



February 14, 2018

Utah Public Service Commission
Heber M. Wells Building
160 E. 300 South
Salt Lake City, UT 84111-2316

Re: Docket No: 17-R008-01
Utah Administrative Code R746-8, Proposing to Repeal R746-360, R746-341, and R746-343

Dear Madam or Sir:

CTIA offers the following remarks in response to the Utah Public Service Commission's ("Commission's") January 2, 2018 Notice of Rule Filing and Notice of Scheduling Conference in the above-referenced docket, regarding potential amendments to the Utah Universal Service Fund ("UUSF") Lifeline rules.¹

CTIA appreciates that the Commission has recognized the merit of and implemented some of CTIA's suggestions regarding the Utah Lifeline program, including the plan for an alternative customer eligibility verification approach in the event of a delay in the implementation of the National Verifier System, and elimination of unnecessary certification and reporting requirements.² These changes will streamline and simplify the Commission's Lifeline rules, making the program more efficient to the benefit of low-income consumers.

Because the Commission incorporated into this docket "a few remaining issues" from the Commission's contemporaneous proceeding on UUSF contribution methodologies,³ CTIA also reiterates and incorporates here by reference its remaining unresolved issues in that proceeding. Particularly, CTIA believes the Commission has erred by implementing a connections-based UUSF contribution methodology that is not competitively neutral, is inconsistent with the federal program, and illegally burdens the federal program. Until a

¹ *In the Matter of the Utah Administrative Code R746-8, Proposing to Repeal R746-360, R746-341, and R746-343*, Docket No. 17-R008-001, Notice of Rule Filing and Notice of Scheduling Conference (Jan. 2, 2018) ("Notice").

² *Id.* at 2-6; *see also* Docket No. 17-R008-001, Comments of CTIA (Nov. 16, 2017) and Docket No. 17-R008-001, Reply Comments of CTIA (Dec. 7, 2017).

³ *Id.* at 10. *See also* Docket No. 17-R360-01, *In the Matter of the Utah Administrative Code R746-360 Universal Public Telecommunications Service Support Fund*.



point-of-sale methodology for collecting UUSF surcharges from prepaid consumers is implemented, the UUSF will continue to discriminate against prepaid carriers selling service through third party retailers.⁴ Similarly, assessing UUSF on Lifeline connections is both inconsistent with, and impermissibly burdens, the federal fund.⁵ Additionally, the Commission has failed to determine whether its surcharge applies to interstate revenues impermissibly, or provide a procedure for relief if it does.⁶

CTIA looks forward to participating in the Commission's upcoming workshops in this docket, and hopes that these outstanding issues are addressed and corrected therein.

Sincerely,

 /s/

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⁴ *See, e.g.*, Docket No. 17-R360-01, Comments of CTIA (Dec. 15, 2017) at 3.

⁵ *See, e.g.*, Docket No. 17-R360-01, Comments of CTIA (Oct. 2, 2017) at 7.

⁶ *See id.*, at 7-9.