

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 COMMENTS OR IN THE ALTERNATIVE A MOTION FOR RULE WAIVER OF THE SEPTEMBER 15, 2014 PUBLISHED LIFELINE RULE
--	--

On Monday, October 27, 2014, CenturyLink became aware that additional changes to the Public Service Commission of Utah (the “Commission” or “PSC”) Lifeline Rule R746-341 were published in the September 15, 2014 state bulletin.¹ Since that time the proposed changes in the bulletin have been posted on the Commission’s website for Docket No. 14-999-06.² While there is normally a 30-day time frame for interested parties to file comments, CenturyLink respectfully

¹ Utah State Bulletin Number 2014-18, September 15, 2014 : http://www.rules.utah.gov/publicat/bull_pdf/2014/b20140915.pdf

² Commission website – Docket No. 14-999-06: <http://www.psc.utah.gov/utilities/misc/miscindx/1499906indx.html>

requests that it be allowed to file brief comments on the proposed Commission Lifeline Rule R746-341 changes outlined in the September 15, 2014 state bulletin.³

CENTURYLINK'S COMMENTS:

CenturyLink appreciates that the Commission's Lifeline Rule R746-341 changes published in the September 15, 2014 state bulletin reflect most of the changes previously recommended by CenturyLink and other parties in the proceeding. In these comments, CenturyLink is not attempting to have the Commission revisit any issue that CenturyLink raised in its previous comments.⁴ Rather, CenturyLink respectfully asks the Commission to consider changes that will resolve three issues that have arisen as a result of the latest published rule changes. All three issues are relevant to R746-341-5 (Duties of ETCs), Section A (State ETCs.)

Exhibit A to this filing provides a redline copy of changes CenturyLink recommends that the Commission consider before finalizing its Lifeline rules R746-341. The first issue is found in Section 1, which addresses changes in the status of the Lifeline participants to whom the state ETC provides Lifeline telephone service. CenturyLink believes the list shown is not comprehensive of possible account changes that could be experienced. For example, we often have telephone number and name changes. Neither of those changes is defined in this section, yet they should be included on the monthly report. CenturyLink suggests that "but not limited to" should be added to the end of the sentence in Section 1 so it is clear that parts a., b., and c. are not meant to be comprehensive of every possible account change.

³ The Commission has not yet sent notice that its Lifeline Rule R746-341 changes contained in the September 15, 2014 state bulletin have taken effect, as it has previously done in Docket No. 14-999-06. See Commission Notice, Docket No. 14-999-06, August 6, 2014: <http://www.psc.utah.gov/utilities/misc/miscindx/1499906indx.html>

⁴ Revised Comments of CenturyLink on Revised Proposed R746-341, July 15, 2014: <http://www.psc.utah.gov/utilities/misc/miscindx/1499906indx.html>

The second issue is found in Section 5 and involves changing the time frame for removing the Lifeline discount from participant's account as directed by the program administrator from five days to five "business" days. This will make the time frame for removing Lifeline the same as the timeframe in the FCC's Lifeline requirements.⁵ This is also the same as the timeframe stated in R746-341-5.A.4, which specifies five business days for adding the "Lifeline discount to a customer's account". Making the add and removal time periods the same keeps the processes consistent.

The third issue, found in Section 8, involves the deadline for CenturyLink and other Lifeline providers to submit the Lifeline customer information list to the program administrator for the annual Lifeline recertification. Even though CenturyLink previously provided comments in regards to providing a list to the program administrator, the specifics of a March 31 or potentially sooner deadline was not previously raised. The language in R746-346-5.A.8 states that "The list shall be provided to the program administrator when the ETC submits the Federal Communication Commission Form 497 for the year in question or March 31, whichever is earlier." CenturyLink respectfully requests that the Commission adopt May 1 as the deadline, and delete the reference to FCC Form 497. CenturyLink must file FCC Form 497 monthly for over 110 CenturyLink entities in multiple states, and CenturyLink already experiences a significant administrative time crunch to file the FCC Form 497 reports in a timely fashion. As described in the May 22, 2013 FCC Public Notice, the February Form 497 is the "base" for creating the customer list to be used for annual recertification. The February base list is not available until mid-March. To develop the state subscriber list required by the Rule,

⁵ 47 CFR § 54.405(e)(4): If a subscriber does not respond to the carrier's notice of impending de-enrollment, the carrier must de-enroll the subscriber from Lifeline within five business days after the expiration of the subscriber's time to respond to the recertification efforts.

CenturyLink must make significant adjustments to the Form 497 subscriber lists to remove current year additions and deletions from the program, and must also provide other details that are not necessary for preparation of the Form 497. It would be extremely burdensome for CenturyLink to have to submit the Utah Lifeline customer information list at approximately the same time it files the Form 497, or even by March 31. USAC recognizes that the adjustments for January and February additions and removals and the gathering of additional subscriber detail takes time to be done carefully and accurately. Thus, ETCs that elect to have USAC perform their re-certifications have until May 1 to provide their subscriber lists. For the reasons listed above, CenturyLink is requesting that the Commission reconsider this point and approve a May 1 date for the subscriber list submission.

MOTION FOR A PERMANENT RULE WAIVER:

If for any reason the Commission determines that it will not republish the current proposed Lifeline rules R346-341 to reflect the changes requested by CenturyLink above, in the alternative, CenturyLink respectfully requests that the Commission grant CenturyLink a permanent waiver for the three issues outlined above.

CenturyLink appreciates the opportunity to submit comments or in the alternative request a rule waiver.

DATED this 3rd day of November, 2014.

CENTURYLINK

A handwritten signature in cursive script that reads "Torry Somers".

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

Attorney for CenturyLink