

Kira M. Slawson (7081)  
Stanley K. Stoll (A3960)  
BLACKBURN & STOLL, L.C.  
Attorneys for Utah Rural Telecom Association  
257 East 200 South, Suite 800  
Salt Lake City, Utah 84111  
Telephone: (801) 521-7900  
Fax: (801) 578-3579

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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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In the Matter of the Resolution of Certain ) DOCKET NO. 10-2528-01  
Issues Related to the Designation of a )  
Common Carrier ) COMMENTS OF UTAH RURAL  
 ) TELECOM ASSOCIATION ON THE  
 ) DIVISION OF PUBLIC UTILITIES  
 ) LIFELINE PROGRAM  
 ) REQUIREMENTS PROPOSAL

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On September 25, 2012, the Utah Public Service Commission (the “Commission”) issued a Scheduling Order which identified October 1, 2012 as the deadline for the Division of Public Utilities (the “Division”) to file a “draft business proposal” describing the initial and ongoing eligibility verification requirements that Utah’s Lifeline Program must meet to satisfy state and federal mandates (the “Draft Proposal”). According to the Commission’s Scheduling Order, Comments on the Division’s Draft Proposal are due October 3, 2012. The following are the Utah Rural Telecom Association’s Comments on the Division’s Report dated October 1, 2012. In addition to the written comments herein, which track the headings in the Draft Proposal, URTA has provided a redline draft of the Draft Proposal which shows the comments and suggestions in the text of the proposal, attached hereto as **Exhibit A**.

1. Program Vision. The last sentence in the first paragraph indicates that Wireless customers self-certify with their telecommunications provider. Lifeline customers cannot self-certify their initial Lifeline eligibility; they must present proof of eligibility. They may self-certify their annual recertification (See 54.410). Thus, we would suggest that the “self-certify” be replaced with “certify”.

In the first objective on page 3, the Draft Proposal states that the first objective of this proposal is expanding the contract with DWS to process initial eligibility and annual certification for all telecommunications services (wire line and wireless) offered under the Lifeline Program. URITA believes that the DWS should also verify and retain information on the Tribal Lifeline and Link-Up customers. (See also Comment on NLAD Section below).

2. Requirements of the Proposal. In the second sentence of this paragraph, it states “Consumers are only able to receive on federal and/or state discount per household....” This “and/or” is confusing. All eligible participants receive the federal discount and wire line eligible participants receive the state discount also.

3. Eligible Participants. As required by the Lifeline Modernization Order (paragraphs 78-79), USAC has developed a worksheet to assist carriers and consumers in determining whether more than one household resides at a single address. The worksheet must be completed any time more than one subscriber at a single residential address receives Lifeline service, or when a new applicant applies for Lifeline service at an address where there is already a Lifeline subscriber. A copy of the Lifeline Household Worksheet is attached hereto as **Exhibit B**. What is the process to be if two eligible persons are identified at the same household? Will DWS provide the Lifeline Household Worksheet to applicants? Will this applicant be included in the on-line

electronic system as a series of questions? There needs to be reference to and incorporation of the Lifeline Household Worksheet in the Draft Proposal.

4. De-Enrollment. Service disconnection should be included as a reason for de-enrollment.

Additionally, Subsection (e) discusses temporary addresses. The federal rule relating to temporary addresses is not in effect yet. See 77 FR 25609 and the May 1 Public Notice. The FCC did not submit this requirement to the OMB for approval in its most recent Lifeline-related submission.

5. New Participant. The Draft Proposal has a requirement that the DWS must recertify applicants with a temporary address every 90 days. See Comment 4 above, this is not currently in effect.

6. Communicating with Telecommunications Companies. In the 4<sup>th</sup> paragraph, the Draft Proposal states that “On the first day of the month, DWS will provide a report to the telecommunications companies, and the DPU, identifying their participants who are eligible for the discount for the previous month.” URTA anticipates there could be an instance where the eligible person is not the applicant (e.g. a dependent). How will the process work in this instance?

7. National Lifeline Accountability Database (NLAD). Assuming the DWS will verify and retain information on Tribal Lifeline and Link-Up, the DWS will need to collect Link-Up information to transmit to the NLAD and DWS database (See 54.404(c)).

The Draft Proposal provides that “For de-enrollment, this same information must be provided to the NLAD and the telecommunications company within one day of the termination date.” URTA believes that this language should mirror the FCC Lifeline Order, paragraph 206

and state “For de-enrollment, this same information must be provided to the NLAD and the telecommunications company within one business day of the de-enrollment date.”

Additionally, the Draft Proposal provides that “When a customer disconnects service from the ETC, the ETC must notify DWS within one day. DWS will notify NLAD.” Under Paragraph 206 of the FCC Lifeline Order (Docket 12-11), the FCC adopted a rule that ETC’s “must update the database with any subscriber de-enrollments within one business day of de-enrollment.” Footnote 530 of the Order provides that “We note that ETC’s failure to do so would be subject to enforcement action.”

When a customer is disconnected for any reason, they are effectively de-enrolled from Lifeline. It would appear that under the language in the Draft Proposal, there could be a potential delay between when the ETC’s provide the disconnect notice to DWS, and when the DWS provides the notice to the NLAD. URTA companies are concerned that it will be difficult to provide the disconnect information to the DWS within one day, but in order to be compliant with the FCC Rule, the Utah requirements should clarify that DWS will notify NLAD the same day the disconnect notice is received from the ETC.

8. DWS Lifeline Database. The Draft Proposal provides that “The DWS Lifeline Database would retain all the application information in a relational database along with an image of the application certification form.” URTA believes that in addition to an image of the application certification form, the DWS Lifeline Database should retain an image of any Lifeline Household Worksheet too when applicable.

9. Annual Recertification Program. In the 4<sup>th</sup> bullet point, the Draft Proposal provides that the DWS shall “maintain the results of the recertification in eSHARE for the telecommunications company to access and review for the period the carrier has the participant as their customer, for

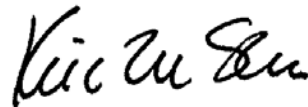
audit and reimbursement purposes. Under Section 54.417(a), all customer related documents should be retained for as long as the customer receives Lifeline plus three years.

10. Lifeline Application Certification Form. In addition to the bullet points listed in the Draft Proposal, the Lifeline Certification Form must include the applicant granting permission for his/her information to be provided to USAC (See 54.404(b)(9)).

Additionally, in number 5, on page 13 (as noted in previous comment), the federal rule regarding temporary addresses is not in effect yet. See comments above.

Respectfully submitted this 3<sup>rd</sup> day of October, 2012.

BLACKBURN & STOLL, LC



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Stanley K. Stoll  
Kira M. Slawson  
Attorneys for Utah Rural Telecom  
Association

CERTIFICATE OF SERVICE  
Docket No. 10-2528-01

I hereby certify that on the 3<sup>rd</sup> day of October, 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:

Division of Public Utilities  
Bill Duncan  
Casey Coleman  
Shauna Benvenegu-Springer  
[wduncan@utah.gov](mailto:wduncan@utah.gov)  
[ccoleman@utah.gov](mailto:ccoleman@utah.gov)  
[sbenvegn@utah.gov](mailto:sbenvegn@utah.gov)

Office of Consumer Services  
Michelle Beck  
Eric Orton  
Cheryl Murray  
[mbeck@utah.gov](mailto:mbeck@utah.gov)  
[eorton@utah.gov](mailto:eorton@utah.gov)  
[cmurruy@utah.gov](mailto:cmurruy@utah.gov)

Assistant Utah Attorneys Generals  
Paul Proctor  
Patricia Schmid  
Justin Jetter  
[pproctor@utah.gov](mailto:pproctor@utah.gov)  
[pschmid@utah.gov](mailto:pschmid@utah.gov)  
[jjetter@utah.gov](mailto:jjetter@utah.gov)

Department of Workforce Services  
Tricia Cox  
Susan Kolthoff  
Kathy Link  
[tcx@utah.gov](mailto:tcx@utah.gov)  
[skolthoff@utah.gov](mailto:skolthoff@utah.gov)  
[klink@utah.gov](mailto:klink@utah.gov)

Solix, Inc.  
Eric Seguin  
[eseguina@solixinc.com](mailto:eseguina@solixinc.com)

Salt Lake Community Action Program  
Betsy Wolf  
Sonya L. Martinez

[smartinez@slcap.org](mailto:smartinez@slcap.org)  
[bwolf@slcap.org](mailto:bwolf@slcap.org)

Greenberg Traurig, LLP  
Mitchell Brecher  
[brecher@gtlaw.com](mailto:brecher@gtlaw.com)

Lance J.M. Steinhart, P.C.  
Lance J.M. Steinhart  
[lsteinhart@telecomcounsel.com](mailto:lsteinhart@telecomcounsel.com)

Crossroads Urban Center  
Timothy J. Funk  
[funk@crossroads-u-c.org](mailto:funk@crossroads-u-c.org)

Ballard Spahr  
Sharon M. Bertelsen  
[bertselsens@ballardspahr.com](mailto:bertselsens@ballardspahr.com)

Ray Quinney & Nebeker P.C.  
Brett L. Tolman  
[btolman@rqn.com](mailto:btolman@rqn.com)

Department of Community & Culture  
Sherman Roquero  
Kathy Kinsman  
[kinsman@utah.gov](mailto:kinsman@utah.gov)  
[sroquero@utah.gov](mailto:sroquero@utah.gov)

Hatch, James & Dodge\  
Gary A. Dodge  
[gdodge@hjdllaw.com](mailto:gdodge@hjdllaw.com)

Leclairryan  
James L. Messenger  
[james.messenger@leclairryan.com](mailto:james.messenger@leclairryan.com)

CenturyLink  
Torry R. Somers

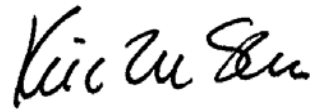
James Farr  
[torry.r.somers@centurylink.com](mailto:torry.r.somers@centurylink.com)  
[james.farr@centurylink.com](mailto:james.farr@centurylink.com)

Virgin Mobile USA, L.P.  
Peter Lurie  
Elaine Divelbliss  
[peter.lurie@virginmobileusa.com](mailto:peter.lurie@virginmobileusa.com)  
[elaine.divelbliss@virginmobileusa.com](mailto:elaine.divelbliss@virginmobileusa.com)

Holland & Hart LLP

Thorvalad A. Nelson  
Sara Kerkhoff Rundell  
James A. Holtkamp  
[tnelson@hollarnhart.com](mailto:tnelson@hollarnhart.com)  
[sakrundell@hollandhart.com](mailto:sakrundell@hollandhart.com)  
[jholtkamp@hollandhart.com](mailto:jholtkamp@hollandhart.com)

Budget PrePay, Inc.  
Robin Enkey  
[robine@budgetprepay.com](mailto:robine@budgetprepay.com)



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Kira M. Slawson