Bar No. 30029  
CenturyLink  
6700 Via Austi Pkwy.  
Las Vegas, NV 89119  
Ph: (702) 244-8100  
Fax: (702) 244-7775  
torry.r.somers@centurylink.com

Attorney for CenturyLink

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

In the Matter of the Lifeline Rulemaking Docket	Docket No. 14-999-06  CENTURYLINK'S ADDITIONAL COMMENTS
--	--

On April 9, 2014 the Public Service Commission of Utah (the “Commission” or “PSC”) issued a Notice of Additional Comment Period, allowing the parties to file additional comments on the proposed rules by April 22, 2014. CenturyLink respectfully submits additional comments addressing the following two areas:

- 1) Voice telephony service(s).
- 2) Certification of the Lifeline customers served by federal ETCs.

**VOICE TELEPHONY SERVICE**

CenturyLink previously requested that the proposed rules use the term “voice telephony service” rather than “telephone service” in order to be more consistent with the federal rules. During the technical conference CenturyLink was asked to provide additional citations supporting

this issue Voice Telephony Service, rather than “telephone service” is used in the federal lifeline rules in 47 CFR §§ 54.101 and 54.401.

47 CFR § 54.101 deals with supported services for rural, insular and high cost areas. The section states in relevant part:

**(a) *Services designated for support. Voice Telephony services*** shall be supported by federal universal service support mechanisms. Eligible ***voice telephony services*** must provide voice grade access to the public switched network or its functional equivalent; minutes of use for local service provided at no additional charge to end users; access to the emergency services provided by local government or other public safety organizations, such as 911 and enhanced 911, to the extent the local government in an eligible carrier's service area has implemented 911 or enhanced 911 systems; and toll limitation services to qualifying low-income consumers as provided in subpart E of this part.

**(b)** An eligible telecommunications carrier must offer ***voice telephony service*** as set forth in paragraph (a) of this section in order to receive federal universal service support.<sup>1</sup>

47 CFR §54.401 defines Lifeline and states as follows:

(a) As used in this subpart, Lifeline means a non-transferable retail service offering:

(1) For which qualifying low-income consumers pay reduced charges as a result of application of the Lifeline support amount described in §54.403; and

**(2) *That provides qualifying low-income consumers with voice telephony service as specified in §54.101(a).*** Toll limitation service does not need to be offered for any Lifeline service that does not distinguish between toll and non-toll calls in the pricing of the service. If an eligible telecommunications carrier charges Lifeline subscribers a fee for toll calls that is in addition to the per month or per billing cycle price of the subscribers' Lifeline service, the carrier must offer toll limitation service at no charge to its subscribers as part of its Lifeline service offering.

(b) Eligible telecommunications carriers may allow qualifying low-income consumers to apply Lifeline discounts to any residential service plan that includes voice telephony service, including bundled packages of voice and data services; and plans that include optional calling features such as, but not limited to, caller identification, call waiting, voicemail, and three-way calling. Eligible telecommunications carriers may also permit

---

<sup>1</sup> 47 CFR § 54.101(a) and (b) (emphasis added).

qualifying low-income consumers to apply their Lifeline discount to family shared calling plans.<sup>2</sup>

### **CERTIFICATION OF THE LIFELINE CUSTOMERS SERVED BY FEDERAL ETCs**

During the technical conference there was significant discussion regarding what tasks DWS would and would not perform for federal ETCs. DWS is not willing to determine the initial eligibility for federal ETCs. However, it is willing to check the continuing eligibility and perform the annual eligibility verification based on program eligibility. DWS will not do this for Lifeline customers qualifying based upon income only.

Also during the technical conference, John Harvey of the PSC staff asked if, where a state has a state Lifeline administrator, as is the situation in Utah, does the FCC require the Lifeline administrator to perform the annual eligibility verification for all Lifeline customers whether served by a federal ETC or by a state ETC? CenturyLink believes there are no FCC requirements mandating the state Lifeline administrator to perform the annual eligibility verification for all Lifeline customers.<sup>3</sup>

---

<sup>2</sup> 47 CFR 54.401(a) and (b) (emphasis added).

<sup>3</sup> 47 CFR 54.410(f) (1) *All eligible telecommunications carriers must annually re-certify all subscribers except for subscribers in states where a state Lifeline administrator or other state agency is responsible for re-certification of subscribers' Lifeline eligibility.* This language does not support a requirement that state agencies must recertify the subscribers. It simply states that if they are responsible, they should do it; otherwise the carriers are responsible. There is similar language referencing state Lifeline administrator or agency in regards to initial eligibility determination in 47 CFR 54.410 (b) and (c). There is no different treatment suggested for recertifications than for initial applications. Thus, CenturyLink does not believe DWS is required by federal law to recertify federal-only Lifeline recipients.

CenturyLink believes that since DWS is unwilling to do the initial eligibility for federal ETCs, the PSC should consider having DWS not do the continuing eligibility and the annual eligibility for federal ETCs as well. Federal ETCs would then be required to follow the FCC requirements for these tasks. The administrative costs for DWS to perform the Lifeline administration is funded by the Utah Public Telecommunications Service Support Fund (USF). If DWS did not perform the remaining tasks for the federal ETCs, this would save the USF money.

CenturyLink appreciate the opportunity to submit additional comments.

DATED this 22<sup>nd</sup> day of April, 2014.

CENTURYLINK



---

Torry R. Somers  
Associate General Counsel  
6700 Via Austi Pkwy.  
Las Vegas, NV 89119  
Ph: (702) 244-8100  
Fax: (702) 244-7775  
[torry.r.somers@centurylink.com](mailto:torry.r.somers@centurylink.com)

Attorney for CenturyLink