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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Resolution of Certain Issues Related to the Designation of a Common Carrier as an Eligible Telecommunications Carrier	Docket No. 10-2528-01 CENTURYLINK'S COMMENTS ON THE DIVISION'S REPORT
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On August 30, 2012 the Public Service Commission of Utah (the “Commission” or “PSC”) issued a Scheduling Order and Notice of Technical Conference in this docket. The Commission’s Scheduling Order directed the Division of Public Utilities (“DPU”) to submit a report describing the initial and ongoing eligibility verification requirements that Utah’s Lifeline program must meet to satisfy state and federal mandates (the “Report”). On September 10, 2012, the DPU filed its Report. These Comments respond to various issues raised in the Report and is filed in accordance with the Commission’s September 11, 2012 Order Extending Time for Parties to File Comments on the Division's Report.

DEFINITION OF HOUSEHOLD

The DPU Report states that “the Commission needs to decide which definition for household will be used, either the DWS definition which is more specific or the FCC definition which is more broad.” The DPU report does not specifically set forth the different definitions of “household,” but the state cannot adopt a definition that is in conflict with the FCC definition.

Even if the DWS definition is more specific, the fact that it is not identical to the FCC definition can unnecessarily lead to discrepancy between the two definitions. In order to avoid any ambiguity or conflict between the different definitions of “household,” CenturyLink recommends that the Commission adopt the FCC definition.

LIFELINE REQUIREMENT DATES

The DPU report states that by “December 1, 2012 – The PSC must complete modifications to their systems to comply with the FCC Title 47, Part 54 Subpart E, 54.400 through 54.422 or submit to the FCC a proposal with a timeline of when the modifications will be complete for their review and approval.”

CenturyLink wants to clarify that the December 1, 2012 date identified in the Report is the deadline provided for in the FCC’s Order on the waiver petitions whereby states must start providing ETCs with copies of the certification forms. CenturyLink requests that DWS identify whether it will be ready to start sending Lifeline providers the certification forms on December 1 as required by the FCC Waiver Order. If DWS is not prepared to start sending the necessary certification forms by December 1, 2012, is the Commission anticipating filing a waiver?

The Report further states that that by “January 31, 2013 – State Lifeline Administrators/ETC’s must complete the annual recertification process for all current participants as of June 1, 2012 by submitting an eligibility and certification form to USAC (Attachment 3).” In addition to the January 31, 2013 reporting deadline referenced in the Report, December 31, 2012 is the deadline for having the 2012 recertification completed.

Further, CenturyLink believes that the Report inadvertently reversed Attachments 2 and 3. What is labeled as Attachment 2 is actually the year end form for the recertification results due on January 31, and Attachment 3 is the 497 report form.

Lastly, CenturyLink does not necessarily dispute the October 2013 and December 2013 dates that reference “audits,” but is not aware that these dates have been established by the FCC.

OPTING OUT OF THE NATIONAL DATABASE

CenturyLink does not take a position at this time regarding whether Utah should opt out of the national database. However, CenturyLink believes the following information is relevant to make this determination:

- Utah cannot opt out of the national database unless DWS does the Lifeline administration for all Lifeline providers. Currently DWS administers the Lifeline program for 18 wire line ETCs. In order to opt out, DWS will also need to do the administration for the wireless ETCs.
- If Utah decides to stay in the national database, CTL believes that DWS can provide the necessary database updates directly to the national database administrator, more efficiently and effectively than sending it to the providers and having the providers send this to the national database administrator. If DWS does this function it will need to ensure that it meets the FCC timing requirements for providing updates.¹ Also when DWS is verifying Lifeline customer eligibility, they should also do the inquiry of the national database to ensure that a customer is not receiving duplicate benefits. (The state database should help prevent duplicate benefits

¹ See, *FCC Lifeline Order*, ¶184 (Initially, “ETC’s must provide information for existing subscribers to the database within 60 days of the Bureau providing notice that the database is ready to accept ETC information for new subscribers upon initiation of service thereafter.”); ¶197 (Once operational, “Except with respect to the scrubbing process...., in those cases where two or more ETCs provide information to the database for the same subscriber, the ETC whose information was received by the database first will be entitled to reimbursement from the Fund for that subscribers...” Further, “with respect to subscribers already in the database, ETCs must update the database within 10 days after receiving notice of a change in a subscriber data that is also housed in the database”); and ¶206 (ETCs must update the database with any subscriber deenrollments within one business day of de-enrollment.”)

within Utah. However, only the national database could prevent duplicate benefits in multiple states.)

CenturyLink appreciate the opportunity to submit comments on the Report, and intends to participate at the upcoming technical conference.

DATED this 13th day of September, 2012.

CENTURYLINK

A handwritten signature in cursive script that reads "Torry Somers".

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