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Attorney for Qwest Corporation d/b/a CenturyLink QC

**BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH**

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In the Matter of a Waiver to the Utah Lifeline  
Rule to Modify Eligibility Requirements to  
Keep it Aligned with the Federal Lifeline  
Program

Docket No. 16-999-03

**CENTURYLINK'S PETITION FOR  
APPROVAL OF A WAIVER TO  
THE UTAH LIFELINE RULE**

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Qwest Corporation d/b/a CenturyLink QC (“CenturyLink”) respectfully requests that the Public Service Commission (PSC) grant a waiver from its Lifeline rules to keep the program based eligibility criteria to participate in the Utah Lifeline program aligned with those in the federal Lifeline program. The PSC in the past has made changes to its Lifeline rules to keep the program based eligibility criteria aligned with the federal Lifeline program. A waiver is required until there is time to complete a rule making proceeding to make this change and other necessary changes.<sup>1</sup>

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<sup>1</sup> In a Lifeline rulemaking proceeding, the PSC may also want to consider other changes such as having the National Verifier take over responsibility for both the initial eligibility certification and the annual recertification of Lifeline participants. Also, if the legislature modifies 54-8b-15 to have the USF provide support for high speed internet, the PSC can modify its Lifeline rules to allow Lifeline support to qualified low-income customers for high speed internet service.

The Federal Communications Commission (FCC) recently made changes to the federal Lifeline program, including modifications to the program based criteria.<sup>2</sup> Attachment A provides a comparison of the current Utah Lifeline rule program based criteria with those of the federal Lifeline program. As shown in this attachment, the FCC is dropping three existing program based criteria and adding a new one. This change is scheduled to be effective December 2. If the waiver of the Utah Lifeline rule is not granted prior to this date, this will create problems for both Lifeline customers and for Lifeline providers that participate in the Utah Lifeline program.<sup>3</sup>

Recently the United States Telecom Association (USTA) filed a petition<sup>4</sup> with the FCC to delay implementation of the changes to the program based eligibility requirements to provide sufficient time for the various states with a state Lifeline program to make the necessary changes to align with the federal requirements. It is unknown at this time when the FCC will act and how they will act on this petition. In order to avoid confusion and discrepancies that would occur in the event the FCC grants the extension as requested by USTA, CenturyLink recommends that the waiver not take effect until the effective date for the new process set forth in the Lifeline Order (whether it is December 2, 2016 or a later date as requested by USTA). Doing this will keep the Utah rule and federal rules aligned at all times.

Previously the PSC has recognized the importance of keeping the Utah Lifeline program aligned with the eligibility requirements of the federal Lifeline program. The PSC should

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<sup>2</sup> FCC Third Report and Order, Further Report and Order, and Order on Reconsideration, Lifeline and Link Up Reform and Modernization, FCC 16-38, 31 FCC Rcd. 3962, 81 FR 33025 (2016) (Lifeline Order).  
[https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-16-38A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-38A1.pdf)

<sup>3</sup> Customers may need to complete both an application for the federal Lifeline program and another application for the Utah Lifeline program, unless the requirements are re-aligned. Having different eligibility requirements for the federal Lifeline program in comparison to the Utah Lifeline program, creates administrative challenges for Lifeline providers and increases the chances for errors.

<sup>4</sup> October 3, 2016 USTA petition for waiver from the FCC Lifeline rules:  
<https://ecfsapi.fcc.gov/file/10030446125016/Lifeline-Waiver-Petition-2016-10-03-FINAL.pdf>

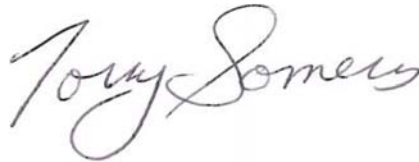
continue to make sure the Utah Lifeline program remains aligned with the eligibility requirements of the federal Lifeline program. Granting a temporary waiver now, will make sure that the eligibility requirements of the Utah Lifeline Program remain consistent with the federal program. It will also provide time for the PSC to open up a Lifeline rulemaking proceeding to consider other necessary changes.

CenturyLink has discussed the need for a waiver with the Utah Rural Telecom Association, the Utah Division of Public Utilities and the Office of Consumer Services. No party raised any objections with CenturyLink's proposal to file for a waiver.

CenturyLink respectfully requests PSC approval of the petition for a waiver from the Utah Lifeline rules. As set forth above the waiver should not take effect until the effective date for the new process set forth in the Lifeline Order (whether it is December 2, 2016 or a later date as requested by USTA).

RESPECTFULLY SUBMITTED this 25th day of October 2016.

CENTURYLINK



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