

NOTICE OF
PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Office of Administrative Rules.

Agency Information

1. Agency: Public Service Commission - Administration
 Room no.:
 Building: HEBER M WELLS BLDG
 Street address 1: 160 E 300 S
 Street address 2:
 City, state, zip: SALT LAKE CITY UT 84111-2316
 Mailing address 1: PO BOX 45585
 Mailing address 2:
 City, state, zip: SALT LAKE CITY UT 84111-5585

Contact person(s):

Name: Phone: Fax: E-mail:

Sheri Bintz	801-530-6714	801-530-6796	sbintz@utah.gov
Jennie Jonsson	801-530-6763		jjonsson@utah.gov

(Interested persons may inspect this filing at the above address or at DAR during business hours)

Rule Information

DAR file no: 41031 Date filed: 11/28/2016 10:16 AM
 State Admin Rule Filing Key: 158172
 Utah Admin. Code ref. (R no.): R 746 - 341 -
 Changed to Admin. Code ref. (R no.): - -

Title

2. Title of rule or section (catchline):
 Lifeline Rule

Notice Type

3. Type of notice: Amendment

Rule Purpose

4. Purpose of the rule or reason for the change:
 The Lifeline Rule is updated to (1) align state eligibility requirements for subsidized telephone service with federal standards; and (2) update the participant recertification process per federal guidelines.

Response Information

5. This change is a response to comments by the Administrative Rules Review Committee.

No

Rule Summary

6. Summary of the rule or change:

1. Participation in the Low-Income Home Energy Assistance Program (LIHEAP), the Temporary Assistance to Needy Families (TANF) program, or the National School Lunch Program's Free Lunch program will no longer qualify a Utah consumer for subsidized telephone service under the Lifeline program. 2. Results of annual recertification efforts must be reported to eligible telecommunications carriers by the first business day of the month in which the verification was last performed. 3. A participant who becomes ineligible for the Lifeline program must be given 60 days notice before being de-enrolled.

Aggregate Cost Information

7. Aggregate anticipated cost or savings to:

A) State budget:

Affected: No

The state has been administering the Lifeline program for many years and has the budget in place to continue that function. The modification to the eligibility and participant verification rules will not affect the state's administrative duties. No fiscal impact to the state is anticipated.

B) Local government:

Affected: No

Local governments are not required to enforce or comply with the Lifeline rules. No fiscal impact to local government is anticipated.

C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

Small businesses that provide Lifeline telephone service must modify their eligibility review process. While doing so will require some attention, these changes do not create new costs for providers.

D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

Individuals who have been qualifying for the Lifeline program through participation in the Low-Income Home Energy Assistance Program (LIHEAP), the Temporary Assistance to Needy Families (TANF) program, or the National School Lunch Program's Free Lunch program will have to demonstrate participation in a different low-income assistance program or provide financial information in order to continue participating. It is not anticipated that any individuals who are currently participating in the Lifeline program will lose the subsidy due to the new eligibility programs.

Compliance Cost Information

8. Compliance costs for affected persons:

To comply, an affected Lifeline service provider must make minor changes to its eligibility review process. No associated costs are anticipated. An affected Lifeline service recipient must demonstrate participation in a low-income assistance program other than the Low-Income Home Energy Assistance Program (LIHEAP), the Temporary Assistance to Needy Families (TANF) program, or the National School Lunch Program's Free Lunch program in order to retain subsidized telephone service. A service recipient who does not participate in any of the approved low-income assistance programs may still qualify by demonstrating that yearly household income is less than 135% of the federal poverty level. No associated costs are anticipated.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

As explained in the rule analysis, the proposed amendments address administrative duties that are already being performed by affected businesses. These amendments do not impose new costs or result in any other fiscal impact for affected businesses.

B) Name and title of department head commenting on the fiscal impacts:

Thad LeVar, Public Service Commission Chair

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.
State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :
54-8b-15(7)

54-4-1

54-4-4

Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by reference (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

Official Title of Materials Incorporated (from title page):

Publisher:

Date Issued:

Issue, or version:

ISBN Number:

ISSN Number:

Cost of Incorporated Reference:

Adds, updates, removes:

Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

01/17/2017

B) A public hearing (optional) will be held:

On (mm/dd/yyyy): At (hh:mm AM/PM): At (place):

Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

01/24/2017

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After a minimum of seven days following the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Indexing Information

Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or

14. proper nouns (e.g., "Medicaid")):

telephone
rules and procedures
telecommunications
lifeline rates

File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

Agency Authorization

Agency head or designee, and title:

Jennie Jonsson
Administrative Law Judge

Date (mm/dd/yyyy): 11/15/2016