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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Resolution of Certain Issues)	DOCKET NO. 10-2528-01
Related to the Designation of a Common)	
Carrier as an Eligible Telecommunications Carrier)	COMMENTS OF URTA

On August 30, 2012, the Utah Public Service Commission (the “Commission”) issued a Scheduling Order and Notice of Technical Conference which identified Friday, August 31, 2012 as the deadline for the Division of Public Utilities (the “Division”) to file a report describing the initial and ongoing eligibility verification requirements that Utah’s Lifeline Program must meet to satisfy state and federal mandates. The Division filed its Memorandum on September 10, 2012 (the “DPU Report”). The following are the Utah Rural Telecom Association’s Comments on the Division’s Report dated September 10, 2012.

In Utah, initial eligibility, verification and ongoing verification for Lifeline enrollment is conducted by a state agency, not by the eligible telecommunications carriers (ETCs). URTA and its members believe that the state agency should continue in this role, and should determine eligibility, verification and ongoing verification for all Lifeline recipients, both wire line and wireless, in the State of Utah. The state agency has access to the databases necessary to determine whether customers automatically qualify for Lifeline service on the basis of their

participation in other social programs or their income, and the state agency is better equipped to obtain, receive and safeguard personal and financial information of Lifeline subscribers.

Clarification of Role of ETCs and State Administrators

The DPU Report indicates that eligible telecommunications carriers (ETCs) are required to comply with FCC Regulations Title 47, Part 54, Subpart E54.400 through 54.422 and with R746-341. In fact, in Utah, the “responsible agency”, as defined in R746-341-2.B, is responsible for the certification, verification and continued verification of the Lifeline enrollment. Additionally, Utah uses a state administrator, as that term is used, in the Federal rules to administer its Lifeline program.

The Commission is seeking to contract with the Department of Workforce Services (the “DWS”) to act as the state administrator to provide the certification, verification, and continued verification services to meet the specific requirements of 47 CFR 54.400-422 and Rule R746-341. Specifically, the DWS and the eREP system will need to determine initial eligibility based on the applicant’s eligibility for one of the specifically enumerated public assistance programs or based on the applicant’s income, as set forth in 47 CFR 54.409(a) and R746-341-3.

Additionally, the DWS and the eREP system will need to be able to verify continuing eligibility in the Lifeline program as set forth in R746-341-4, under the program-based or income based eligibility criteria. The DWS and eREP system will also need to be able to generate certain notices related to verification of eligibility and termination of eligibility as set forth in R746-341-4. URTA believes that the proposal for moving Lifeline into the eREP system is well stated and should be read to include initial certification and all recertification of eligibility as required by the Federal rules, for all wire line and wireless Lifeline participants.

Duplicate Benefits

With regard to the DPU Report's discussion of duplicate benefits, Federal rules provide that only one Lifeline service may be obtained per household. "Household" is defined as any individual or group of individuals who live together at the same address as one economic unit. An "economic unit" is defined as "all adult individuals contributing to and sharing in the income and expenses of a household." 47 CFR 54.400(h). The DPU Report suggests that the Commission needs to decide whether to use the FCC definition for household or the DWS definition. URTA believes it would be helpful to include both the FCC and the DWS definition of household in the report so that interested parties could comment on adoption by the Commission of a definition for Lifeline purposes. URTA is concerned that adoption of a definition that is different from the federal definition could be problematic, but cannot comment further without seeing the DWS definition.

The DPU Report has also suggested that "the Commission needs to decide if eligibility processing will be for only those with a current telecommunication approved service or not." URTA believes some clarification on this issue is warranted. Under Utah R746-341-3.C.1, the application for Lifeline services requires "a program participating telephone number, *if available*." It is not a requirement for Lifeline eligibility under Federal or State rules that an applicant have telephone service at the time the Lifeline application is submitted. Thus, URTA would like clarification on what is requested in this issue.

Lifeline Requirement Dates

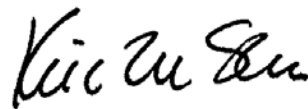
The DPU Report has identified several key dates related to Lifeline. URTA has the following comments the October 2, 2012 and the January 31, 2013 deadlines identified in the DPU report:

The DPU report identified October 2, 2012 as the deadline for the PSC to decide to opt into or out of the National Lifeline Accountability Database (NLAD). 47 CFR 54.404 did not go into effect until May 1, 2012, thus six months from May 1, 2012 would be November 1, 2012. See the Public Notice dated May 1, 2012, attached hereto as **Exhibit 1**.¹

The DPU report also identified January 31, 2013 as the date by which State Lifeline Administrators/ETC's must complete the annual recertification process for all current participants in Lifeline as of June 1, 2012, by submitting an eligibility and certification form to USAC. URITA believes some clarification is needed in this language. While it is accurate that State Administrators/ETCs must submit the recertification forms (attached to the DPU Report as Exhibit 3) to USAC by January 31, 2013, however the recertification itself must be completed by the State Administrator on or before December 31, 2012. In other words, the State Administrator must recertify the subscribers as of June 1, 2012 no later than December 31, 2012, and provide the results to the ETCs in time for the January 31, 2013 filing deadline.

Respectfully submitted this 13th day of September, 2012.

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¹ With regard to the issue of whether the Commission should opt in or out of the NLAD, URITA anticipates filing additional comments on that issue after further technical conferences which it anticipates will be held in this matter.

CERTIFICATE OF SERVICE
Docket No. 10-2528-01

I hereby certify that on the 13th day of September, 2012, I served a true and correct copy of Utah Rural Telecom Association's Comments On the Division of Public Utilities Report via e-mail transmission to the following persons at the e-mail addresses listed below:

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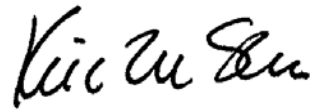
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