



State of Utah
Department of Commerce
Division of Public Utilities

FRANCINE GIANI
Executive Director

THAD LEVAR
Deputy Director

CHRIS PARKER
Director, Division of Public Utilities

GARY HERBERT.
Governor
GREG BELL
Lieutenant Governor

MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Chris Parker, Director
Bill Duncan, Telecommunications / Water Manager
Casey J. Coleman, Utility Technical Consultant

Date: May 15, 2012

Re: In the Matter of Lifeline and Link Up Reform and Modernization WC Docket No. 11-42

RECOMMENDATION: File a petition with the Federal Communications Commission seeking a waiver for the June 1, 2012 deadline.

Eligible Telecommunications Carriers (“ETCs”) are working diligently to implement the Federal Communication Commission’s (“FCC”) comprehensive reforms to the Universal Service Fund’s Lifeline program. Because Utah is one of the states that are responsible for making initial Lifeline eligibility determinations, the obligation delegated to the State by the FCC is to provide the serving ETCs notice of a subscriber’s eligibility and a copy of the subscriber’s certification form as required by FCC rule 54.410. Additionally, having this notice and certification form is a prerequisite to an ETC’s ability to enroll new customers in the Lifeline program in compliance with Section 54.407(d) and Sections 54.410(b)(2) and (c)(2) of the FCC’s rules. These forms must be implemented by June 1, 2012 or carriers risk not being able to sign up new customers or a delay in subsidies from the FCC.

Because the process for Lifeline verification is changing within the state, the Division believes it is impossible for the State to comply with the June 1, 2012 deadline established by the FCC. Therefore the Division recommends the Commission files a petition of waiver to the FCC. Other states like Oregon, Colorado, and Montana have filed similar petitions with the FCC. Those petitions have been included with this memo.

cc: Trisha Schmid, Assistant Attorney General