

NOTICE OF
CHANGE IN PROPOSED RULE

- 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: 01/19/2017 03:45 PM
 State Admin Rule Filing Key: 158397
 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: Change in Proposed Rule
 Changes original
 proposed rule file 41031
 no.:

Rule Purpose

4. Purpose of the rule or reason for the change:
 Comments submitted during the comment period demonstrate that the rules governing re-enrollment in the Lifeline program require further clarification.

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:
The rule governing re-enrollment is clarified to state that certain information is required to be provided to eligible telecommunications carriers no later than five days prior to the first business day of the anniversary enrollment month of the participant.

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. This clarification of the participant verification and re-enrollment 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)
This clarification modifies the timeline on which small businesses that provide Lifeline telephone service will receive certain information necessary to re-enroll customers who participate in the Lifeline program. It does not change these business' obligations or create any new costs.
- 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)
Persons who are required to re-enroll in the Lifeline program annually will be required to do so on a specific schedule. However, there are no associated costs.

Compliance Cost Information

8. Compliance costs for affected persons:
This clarification modifies the timeline on which telecommunications providers and Lifeline participants will undertake the annual re-enrollment process. It does not change the associated costs.

Department Head Comments

9. A) Comments by the department head on the fiscal impact the rule may have on businesses:
As stated in the rule analysis, this clarification modifies the timeline Lifeline providers will use to re-enroll participants annually. There is no change to the re-enrollment requirements, nor any change to the associated costs.
- 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) : 03/17/2017
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): 03/24/2017
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

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or 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): 01/18/2017