

**Before the
Federal Communications Commission
Washington, D.C 20554**

In the Matter of)	
)	
Bridging the Digital Divide for Low-Income Consumers)	WC Docket No. 17-287
)	
Lifeline and Link Up Reform and Modernization)	WC Docket No. 11-42
)	
Telecommunications Carriers Eligible for Universal Service Support)	WC Docket No. 09-197
)	

NOTICE OF EX PARTE COMMUNICATION

In the past few months, two companies have raised issues regarding the National Verifier and its capability efficiently and in a consumer-friendly manner to execute its mission of ensuring that eligible individuals, and only eligible individuals, receive Lifeline services.¹ Q-Link Wireless, LLC (“Q-Link”) petitioned the Federal Communications Commission (“Commission”) to direct the Universal Service Administration Company (“USAC”) to implement application programming interfaces (“APIs”) for the National Verifier that permit Eligible Telecommunications Carriers (“ETCs”) to exchange information with USAC on machine-to-machine basis when consumers enroll in Lifeline.² Q-Link emphasized that it was not seeking to alter the National Verifier’s role in determining eligibility. And, TracFone Wireless, Inc. (“TracFone”) petitioned the Commission to direct USAC to expedite efforts to obtain access to key databases and postpone, hard launch of the National Verifier in a state where access to such key databases has not been secured. Alternatively, TracFone asked the Commission to direct USAC to accept documentation produced through third-parties’ automated access to state databases as part of the National

¹ Emergency Petition of Q-Link Wireless, LLC for an Order Directing the Universal Service Administrative Company to Implement Machine-to-Machine Interfaces for the National Verifier, WC Docket Nos. 17-287, 11-42, 09-197 (filed July 5, 2018) (“Q-Link Petition”); Emergency Petition of TracFone Wireless, Inc. for an Order Directing USAC to Alter the Implementation of the National Verifier to Optimize the Automated and Manual Eligibility Verification Process, WC Docket Nos. 17-287, 11-42, 09-197 (filed August 9, 2018) (TracFone Petition).

² See Q Link Petition at 1.

Verifier's manual process, including managed care organizations ("MCO") letterhead proof of Medicaid eligibility.³

The National Verifier is a critical component to ensure the integrity of the federal Lifeline program. As a member of the National Association of Regulatory Commissioners ("NARUC"), NARUC and the Nebraska Commission have been long supporters of the Lifeline program.⁴ In addition, NARUC members have partnered with USAC and the FCC in the launching of the National Verifier.⁵ Regarding that commitment to Lifeline and the National Verifier, NARUC and its members - in the past 12 months - have passed two resolutions addressing issues in the Lifeline program,⁶ and the National Verifier.⁷ Not only did I vote for those resolutions, I was also a co-sponsor of both resolutions. In Nebraska, we have over 5,700 households that utilize the Lifeline benefit. It is truly a way for the unconnected to get voice and broadband service.

Q-Link Petition

In its petition, Q-Link describes that the current version of the National Verifier does not have a service provider API meaning that Lifeline consumers who are signing-up online will have to separately demonstrate eligibility through the National Verifier website and then go to the service provider's website and enroll into the Lifeline program.⁸ Without APIs, consumers will be unnecessarily burdened and Lifeline enrollments will be significantly impacted. APIs are crucial for those who cannot sign-up for Lifeline in person; rural residents, elders, and homebound veterans will be especially affected and have their access to Lifeline curtailed if the National Verifier is not remedied.⁹ I urge that the Commission

³ See TracFone Petition at 1.

⁴ See Comments of the National Association of Regulatory Utility Commissioners, filed August 10, 2018: *In the Matters of Lifeline Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support*, WC Docket Nos. 17-287, 11-42, 09-197 at 3 ("NARUC Comments"); Comments of the Nebraska Public Service Commission, filed February 21, 2018: *In the Matters of Lifeline Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support*, WC Docket Nos. 17-287, 11-42, 09-197.

⁵ See NARUC Comments at 3.

⁶ See Initial Comments of the National Association of Regulatory Utility Commissioners, filed February 21, 2018: *In the Matters of Lifeline Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support*, WC Docket Nos. 17-287, 11-42, 09-197 at Appendix A.

⁷ See NARUC Comments at Appendix A.

⁸ See Q-Link Petition at 3.

⁹ See NARUC at 9.

directs USAC in adopting APIs for its online interface resulting in a much more consumer-friendly approach.¹⁰ As I understand it, implementing APIs should not and need not alter the National Verifier's role in determining whether a consumer is eligible for Lifeline – a reform that I wholeheartedly support.

TracFone Petition

TracFone has also identified a significant flaw in the National Verifier: “USAC is launching the National Verifier before obtaining access to key databases necessary to automatically verify subscriber eligibility based on participation in qualifying federal programs, particularly Medicaid.”¹¹ Along with Q-Link's concerns regarding the absence of APIs, the Commission should carefully consider the issues raised and make sure that when USAC initiates hard launch for the National Verifier, these and other issues are resolved. In 3 out of the 6 states that participated in the soft launch of the National Verifier, the state databases did not include Medicaid recipients. Without hyperbole, missing Medicaid recipients in the state databases is a very significant problem because Medicaid recipients account for 29% of all Lifeline enrollments.¹² USAC should work with the states to remedy this situation and if USAC needs to launch the National Verifier before all state databases are remedied, USAC should adopt TracFone's solution which is to “leverage private parties' existing access to state databases and accept MCO letterhead verification of subscriber eligibility through the National Verifier's manual process until the databases are available through the automated process.”¹³

¹⁰ I also wanted to point out that in an FCC letter addressed to Chairman Marsha Blackburn dated Aug. 31, 2018, Chairman Pai addressed some questions regarding the National Verifier and the absence of APIs. Specifically, Congressman John Shimkus (IL), because of the NARUC Resolution on the National Verifier, asked about the Q-Link petition and whether the FCC would be reinstating APIs as part of the National Verifier. In his response, Chairman Pai states that “A carrier API could give the very companies that have previously abused the Lifeline program direct access to the National Verifier.” That response does not make sense. If the FCC was concerned about carriers having direct access to the National Verifier, then the FCC would not have designed a National Verifier that currently has a agent portal where carriers interface directly with the National Verifier. See Q Link Petition at 3.

¹¹ TracFone Petition at iii.

¹² See *id.* at 2.

¹³ See *id.* at 3.

The National Verifier is a critical tool to ensure that consumers are properly signed-up to Lifeline. It is crucial that both the above-mentioned issues have been resolved or that there is a “work around” so that eligible consumers can easily sign-up for Lifeline. The National Verifier should not be a burdensome or bureaucratic hurdle for low-income consumers to prevent them from receiving a valuable benefit.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Crystal Rhoades". The signature is written in black ink and is positioned above a horizontal line.

Commissioner Crystal Rhoades
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