



# PUBLIC NOTICE

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## WIRELINE COMPETITION BUREAU PROVIDES GUIDANCE ON THE 2019 LIFELINE RECERTIFICATION PROCESS

### WC Docket No. 11-42

1. In this Public Notice, the Wireline Competition Bureau (Bureau) provides guidance regarding the process for those eligible telecommunications carriers (ETCs) who wish to elect the Universal Service Administrative Company (USAC) to perform Lifeline recertification for their subscribers in 2019. This guidance, including the deadlines set below, will remain in place for subsequent calendar years unless affirmatively superseded by Bureau or Commission action.

2. In the *2012 Lifeline Reform Order*, the Commission required ETCs to recertify the eligibility of ETCs' base of subscribers annually.<sup>1</sup> Starting in 2013, ETCs have had the option of electing USAC to conduct the annual recertification on their behalf.<sup>2</sup> The Commission delegated to the Bureau the authority to establish, in coordination with USAC, a process for USAC to recertify subscribers.<sup>3</sup> This Public Notice sets forth the recertification process for those ETCs seeking to elect USAC to coordinate the recertification process for 2019.

3. ETCs must provide notice to USAC between **July 16, 2018 and August 31, 2018** if they intend to have USAC perform the 2019 recertification process on their behalf. All ETCs interested in having USAC perform the recertification process on their behalf, including those that have previously elected to use USAC for recertification, must notify USAC by **August 31, 2018**. USAC will recertify all Study Area Codes (SACs) of the electing ETC unless the ETC affirmatively indicates to USAC which SACs USAC should not recertify. ETCs that do not make an election by **August 31, 2018** will be responsible for conducting recertification of their subscribers, except for those subscribers where the National Verifier, a state Lifeline administrator, or another state agency is responsible for the annual recertification of Lifeline eligibility.<sup>4</sup>

4. For the 2019 recertification process, ETCs will perform their elections via an online form. USAC will post information on this process on its website, and ETCs are encouraged to subscribe to the Lifeline Program Newsletter for updates on the program and for further instruction on the election process.<sup>5</sup>

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<sup>1</sup> *Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656, 6715, para. 130 n.337 (2012) (*2012 Lifeline Reform Order*). In 2013, the Bureau released a public notice clarifying the meaning of "annually" in this context and shifted the "snapshot" of subscribers to be recertified annually from the May FCC Form 497 to the February Form 497. See *Wireline Competition Bureau Provides Guidance Regarding the 2013 Lifeline Recertification Process*, Public Notice, 28 FCC Rcd 7503 (WCB 2013).

<sup>2</sup> See *2012 Lifeline Reform Order*, 27 FCC Rcd at 6716, para. 133 n.346.

<sup>3</sup> See *id.*

<sup>4</sup> See 47 CFR § 54.410(f)(1).

<sup>5</sup> Those interested in registering for USAC's newsletters should visit

5. Consistent with the current practice and FCC rules, USAC will recertify subscribers by mailing each subscriber a letter that provides the notice required by section 54.405(e)(4) of the Commission's rules,<sup>6</sup> informing the subscriber that the subscriber has 60 days to recertify his or her continued eligibility to receive Lifeline service or the subscriber will be de-enrolled from the Lifeline program.<sup>7</sup> The letter will also explain the recertification process and how the subscriber may confirm his or her eligibility. USAC will send reminders to consumers via robocall, e-mail or U.S. mail during the 60-day period to prompt a response.<sup>8</sup> Any subscriber response submitted after the 60-day deadline will not be processed, and the subscriber will be considered ineligible for the program and will be de-enrolled.<sup>9</sup>

6. USAC will provide subscribers with three methods to respond to the letter and recertify their eligibility. First, USAC will accept consumer calls made to a toll-free number, during which consumers will be able to recertify eligibility through an Interactive Voice Response. Second, USAC will allow consumers to verify their identity, read the certification language, and submit a response indicating they are recertifying their eligibility through a website maintained by USAC. Third, subscribers may also recertify by signing a recertification form provided by USAC and mailing the signed form to a receiving address designated by USAC.<sup>10</sup> Subscribers will also receive mail and robocall reminders during the 60-day period to prompt a response. Any subscriber response submitted after the 60-day deadline will not be processed, and the subscriber will be considered ineligible for the program and will be de-enrolled.

7. USAC will use the National Lifeline Accountability Database (NLAD) to determine subscriber anniversary dates and retrieve the necessary subscriber information to facilitate the recertification process.<sup>11</sup> USAC will begin recertification no earlier than 150 days before a subscriber's anniversary date. Starting with the 2019 recertification period, USAC no longer will be manually processing, compiling, and sending results to ETCs. Instead, it will update NLAD with the results of the recertification, including all information required for ETCs to complete the FCC Form 555. USAC will automatically de-enroll from NLAD subscribers who do not recertify within five business days after the end of the 60-day recertification window. Within that five-day window, USAC will provide notice to those subscribers, informing them that they have been de-enrolled from their Lifeline benefit due to a failure to recertify their eligibility and steps that the consumer can take to re-enroll if they remain eligible.

8. Because the USAC recertification process will rely on the Lifeline Claims System and NLAD data to automate the recertification process, starting in 2019, USAC will not be performing

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<https://www.usac.org/about/tools/publications/subscription-center.aspx>. For the 2019 recertification period, USAC will not be accepting recertification elections via e-mail.

<sup>6</sup> See 47 CFR § 54.405(e)(4).

<sup>7</sup> Pursuant to section 54.405(e)(4) of the Commission's rules, subscribers must respond within 60 days of receiving notice that they must recertify or they will be de-enrolled within five business days after expiration of the 60-day response deadline.

<sup>8</sup> ETCs electing to have USAC conduct the recertification process on their behalf may not assess fees for text messages or minutes used by subscribers to complete the recertification process. USAC shall provide the ETCs with sufficient information to identify text messages made and airtime minutes utilized in calls to such subscribers in the process of recertification. In addition, the Bureau clarifies that any inbound calls to subscribers from USAC, its third-party vendor, or the ETC will not constitute "usage" for the purpose of the non-usage rule. See 47 CFR § 54.405(e)(3) (providing that if a subscriber fails to use his or her pre-paid Lifeline service for 30 consecutive days, an ETC must provide the subscribers 15 days' notice that he or she must use the Lifeline service within the 15-day notice period, or the Lifeline service will be terminated).

<sup>9</sup> See 47 CFR § 54.405(e)(4).

<sup>10</sup> Starting in 2019, USAC will provide live customer support directly to subscribers seeking assistance with the recertification process. Subscribers that call the Lifeline Support Center at (800) 234-9473 will be able to obtain recertification status information and support during the recertification process.

<sup>11</sup> The Bureau reminds carriers of their responsibility to update the NLAD within ten business days of receiving any change to an existing subscriber's information contained in the NLAD. See 47 CFR § 54.404(b)(8).

recertification for subscribers in NLAD opt-out states. Since USAC has not received requests to conduct recertification for ETCs in NLAD opt-out states in the past, we expect that this limitation will not create undue burdens on ETCs operating in NLAD opt-out states. ETCs with subscribers in NLAD opt-out states should follow the recertification process, if any, for those states, or recertify subscribers in accordance with Commission rules and prior FCC guidance.<sup>12</sup>

9. As the Lifeline National Eligibility Verifier is launched in multiple waves, the SACs in announced states will be removed from the non-National Verifier USAC recertification process in coordination with the announcement of the National Verifier's soft launch date and reverification schedule in each respective state. USAC will notify affected ETCs directly with additional guidance.

10. For additional information on this proceeding, contact Jessica L. Campbell ([Jessica.Campbell@fcc.gov](mailto:Jessica.Campbell@fcc.gov)) of the Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418-3609.

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<sup>12</sup> See 47 CFR §§ 54.410(f), 54.405(e)(4); *Wireline Competition Bureau Provides Guidance on Rolling Recertification Pursuant to the Lifeline Modernization Order*, Public Notice, 31 FCC Rcd 11895 (WCB 2016).