

JUDSON H. HILL, ESQ.

September 29, 2019

BY ECFS

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Sage Telecom Communications, LLC and Telscape Communications, Inc. d/b/a
TruConnect Notice of Oral Ex Parte Presentation; WC Docket No.17-287, RM 11849.

Dear Ms. Dortch:

On September 26, 2019 I, counsel to Telscape Communications, Inc. d/b/a TruConnect and Sage Telecom Communications, LLC (collectively TruConnect) met with Commissioner Michael O’Rielly, Arielle Roth, Legal Advisor to Commissioner O’Rielly; Travis Litman, Chief of Staff and Legal Advisor to Commissioner Rosenworcel; Ryan Palmer, Division Chief of the Telecommunications Access Policy Division of the Wireline Competition Bureau; Jodie Griffin, Deputy Division Chief of the Telecommunications Access Policy Division of the Wireline Competition Bureau; and Micah Caldwell, Special Counsel of the Telecommunications Access Policy Division of the Wireline Competition Bureau. Danielle Perry, CIO of TruConnect joined the meeting (by telephone) with the Telecommunications Access Policy staff meeting. During the meetings we discussed the pending Joint Petition to Pause Implementation of the December 2019 Lifeline Minimum Service Standards Pending Forthcoming Marketplace Study filed by CTIA, the National Consumer Law Center, National Hispanic Media Coalition, OCA – The Asian Pacific American Advocates and the United Church of Christ, Inc.¹ as well as the ongoing roll-out of the National Verifier.²

During the meetings I discussed TruConnect’s strong support for the pending Joint Petition and reminded the Commissioner and agency staff that TruConnect recently filed supportive comments. I emphasized that the record clearly demonstrates the substantial and broad support, which we share, for both proposals in the CTIA Joint Petition, i.e. to pause any increases in the mobile broadband minimum service standards and retain full Lifeline support for the stand-a-lone voice and voice centric bundles, until the Commission can study the impact of such changes on access to and affordability of Lifeline services for low-income consumers and then report the findings in the forthcoming *State of the Lifeline Marketplace Report* ordered to be released June 2021. I emphasized that the CTIA Joint Petition drew no opposition.

I noted in each meeting that if the FCC does not immediately act to grant the Joint Petition to prevent this new data standard from going into effect December 2019, then before year end Lifeline subscribers could expect an approximate \$30 per month immediate price increase causing many

¹ See Joint Petition to Pause Implementation of December 2019 Lifeline Minimum Service Standards Pending Forthcoming Marketplace Study, WC Docket No. 11-42 et al. (filed June 27, 2019) (“Joint Petition”).

² See Third Report and Order, Further Report and Order, and Order on Reconsideration, WC Docket No. 11-42, U.S. Federal Communication Commission, Washington, D.C., March 31, 2016

otherwise eligible subscribers to drop out of the program. Raising the monthly Lifeline cost three or four times will make the plans unaffordable to many low-income consumers. The neediest of low-income Americans, many Lifeline subscribers, will then lose access to better jobs, healthcare and first responders. Consequently, also the Commission's telemedicine and rural broadband adoption initiatives will be jeopardized and will likely suffer.

Then I emphasized that at the 2Gb data allowance level, Lifeline subscribers are not left behind. In fact, 2Gb is well within the normal monthly data usage for private payers and is sufficient to fully utilize telehealth applications. In spite of unlimited post-paid data plans, even Verizon Wireless reports that its subscribers only use an average between 1 and 2Gb of data per month; nothing even close to 5, 6, 7 or 8.75Gb per month.

In the meetings especially with the Wireline Competition Bureau representatives we discussed the status of the National Verifier and TruConnect's strong support, combined with support from other industry members, to maintain or return to only soft launch verifier roll out status, whichever is applicable. Until all state and federal databases that are needed for verification, I noted that no benefit is created by states prematurely proceeding to the National Verifier hard launch. I also shared that until the necessary application program interfaces (API) solution is fully implemented, tested and operational in every state enabling a Lifeline ETC to electronically interface with the National Verifier, its logical and is essential to first complete and test the required technology before any state is launched. Moreover, I stressed that National Verifier technology updates that merely change the cumbersome methods ETCs and prospective customer communicate with the verifier system without actually creating real time interfaces with a one-step process is not beneficial, nor does it meet the program's objectives.

During the meetings I acknowledged that the Medicaid databases were very recently made available to the National Verifier with perhaps now an estimated 50% of the available and required databases. I noted that a 50% success rate should not be deemed success, nor a standard used to "go live". Although some slight progress with database access has been made over the past several months, in order for the National Verifier to actually work all required state and federal databases must be accessible and API's must be operational. Without a fully operational system, it's premature to rollout the National Verifier; it actually creates more harm than good by its impact on customers and other safety net programs.

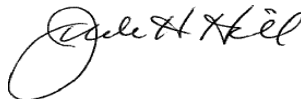
The private sector often does it right, that is when a company incurs technical challenges with pre-mature new software launches, they suspend rolling out the technology until it works. The FCC should require and do the same, otherwise, the very low-income Americans it was designed to help will continue to suffer. Furthermore, eligible subscribers' difficulties enrolling and accessing lifeline services, which the program was created to offer, make it much more difficult for these individuals to find or keep a job, access or participate in healthcare or telehealth solutions or to access emergency first responders.

³ See Wireline Competition Bureau Announces Updated Lifeline Minimum Service Standards and Indexed Budget Amount, DA 19-704 (July 25, 2019).

We concluded our conversations by emphasizing our support and request to grant the CTIA Joint Petition and expressing a desire to actively and constructively help the Commission achieve their stated objectives.

Pursuant to section 1.1206(b) of the Commission's rules, this letter is being filed electronically.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Judson H. Hill". The signature is fluid and cursive, with a large loop at the beginning.

Judson H. Hill, Esq.

Judson@judsonhill.com

cc: Commissioner Michael O'Rielly,
Arielle Roth, Legal Advisor to Commissioner O'Rielly
Travis Litman, Chief of Staff and Legal Advisor to Commissioner Rosenworcel
Ryan Palmer, Division Chief of the Telecommunications Access Policy Division of the
Wireline Competition Bureau
Jodie Griffin, Deputy Division Chief of the Telecommunications Access Policy Division of the
Wireline Competition Bureau
Micah Caldwell, Special Counsel of the Telecommunications Access Policy Division of the
Wireline Competition Bureau