

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of Virgin Mobile USA, L.P.	)	Docket No. 10-2521-01
Petition for Limited Designation as an	)	
Eligible Telecommunications Carrier	)	<b>VIRGIN MOBILE USA, L.P.'S</b>
	)	<b>SUPPLEMENTAL TESTIMONY</b>

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Virgin Mobile USA, L.P. (“Virgin Mobile” or the “Company”), by counsel, hereby files its Supplemental Testimony with the Public Service Commission of Utah in the above-captioned matter.

Respectfully submitted this 10th day of February, 2011.

VIRGIN MOBILE USA, L.P.



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1                    **SUPPLEMENTAL TESTIMONY OF ELAINE DIVELBLISS**

2    Q1:    WHAT IS YOUR NAME, TITLE, AND EMPLOYER FOR THE RECORD?

3    A:    My name is Elaine Divelbliss. I am a Senior Counsel in Sprint's Prepaid Group  
4           with primary responsibility over the business and regulatory affairs of Virgin  
5           Mobile USA ("Virgin Mobile" or the "Company").

6    Q2:    DID YOU PREVIOUSLY FILE TESTIMONY IN THIS PROCEEDING?

7    A:    Yes, on October 11, 2010, I filed direct testimony for Virgin Mobile with several  
8           attachments. On December 8, 2010, I filed rebuttal testimony for Virgin Mobile.  
9           The testimony herein is provided as a supplement to my direct testimony and  
10          rebuttal testimony, and to responses to Data Requests from the Office of Consumer  
11          Services.

12   Q3:    HOW DOES THE CONTRACT DEFINE THE SCOPE OF SOLIX'S DUTIES AS  
13          VIRGIN MOBILE'S "LIFELINE ADMINISTRATOR"? DIVELBLISS DIRECT  
14          Q25. THIS HAS BEEN DESCRIBED AS "A DOCUMENT REVIEW AND  
15          COLLECTION PROCESS TO CONFIRM APPLICANT ELIGIBILITY,  
16          THROUGH ITS THIRD PARTY ADMINISTRATOR SOLIX, INC."

17   A:    Based on the extensive experience of Solix as a public benefit program  
18          administrator, prior to launching the Assurance Wireless Lifeline product, Virgin  
19          Mobile entered into a relationship with Solix for assistance developing and  
20          implementing certain administrative aspects of its Lifeline service at Virgin  
21          Mobile's direction. To be clear, Solix does not administer Virgin Mobile's entire  
22          Lifeline program from end-to-end. Virgin Mobile maintains ultimate responsibility  
23          for all functions in its capacity as an Eligible Telecommunications Carrier ("ETC")  
24          in the states in which it is authorized to provide Lifeline service.

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]

7 Q4: WHAT ENROLLMENT, ELIGIBILITY CERTIFICATION, VERIFICATION  
8 AND RE-CERTIFICATION TASKS, AS OUTLINED IN DIVELBLISS DIRECT  
9 Q23, ARE CONTRACTUALLY ASSIGNED TO SOLIX? WHAT ARE THE  
10 TERMS OF THE ASSIGNMENT? THESE TASKS HAVE BEEN DESCRIBED  
11 AS "THE SOLIX APPLICATION REVIEWER COMPARES THE  
12 INFORMATION AND DOCUMENTATION SUPPLIED BY THE APPLICANT  
13 WITH STATE SPECIFIC ELIGIBILITY CRITERIA AND RENDERS AN  
14 ELIGIBILITY DECISION."

15 A: The Solix agreement does not address Utah-specific requirements.  
16 As we understand Utah law, (R746-341-3), an ETC shall provide Lifeline services  
17 to any applicant who self certifies, under the penalty of perjury, that his household  
18 is eligible for public assistance under one of the following or its successor  
19 programs: TANF, Work Toward Employment, Food Stamps, General Assistance,  
20 Home Energy Assistance Target Programs/Help Program, Medicaid, Refugee  
21 Assistance, Supplemental Security Income, Federal Public Housing Assistance,  
22 National School Free Lunch Program, or the Head Start Program (collectively  
23 "Program Based Eligibility").  
24 Subject to any clarifications from the Utah Public Service Commission on  
25 program-based eligibility requirements, Solix will review each program-based

1 application to make sure the application is complete and that it contains the  
2 requisite self-certification contained in R746-341-3 and described above.

3 As we understand Utah law (R746-341-3), an ETC shall provide Lifeline telephone  
4 services to any applicant who certifies via supporting documentation, under the  
5 penalty of perjury, his household income to be at or below 135 percent of the then  
6 applicable Federal Poverty Guidelines. The acceptable forms of certification are:  
7 prior year's state, federal, or tribal tax return; current year-to-date earnings  
8 statement from an employer or three consecutive months of paycheck stubs; Social  
9 Security statement of benefits; Veterans Administration statement of benefits;  
10 retirement/pension statement of benefits; unemployment/Worker's Compensation  
11 statement of benefits; Federal or tribal notice letter of participation in Bureau of  
12 Indian Affairs General Assistance; or divorce decree, or child support wage  
13 assignment statement.

14 Subject to any clarification from the Utah Public Service Commission on income-  
15 based eligibility requirements, Solix will review each income-based application to  
16 make sure it is complete and that it contains the required certification, and to verify  
17 that the supporting documentation satisfies the applicant's income-based eligibility.

18 Q5: WHAT ENROLLMENT, ELIGIBILITY CERTIFICATION, VERIFICATION  
19 AND RE-CERTIFICATION TASKS ARE RETAINED BY VIRGIN MOBILE?

20 A: Virgin Mobile oversees and has ultimate responsibility for the enrollment,  
21 certification, verification and re-certification processes as the ETC in the states in  
22 which it is designated. Virgin Mobile retains sole discretion to modify the policies  
23 governing any of the above-listed procedures.

24 In addition to its obligations as an ETC and in addition to the functions concerning  
25 the application process, the text and substance of all communications with  
26 applicants and subscribers, including but not limited to marketing communications,

1 the application, advisor scripts, approval and denial letters and website content, is  
2 determined by Virgin Mobile in its sole discretion.

3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]

20 Q6: DOES THE CONTRACT PROVIDE THAT SOLIX WILL ON BEHALF OF  
21 VIRGIN MOBILE, OR ASSIST VIRGIN MOBILE, ESTABLISH A SYSTEM  
22 FOR VERIFYING THE ELIGIBILITY OF LIFELINE APPLICANTS USING  
23 INFORMATION MAINTAINED OR ACCESSIBLE BY A UTAH STATE  
24 AGENCY, INCLUDING BUT NOT LIMITED TO THE UTAH DEPARTMENT  
25 OF COMMUNITY AND CULTURE OR THE UTAH DEPARTMENT OF  
26 WORKFORCE SERVICES?

1 A: At this time, the existing contract does not specifically provide for efforts to be  
2 undertaken in Utah. Virgin Mobile with the support of Solix is committed to  
3 working with Utah to establish a system for verifying the eligibility of Lifeline  
4 applicants using information maintained or accessible by a Utah state agency,  
5 including but not limited to the Utah Department of Community and Culture or the  
6 Utah Department of Workforce Services. Should the Utah Public Service  
7 Commission require Virgin Mobile to establish an interface with a Utah state  
8 agency, subject to compliance with privacy laws, Virgin Mobile will implement the  
9 necessary procedures.

10 If and when Virgin Mobile's ETC petition is approved by the Utah Public Service  
11 Commission, Virgin Mobile and Solix will work together, in conjunction with the  
12 Commission, to establish the system for its Lifeline services in Utah -- just as both  
13 companies have in other states. For instance, Virgin Mobile has established a  
14 process to provide its customer list to Texas each month for participation in that  
15 state's monthly automated verification process. Similarly, Virgin Mobile with  
16 representatives of Solix is in discussions with staff from the public utility  
17 commissions from the states of Pennsylvania and Washington to establish state-  
18 specific processes for interfacing with systems in those states.

19 Q7: DOES SOLIX PROVIDE STAFFING FOR ANY LIVE OPERATOR  
20 ENROLLMENT PROCESS OR ELIGIBILITY QUESTIONS?

21 A: The Virgin Mobile Lifeline program as a general matter does not permit enrollment  
22 over the phone. [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]

5 Q8: WITH RESPECT TO COMPLIANCE WITH LIFELINE CERTIFICATION AND  
6 VERIFICATION, DIVELBLISS DIRECT Q42, HOW DOES THE CONTRACT  
7 INCORPORATE UTAH RULES WITH RESPECT TO THE “RESPONSIBLE  
8 [STATE] AGENCY”? UTAH ADMIN. CODE R746-341-2.B.

9 A: The contract does not contain any Utah-specific requirements. Accordingly, the  
10 contract does not address the “responsible [state] agency” concept that is included  
11 in Utah Admin. Code R746-341-2.B. As noted above, Virgin Mobile has  
12 developed an annual process in the states where it currently provides service [REDACTED]  
13 [REDACTED] whereby Virgin Mobile seeks and obtains the required  
14 customer verifications pursuant to the requirements of the Federal Communications  
15 Commission (“FCC”). Virgin Mobile has also implemented state-specific  
16 variations of its annual review procedures. [REDACTED]

17 [REDACTED] Virgin Mobile’s relationship with Solix does not  
18 usurp the authority provided to the responsible state agency under Utah Admin.  
19 Code R746-341-2.B. Indeed, Virgin Mobile will abide by any procedures adopted  
20 by the Commission and applicable to all ETCs, including those that contribute to  
21 the Utah state USF, regarding the role of the responsible state agency in the annual  
22 verification process. Should the Utah Public Service Commission require Virgin  
23 Mobile to establish an interface with a Utah state agency, subject to compliance  
24 with privacy laws, Virgin Mobile will implement the necessary procedures.

25 Q9: HOW DOES THE CONTRACT INCORPORATE UTAH ADMIN. CODE R746-  
26 341-3.B, WHICH FOR INCOME-BASED CRITERIA REQUIRES THE

1 “APPLICANT WHO CERTIFIES VIA SUPPORTING DOCUMENTATION,  
2 UNDER THE PENALTY OF PERJURY” AND B.2 SPECIFYING  
3 ACCEPTABLE “DOCUMENTATION PRESENTED”? SEE ALSO R746-341-  
4 3.C.4.a. OCS READS VIRGIN MOBILE TESTIMONY TO NOT REQUIRE  
5 SUPPORTING DOCUMENTATION.

6 A: Please see response to Question 4. Further, FCC regulations require that all  
7 income-based Lifeline applicants submit supporting documentation concerning  
8 household income. 47 C.F.R. § 54.410(a). Virgin Mobile’s application process is  
9 in full compliance with this requirement. Applicants relying on income for  
10 eligibility are instructed to provide specific documentation evidencing their  
11 household income, as provided on the sample application (copy attached to this  
12 testimony as Exhibit 1). Virgin Mobile will design a Utah-specific form that  
13 complies with R746-341-3. [REDACTED]

14 [REDACTED]  
15 Q10: HOW DOES THE CONTRACT ADDRESS DOCUMENTATION RETENTION?  
16 R746-341-3.D. IN PARTICULAR, WHICH ENTITY MAINTAINS INITIAL  
17 APPLICATION RECORDS?

18 A: As noted previously, the contract does not address Utah-specific requirements.

19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]



1 [REDACTED] [REDACTED] [REDACTED]  
2 [REDACTED]

3 As we interpret Utah law (R746-341-3.D), documents should be maintained as  
4 long as required by the Commission. Accordingly, Virgin Mobile would propose  
5 the process described herein and seeks guidance from the Commission.

6 Q11: UTAH ADMIN. CODE R746-341-4 ADDRESSES ANNUAL VERIFICATION,  
7 VERIFICATION RESPONSIBILITIES AND VERIFICATION METHODS.  
8 DIVELBLISS REBUTTAL Q12 REFERENCES A SOLIX/VIRGIN MOBILE  
9 DESIGNED RE-CERTIFICATION PROCESS TO CONFIRM CONTINUED  
10 ELIGIBILITY. WHAT IS THE PROCESS AND DOES THE CONTRACT AND  
11 THE RE-CERTIFICATION PROCESS APPLY THE SAME OR SIMILAR  
12 METHODS AS OUTLINED IN THE RULE?

13 A: Utah Admin. Code R746-341-4: Annual Certification Process

14 The contract does not describe a Utah-specific process. Utah Admin. Code R746-  
15 341-4 requires the “responsible agency” to verify continuing eligibility annually.  
16 According to the rule, the responsible agency must, at least annually, provide the  
17 ETCs with information identifying those customers who are eligible for Lifeline  
18 service. *See* R746-341-4.B. The rule states that the “responsible agency must  
19 verify the continued eligibility of Lifeline customers under the program-based and  
20 income-based eligibility criteria.” R746-341-4.C. The responsible agency must  
21 identify a method to verify income eligibility “on an annual basis including, but not  
22 limited to, annual self-certification, random beneficiary audits, and a periodic  
23 submission of income documents, or the continued eligibility of a statistically valid  
24 sample of Lifeline customers.” *Id.*

25 The responsible agency will check the state computer system and if a Lifeline  
26 customer does not appear as a participant in a program or if the responsible agency

1 has a basis to believe that the customer no longer qualifies, the responsible agency  
2 will send a notice to the Lifeline customer requesting (a) proof of participation in  
3 any of the programs listed in R746-341-3.A or other federal eligibility criteria; or  
4 (b) documentation of eligibility under the income-based criteria set forth in R746-  
5 341-3.B. The notice to the Lifeline customer must allow at least 40 days for the  
6 customer to demonstrate continued eligibility consistent with the rule. *See* R746-  
7 341-4.C.

8 If the customer fails to respond to this notice or otherwise establish continued  
9 eligibility, then the responsible agency must notify the customer of its intent to  
10 discontinue the customer's eligibility for the program and the basis for that  
11 decision. R746-341-4.D. The written program eligibility termination notice must  
12 be delivered to the customer's mailing address and it must allow at least 20 days  
13 for the customer to demonstrate continued eligibility consistent with the rule.  
14 During this 20-day period, the customer's participation in the Lifeline program  
15 may not be discontinued. The rule provides that the notice must inform the  
16 customer of the option to continue local telephone service after termination of  
17 Lifeline benefits at the non-discounted rate. *Id.*

18 If the customer fails to provide proof of continued eligibility as required by the  
19 rule, or if the responsible agency does not accept the customer's proof of continued  
20 eligibility, the responsible agency must notify the customer in writing of its  
21 determination to discontinue the customer's participation in the Lifeline program.  
22 This notice must include instructions for filing an appeal of the determination.  
23 R746-341-4.D. If the customer appeals a non-eligibility decision, Lifeline benefits  
24 will continue pending the outcome of the appeal. *Id.*

25 Department of Community and Culture ("DCC")

1 The Utah Public Service Commission currently oversees the determination of  
2 continuing eligibility through a contract with the Department of Community and  
3 Culture (“DCC”) and this is the only method currently in place for verifying  
4 continuing eligibility in Utah. *See Amended Report and Order in Docket No. 09-*  
5 *2511-01, Petition of TracFone for ETC Designation (Dec. 1, 2010), at p.19.*  
6 Therein, the Commission acknowledged that “because of the unique nature of pre-  
7 paid wireless services, the verification process for Lifeline customers of such  
8 services may differ from the current process administered by DCC. Consequently,  
9 the Commission must identify one or more appropriate means of satisfying its  
10 responsibilities to assure Lifeline eligibility is properly administered in this new  
11 context.” *Id.* at 20. The Commission has commenced a proceeding to investigate a  
12 variety of appropriate processes whereby continuing Lifeline applicant  
13 qualifications may be verified. *See Docket No. 10-2528-01, In the Matter of the*  
14 *Resolution of Certain Issues Related to the Designation of a Common Carrier as*  
15 *an Eligible Telecommunications Carrier.*

16 Virgin Mobile’s Annual Certification Process

17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED] This notice to the Lifeline

1 customer requests documentation as proof of participation in one of the programs  
2 listed in listed in R746-341-3.A or other federal eligibility criteria, or  
3 documentation of eligibility under the income-based criteria set forth in R746-341-  
4 3.B. The notice to the Lifeline customer allows at least 40 days for the customer to  
5 provide the documentation to demonstrate continued eligibility.

6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED] [REDACTED]  
11 [REDACTED]  
12 [REDACTED]

13 Any program eligibility termination notice will be in writing and will be delivered  
14 to the customer's mailing address. The customer will be allowed at least 20 days to  
15 demonstrate continued eligibility and during this 20-day period, the customer's  
16 participation in the Lifeline program will be continued. Any program eligibility  
17 termination notice will inform the customer of the option to continue phone service  
18 after termination of Lifeline benefits at the non-discounted rate and will include  
19 instructions for filing an appeal of the determination. Virgin Mobile will continue  
20 Lifeline benefits during an appeal.

21 Q12: DIVELBLISS REBUTTAL Q13 EXPRESSES A WILLINGNESS TO ABIDE BY  
22 RULES REQUIRED FOR ALL ETCS IN UTAH BY UTILIZING THE UTAH  
23 DEPARTMENT OF COMMUNITY AND CULTURE SYSTEMS AND  
24 DATABASES. DOES THE CONTRACT PROVIDE FOR SOLIX TO USE  
25 SUCH SYSTEMS AND DATABASES? DOES THE CONTRACT RELY UPON  
26 OTHER SYSTEMS AND DATABASES APPLICABLE TO UTAH THAT ARE

1 AVAILABLE TO SOLIX? DOES THE CONTRACT ACKNOWLEDGE THE  
2 COMMISSION'S OVERSIGHT OF CONTINUING ELIGIBILITY?

3 A: The contract does not specifically address Virgin Mobile Lifeline operations in  
4 Utah at this time, pending approval of Virgin Mobile's ETC petition. Should the  
5 Utah Public Service Commission require Virgin Mobile to establish an interface  
6 with the Utah Department of Community and Culture systems and databases,  
7 subject to compliance with privacy laws, Virgin Mobile will implement the  
8 necessary procedures. Virgin Mobile with the support of Solix is committed to  
9 working with the Utah Public Service Commission to establish a system for  
10 verifying the continuing eligibility of Lifeline applicants, subject to the  
11 Commission's oversight.

12 Q13: HOW DOES THE SOLIX CONTRACT ADDRESS PROCESSES FOR  
13 DETECTION OF OR PROTECTION AGAINST A PERSON RECEIVING  
14 MULTIPLE LIFELINE BENEFITS?

15 A: The Virgin Mobile Lifeline application requires the applicant to certify under  
16 penalty of perjury that the customer understands that "Lifeline is only available for  
17 one landline or wireless phone line per household" and that the customer will  
18 notify its current Lifeline provider if and when the applicant is approved for Virgin  
19 Mobile Lifeline program. [REDACTED]

20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]

1 [REDACTED]  
2 [REDACTED]  
3 Q14: IN ITS RESPONSE TO OCS DATA REQUEST 2.8, VIRGIN MOBILE  
4 DESCRIBED PROCESSES TO GUARD AGAINST A CUSTOMER  
5 RECEIVING MORE THAN ONE LIFELINE BENEFIT. IT DESCRIBES  
6 CUSTOMER LIST FILINGS BY ALL ETCs AND AUTOMATIC  
7 ENROLLMENT PROCEDURES THAT RELY UPON DIRECT ETC  
8 INTERFACE WITH STATE AGENCIES. DOES THE SOLIX CONTRACT  
9 REQUIRE OR ANTICIPATE IMPLEMENTATION OF SUCH PROCESSES IN  
10 UTAH?

11 A: As reflected in FCC Order DA 10-2433 (rel. Dec. 29, 2010), Virgin Mobile has  
12 voluntarily committed to provide a state utility commission with data that will  
13 enable the states to track whether some consumers are enrolled in more than one  
14 Lifeline program. Virgin Mobile is committed to working with Utah to establish a  
15 process pursuant to which the state utility commission would collect and compare  
16 similar data from all ETCs in Utah.

17 At the present time, Virgin Mobile is unable to compare its Lifeline customer list to  
18 the list of other ETCs. As the FCC recently acknowledged:

19 While Commission orders clearly set forth the “one-per-  
20 household” requirement, it is difficult for ETCs to make an  
21 independent determination that a subscriber is receiving only one  
22 Lifeline. There is no comprehensive database in place for ETCs to  
23 determine whether an eligible consumer is enrolled in Lifeline with  
24 another ETC, and ETCs are not in the position to share customer  
25 information with one another. ETCs therefore lack the data needed  
26 to prevent the occurrence of duplicate Lifeline claims. *Letter from*  
27 *Sharon E. Gillette, Chief, Wireline Competition Bureau, Federal*  
28 *Communications Commission, to Richard A. Belden, Chief*  
29 *Operating Officer of the Universal Service Administrative*  
30 *Company, dated January 21, 2011.*

Q15: DOES THE CONTRACT ASSIGN TO SOLIX ANY RESPONSIBILITY TO SATISFY UTILITY COMMISSION REPORTING REQUIREMENTS?

A: No. Virgin Mobile is responsible for satisfying utility commission reporting requirements. The contract does not assign to Solix any responsibility for satisfying utility commission reporting requirements. In the event of an audit by the state commission, the contract does provide that Solix will provide support in gathering information for Virgin Mobile's use in complying with the audit.

Q16: DOES THE CONTRACT PLACE ANY CAPS OR VOLUME RELATED RESTRICTIONS UPON THE INITIAL ELIGIBILITY DETERMINATION?

A: [REDACTED]

Q17: DOES THE CONTRACT PROVIDE FOR ANY TIME PERIODS WITHIN WHICH SELF-CERTIFIED ELIGIBILITY MUST BE VERIFIED?

A: [REDACTED]

Q18: DOES THE CONTRACT ALLOW FOR CHANGES TO THE PROCESSES AND COSTS TO DETERMINE CONTINUING ELIGIBILITY AS MAY BE IMPOSED BY THE COMMISSION?

A: [REDACTED]

Q19: DOES THE CONTRACT REQUIRE ANNUAL VERIFICATION FOR EACH APPLICANT WHO SELF CERTIFIES ELIGIBILITY?

A: [REDACTED] the FCC has imposed this requirement on Virgin Mobile pursuant to its orders designating the Company as an ETC

1 in the states of Alabama, Connecticut, Delaware, New Hampshire, New York, North  
2 Carolina, Tennessee, Virginia and in Washington D.C.<sup>1</sup> In these orders, the FCC directed  
3 Virgin Mobile to obtain annual verifications from all Lifeline customers certifying under  
4 penalty of perjury that they continue to be the head of household and only receive  
5 Lifeline service from Virgin Mobile. [REDACTED] Virgin Mobile has  
6 developed an annual process whereby Virgin Mobile seeks and obtains the required  
7 customer verifications in the states where it currently provides service pursuant to the  
8 requirements of the FCC.

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<sup>1</sup> See *Federal-State Joint Board on Universal Service; In the Matter of Virgin Mobile USA, L.P. Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A); Petitions for Designation as an Eligible Telecommunications Carrier in the States of New York, North Carolina, Pennsylvania, Tennessee and Virginia*, Order, FCC 09-18 (rel. March 5, 2009); see also *See Federal-State Joint Board on Universal Service; In the Matter of Virgin Mobile USA, L.P. Petitions for Designation as an Eligible Telecommunications Carrier in the States of Alabama, Connecticut, Delaware, New Hampshire and Washington D.C.*, Order, DA 10-2433 (rel. Dec. 29, 2010).



**VERIFICATION**

I, Elaine M. Divelbliss, do hereby declare under penalty of perjury, that the foregoing supplemental testimony is true and correct to the best of my knowledge and belief.

Executed on February 18, 2011.



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Elaine M. Divelbliss  
Virgin Mobile USA, L.P.

# **EXHIBIT 1**



[State Name] Lifeline Application

IF YOU HAVE QUESTIONS ABOUT THIS FORM PLEASE CALL PHONE 1-888-898-4888 or TTY 1-XXX-XXX-XXXX 9am to 12am ET (Mon - Fri) 9am to 11pm ET (Sat & Sun) PLEASE RETURN THIS FORM ALONG WITH COPIES OF SUPPORTING DOCUMENTATION BY XX/XX/XX

Please verify your eligibility:

- 1. You may use either Section B or Section C to qualify
2. Sign and date the form in Section D
3. Attach documents to support your eligibility listed in Section B or C
4. Mail the application to Virgin Mobile Lifeline, PO Box 100 Artesia, CA 90702

A. PERSONAL INFORMATION

The person below MUST BE the same person applying for the discount. Please do not forget to sign the application below in Section D.

«First\_Nm» «Middle\_Int» «Last\_Nm»
«Service\_Address\_Line\_1»
«Service\_Address\_Line\_2»
«Service\_City»,«Mailing\_State\_Cd» «Zip\_Cd»

B. PROGRAM-BASED ELIGIBILITY

Fill in all bubbles for all program(s) the person in Section A is currently enrolled. For the National School Lunch and Head Start programs, a household dependent enrolled in the program satisfies the enrollment requirement.

- Medicaid
Food Stamps
Supplemental Security Income (SSI) (Not the same as Social Security Benefits)
Temporary Assistance to Needy Families (TANF)
Federal Public Housing Assistance (FPHA)
Low-Income Energy Assistance Program (LIHEAP)
National School Lunch Program's Free Lunch Program

You must attach a copy of a program identification card or other social service agency document that shows you currently participate in one of the programs listed above. (Supporting documentation will NOT be returned)

- OR -

C. INCOME-BASED ELIGIBILITY

Calculate TOTAL household income by reporting the income of all adult persons residing in your home in the appropriate category:

Table with Household Size and Maximum Yearly Income columns. Includes a list of required proof of income documents and a note that supporting documentation will not be returned.

D. SIGNATURE

BY SIGNING BELOW, I CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED WITHIN THIS APPLICATION IS TRUE AND CORRECT AND THAT I AM HEAD OF MY HOUSEHOLD AND ONLY RECEIVE LIFELINE SERVICE FROM VIRGIN MOBILE. I ALSO ACKNOWLEDGE THAT PROVIDING FALSE OR FRAUDULENT DOCUMENTATION IN ORDER TO RECEIVE ASSISTANCE IS PUNISHABLE BY LAW AND THE PENALTIES OF PERJURY INCLUDE MONETARY FINES AND POTENTIAL IMPRISONMENT.

I UNDERSTAND THAT COMPLETION OF THIS APPLICATION DOES NOT CONSTITUTE IMMEDIATE APPROVAL FOR THE VIRGIN MOBILE LIFELINE PROGRAM. I AUTHORIZE VIRGIN MOBILE USA OR ITS DULY APPOINTED REPRESENTATIVE TO ACCESS ANY RECORDS (INCLUDING FINANCIAL RECORDS) REQUIRED TO VERIFY MY STATEMENTS HEREIN AND TO CONFIRM MY ELIGIBILITY FOR THE VIRGIN MOBILE LIFELINE PROGRAM.

I UNDERSTAND THAT I MAY BE REQUIRED TO VERIFY MY CONTINUED ELIGIBILITY FOR LIFELINE AT ANY TIME. FAILURE TO VERIFY ELIGIBILITY WILL RESULT IN TERMINATION OF THE VIRGIN MOBILE LIFELINE PROGRAM. IN THE FUTURE, IF MY TOTAL HOUSEHOLD INCOME EXCEEDS 135% OF THE FEDERAL POVERTY GUIDELINES, OR I AM NO LONGER ELIGIBLE TO RECEIVE BENEFITS FROM AT LEAST ONE OF THE QUALIFYING PUBLIC ASSISTANCE PROGRAMS LISTED ABOVE, I WILL NOTIFY VIRGIN MOBILE USA WITHIN FIVE (5) DAYS.

I UNDERSTAND THAT LIFELINE IS ONLY AVAILABLE FOR ONE LANDLINE OR WIRELESS PHONE LINE PER HOUSEHOLD. IF I CURRENTLY HAVE A LIFELINE PLAN WITH A DIFFERENT PHONE SERVICE PROVIDER, I WILL NOTIFY MY CURRENT PROVIDER WHEN I AM APPROVED FOR THE VIRGIN MOBILE LIFELINE PROGRAM.



Signature
Date
Printed Name

