

**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
)	

REPLY COMMENTS OF GENERAL COMMUNICATION, INC.

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I. INTRODUCTION AND SUMMARY

General Communication, Inc. (“GCI”) submits this reply in response to the Commission’s Notice of Proposed Rulemaking on bridging the digital divide through the Lifeline program.¹ GCI supports the Commission’s goal of encouraging investment and deployment of modern broadband networks. In its initial comments, it expressed support for continuing voice-only Lifeline support in remote Alaska, noting that doing so will not discourage the ongoing deployment of broadband there. It recommended that the Commission clarify that Lifeline voice service can be provided over a telecommunications network. And it identified certain process reforms proposed by the Commission that would unreasonably burden Lifeline participants.

The record reflects unqualified support for eliminating the phase-out of voice-only services, not only in rural or Tribal areas but everywhere. Continuing voice-only support in remote Alaska in particular will prevent consumers in these hard-to-reach areas—some without any broadband availability—from losing access to all Lifeline service. The record also reflects broad agreement to temper process reforms to avoid reducing access to Lifeline for some of our most vulnerable neighbors.

¹ *Bridging the Digital Divide for Low-Income Consumers et al.*, Fourth Report and Order, Order on Reconsideration, Memorandum Opinion and Order, Notice of Proposed Rulemaking, and Notice of Inquiry, 32 FCC Rcd. 10,475 (2017) (“*Digital Divide Report and Order*” or “*Digital Divide NPRM*,” as appropriate).

II. THE RECORD SUPPORTS ENDING THE VOICE-ONLY PHASE-OUT, AT LEAST IN REMOTE ALASKA

The record exhibits a resounding consensus that the Commission should abandon the decision in the *2016 Lifeline Order*² to phase out Lifeline support for voice-only services.³ GCI

² *Lifeline and Link Up Reform and Modernization et al.*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd. 3962, 4038 ¶ 117 (2016) (“*2016 Lifeline Order*”) (subsequent history omitted).

³ Comments of AARP at 15–18, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“AARP Comments”); Comments of the California Public Utilities Commission at 13–14, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“CPUC Comments”); Comments of the Cities of Boston, Massachusetts, Los Angeles, California, and Portland, Oregon, and the Texas Coalition of Cities for Utility Issues at 9–10, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“Cities Comments”); Comments of Consumer Action at 2, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Jan. 24, 2018) (“Consumer Action Comments”); Comments of the Florida Public Service Commission at 4, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018); Comments of the Hispanic Technology & Telecommunications Partnership at 2, WC Docket No. 17-287 (filed Feb. 1, 2018) (“HTTP Comments”); Comments of the Medicaid Health Plans of America at 2, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“MHPA Comments”); Comments of the Missouri Public Service Commission at 7, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Jan. 23, 2018); Comments of the National Association of State Utility Consumer Advocates on the Notice of Proposed Rulemaking and Notice of Inquiry at 20–21, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018); Comments of the National Lifeline Association at 43–49, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“NaLA Comments”); Comments of the Nebraska Public Service Commission at 7–8, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“NPSC Comments”); Comments of the Public Utility Division of the Oklahoma Corporation Commission at 9, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“Oklahoma PUD Comments”); Comments of TracFone Wireless, Inc. at 56–58, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“TracFone Comments”); Initial Comments of the National Association of Regulatory Utility Commissioners at 24–27, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“NARUC Comments”); Joint Comments of the Minnesota Department of Commerce and Minnesota Public Utilities Commission at 5–6, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Jan. 24, 2018) (“Minn. Agencies Comments”); Joint Comments of Pennsylvania’s Low Income Individuals, Service Providers, Organizations, and Consumer Rights Groups at 3–4, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Jan. 24, 2018) (“Penn. Group Comments”); Opening Comments on the Notice of Proposed Rulemaking and Notice of Inquiry by Low-Income Consumer Advocates at 7–13, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“LICA Comments”); *cf.* Comments of the Association for Community Affiliated Plans, Blue Cross Blue Shield Association, and Medicaid Health Plans of America at 2, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 13, 2018) (“Medicaid

supports these commenters at least as far as eliminating the voice-only phase-out in remote Alaska.⁴ Despite the Commission’s characterization of standalone voice service as “affordable,” even the lowest-priced plans mentioned by the Commission are cost-prohibitive to many low-income consumers.⁵ And forcing otherwise eligible participants to spend—if available—their meager income on basic phone service perpetuates the income volatility and economic instability that sustain the cycle of poverty.⁶ Moreover, “[v]oice service . . . is the lynchpin of universal service” in that it “ensures that users have access to emergency services.”⁷ Commenters persuasively observe that voice-only Lifeline support is essential for low-income consumers’ use of 911, health care, and other critical services,⁸ including suicide prevention, domestic violence support, and parent-teacher communication.⁹ GCI agrees that revoking voice-only Lifeline

Plans Comments”) (opposing “any changes that would restrict access to the Lifeline program” and noting that individuals “should be able to continue to utilize voice only plans”).

⁴ Comments of General Communication, Inc. at 2–3, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“GCI Comments”); *see also* Comments of General Communication, Inc. on Second Further Notice of Proposed Rulemaking at 17–18, WC Docket Nos. 11-42, 09-197, & 10-90 (filed Aug. 31, 2015).

⁵ AARP Comments at 16–17; LICA Comments at 8; Penn. Group Comments at 3–4; *see also Digital Divide NPRM* at 10,501–02 ¶ 75.

⁶ LICA Comments at 3, 9–13.

⁷ Minn. Agencies Comments at 6.

⁸ AARP Comments at 15 (additionally mentioning employment services); Consumer Action Comments at 2; Penn. Group Comments at 4; TracFone Comments at 56; *see also* CPUC Comments at 13 (public safety needs); MHPA Comments at 2 (health management); Minn. Agencies Comments at 6 (emergency services); NPSC Comments at 7–8 (emergency services); Comments of WTA – Advocates for Rural Broadband at 2, WC Docket No. 17-287, 11-42, & 09-197 (filed Feb. 21, 2018) (“WTA Comments”) (emergency services).

⁹ LICA Comments at 8.

support is detrimental to the safety and well-being of low-income, remote Alaskans, where the burdens of distance heighten the need for basic communication.¹⁰

The record is divided on whether the Commission should eliminate the voice-only phase-down only in rural areas.¹¹ One commenter perceives this course of action as discriminatory and unwarranted, particularly given that poverty rates are higher in urban areas than in rural ones.¹² The Medicaid Health Plans of America points out that “the transient nature of many Medicaid beneficiaries” renders them especially susceptible to losing service if voice were only supported in rural areas because moving from a rural to an urban area would precipitate a loss in their Lifeline support.¹³ And other commenters criticize the Commission’s analysis as hinging on the cost differential of *wireline* service in urban and rural areas when *wireless* service “encompasses 90 percent of the [Lifeline] program” and is priced consistently in both areas.¹⁴

¹⁰ Commenters also point out the potential harm to older Americans if voice-only Lifeline is no longer an option. *See* Medicaid Plans Comments at 2; WTA Comments at 2; *see also* AARP Comments at 15–16; Minn. Agencies Comments at 11 (quoting Monica Anderson & Andrew Perrin, Pew Research Center, *Tech Adoption Climbs Among Older Adults* 10 (May 2017), <http://www.pewinternet.org/2017/05/17/barriers-to-adoption-and-attitudes-towards-technology/>).

¹¹ *Compare Digital Divide NPRM* at 10,502 ¶ 76; Cities Comments at 9–10; Consumer Action Comments at 2; HTTP Comments at 2; LICA Comments at 7–13; MHPA Comments at 2; NaLA Comments at 43–49; TracFone Comments at 56–58, *with* WTA Comments at 2–4; NARUC Comments at 24 (noting that low-income consumers may not be able to obtain voice service without Lifeline “at least in rural areas”); NPSC Comments at 7 (noting that some consumers, “particularly . . . our aging rural population,” do not want broadband service).

¹² TracFone Comments at 57–58.

¹³ MHPA Comments at 2.

¹⁴ NaLA Comments 45–47; TracFone Comments at 57–58; *see also Digital Divide NPRM* at 10,501–02 ¶¶ 75–76.

These commenters fail to recognize, however, that urban and rural consumers are situated very differently when it comes to access to, and the affordability of, broadband services—the only target for Lifeline support once the voice-only phase-out is complete. First, some rural areas—including parts of remote Alaska—lack access to wireline or wireless broadband networks that meet the minimum service standards established by the Commission. Consumers in urban areas are more likely to have physical access to a broadband network.¹⁵ Second, in rural areas that do have broadband service meeting the minimum requirements, the retail cost of broadband service is often far greater than in urban centers,¹⁶ and is unaffordable to low-income consumers even with Lifeline support. Eliminating voice-only Lifeline support disproportionately affects rural communities by rendering service out of reach for a larger segment of the income spectrum.

GCI takes no position on whether the Commission should end the voice-only phase-down in non-rural areas, but urges the Commission to end the phase-down in remote Alaska. A voice-only option in remote Alaska mitigates the risks—to safety, well-being, and consumer choice—associated with having no option for basic communication and will not deter continued broadband deployment by Alaska Plan participants.

III. THE RECORD SUPPORTS CONTINUING TO ACCOMMODATE CONSUMERS WITHOUT STANDARD POSTAL ADDRESSES

As the Commission acknowledged in the *Digital Divide Report and Order*, residents of rural Tribal areas often provide carriers with descriptive addresses because there is no standard

¹⁵ See GCI Comments at 4–5.

¹⁶ See NARUC Comments at 24; WTA Comments at 3–4.

United States Postal Service (“USPS”) address for their residence.¹⁷ In response to the Commission’s questions asking if it should limit eligible telecommunications carriers’ (“ETCs”) or subscribers’ ability to override a National Lifeline Accountability Database (“NLAD”) verification failure due to the lack of a standardized USPS address,¹⁸ GCI urged the Commission to continue to permit ETCs to override a NLAD failure in this situation, with appropriate documentation.¹⁹ Consumers who are eligible for Lifeline support but lack a standardized postal address should not have their Lifeline service jeopardized for that reason. GCI appreciates the need to minimize the potential for waste, fraud, and abuse and supports a continued requirement to document the descriptive address information of a consumer without a standardized postal address. But jeopardizing the ability of these subscribers to participate in Lifeline is a step too far that for them would defeat the purpose of the program.

IV. THE LIFELINE RULES SHOULD PERMIT COLLECTION OF IEH WORKSHEETS AT ENROLLMENT FOR ALL SUBSCRIBERS

Several commenters, like GCI, disagree with the Commission’s suggestion to limit the use of Independent Economic Household (“IEH”) worksheets to only those situations wherein the consumer shares an address with another Lifeline subscriber.²⁰ SBI notes that such a requirement would impose an additional burden on low-income consumers, particularly those

¹⁷ See *Digital Divide Report and Order* at 10,483 ¶ 20.

¹⁸ *Digital Divide NPRM* at 10,509 ¶ 100.

¹⁹ GCI Comments at 12–13. Smith Bagley, Inc. (“SBI”) likewise notes that “the US Postal service has no addressing system throughout much of the Navajo Nation.” Comments of Smith Bagley, Inc. at ii, WC Docket Nos. 17-287, 11-42 & 09-197 (filed Feb. 21, 2018) (“SBI Comments”).

²⁰ *Digital Divide NPRM* at 10,508-09 ¶ 98.

living on Tribal lands, “by unnecessarily complicating their efforts to establish eligibility.”²¹ Specifically, in order to surmount the aforementioned problem of identifying duplicate addresses under a descriptive address system, SBI collects and uses IEH worksheets, as a matter of course, at enrollment; it would like to continue to do so.²² Likewise, the National Lifeline Association (“NaLA”) disagrees with limiting use of the worksheet and argues that any proposal should be more nuanced: NLAD and state administrators must be required to deliver duplicate address notifications in real time so that consumers do not experience service interruptions when the notifications are delivered after enrollment; and ETCs operating in states that do not provide real-time notifications should be able to collect IEH worksheets from all subscribers at enrollment.²³ Like GCI, NaLA notes that such paperwork is far more easily collected at enrollment and collecting it preemptively mitigates the risk that eligible consumers will be de-enrolled when a duplicate address is found.²⁴ Indeed, NaLA notes that it was for this reason that the Texas Administrator changed its rule to permit collection at enrollment.²⁵

The commenters who profess support for limiting use of the IEH worksheet appear to do so without appreciating the burdens and unintended consequences identified above. Low-Income Consumer Advocates (“LICA”)—a collection of public interest organizations “committed to a strong Lifeline program”²⁶—notes in passing that “it makes sense to limit the

²¹ SBI Comments at 11.

²² *Id.* at 12–13.

²³ NaLA Comments at 92–94.

²⁴ *Id.* at 93; GCI Comments at 14.

²⁵ NaLA Comments at 93.

²⁶ *See* LICA Comments at 1 & app. A.

use of the form to times where there is actually a duplicate address issue.”²⁷ And the Public Utility Division of the Oklahoma Corporation Commission supports the limitation but does not explain why.²⁸

The Commission can meet its stated goal of reducing the number of worksheets submitted to USAC by amending its rule to require that the ETC submit the worksheet only in the case of a potential duplicate address found in the NLAD or state database.²⁹ Allowing ETCs to collect and retain IEH worksheets from every enrolling or recertifying subscriber will result in no more burden to USAC than the Commission’s suggestion. At the same time, preserving this option for ETCs and subscribers recognizes that some ETCs—particularly those serving rural and Tribal areas—may have difficulty reaching existing subscribers efficiently after being notified of a duplicate address dispute, leading to de-enrollment if the subscriber does not respond quickly enough. Indeed, the Wireline Competition Bureau has recently recognized that collecting post-enrollment paperwork in rural Tribal areas can be particularly challenging.³⁰ This result is entirely avoided—at no additional risk of waste, fraud, and abuse—by allowing ETCs to collect and retain the IEH worksheets.

²⁷ *Id.* at 21.

²⁸ See Oklahoma PUD Comments at 14.

²⁹ *Digital Divide NPRM* at 10,508–09 ¶ 98.

³⁰ *Lifeline and Link Up Reform and Modernization*, Order, DA 18-245, WC Docket No. 11-42, ¶ 6 (Wireline Comp. Bur. rel. Mar. 13, 2018) (citing Letter from Troy S. Weston, President, Oglala Sioux Tribe, to Ajit V. Pai, Chairman, Federal Communications Commission, at 2, WC Docket No. 11-42 (sent Aug. 29, 2017)) (acknowledging challenges to in-person recertification in rural Tribal areas including language barriers, harsh winter weather, and great distances); see also General Communication, Inc. Petition for Reconsideration and/or Clarification at 3–4, WC Docket Nos. 11-42, 09-197, & 10-90 (filed June 23, 2016) (noting similar challenges).

V. THE RECORD LACKS SUPPORT FOR A REQUIREMENT THAT APPLICANTS LIVING IN MULTI-PERSON RESIDENCES OBTAIN CERTIFICATION FROM FACILITY MANAGERS

A number of commenters address the Commission’s request for comment on requiring Lifeline applicants living in multi-person residences to obtain and submit paperwork from a facility manager verifying “that the applicant resides at the address and is not part of the same economic household as any other resident already receiving Lifeline support.”³¹ Like GCI, NaLA recognizes that such a requirement would be “unduly burdensome on both Lifeline applicants and facility managers” and would require facility managers to make a “factual determination” they might be unable to make—specifically, whether multiple residents make up an “economic unit.”³²

In addition, NaLA identifies a particular problem with respect to homeless shelters. People experiencing homelessness are among the core intended recipients of Lifeline support in that they both lack sufficient income and desperately need jobs, housing, health care, and other basic life necessities that are more easily accessible with voice and broadband service. NaLA thus rightly notes that refusing Lifeline support simply because the manager of a homeless shelter fails to provide the certification for some reason outside of the applicant’s control “would be wholly inconsistent with the program’s objectives.”³³

LICA raises a similar problem with respect to domestic violence shelters. While supporting the Commission’s suggestion that it should direct USAC to develop a list of group

³¹ *Digital Divide NPRM* at 10,509 ¶ 99.

³² NaLA Comments at 94–95; *see also* GCI Comments at 15; 47 C.F.R. § 54.400(h) (defining “household” in terms of an “economic unit”).

³³ NaLA Comments at 95.

housing addresses, LICA cautions that an applicant’s presence at a domestic violence shelter is extremely sensitive information, the “mishandling of [which] could jeopardize health and safety and property.”³⁴ Rather than dissuade the Commission from adopting such a rule, LICA simply advises the Commission to work closely with the domestic violence shelters to mitigate the risk of such problems. GCI, however, highlights the shelter-related issues raised by NaLA and LICA as further reason that the Commission should not proceed with a facility-manager certification requirement.

The only commenter GCI has identified that appears to express unqualified support for such a requirement actually only backs a circumscribed version of it. TracFone Wireless, Inc. (“TracFone”) remarks that its *ex parte* letters were the source of this inquiry by the Commission.³⁵ In doing so, however, TracFone characterizes its *ex parte* proposal as requiring certification from the facility manager that the applicant “resides at the location” and “is not related to anyone else residing at the location.”³⁶ Marital, biological, and adoptive relation are distinct from—and likely more accurately identified than—whether multiple people are an “economic unit” under the Commission’s rules.³⁷

³⁴ LICA Comments at 21.

³⁵ TracFone Comments at 49; *see also Digital Divide NPRM* at 10,509 ¶ 99 n.207 (citing a 2017 *ex parte* letter from TracFone).

³⁶ TracFone Comments at 49–50.

³⁷ *See* 47 C.F.R. § 54.400(h) (defining an “economic unit” as “all adult individuals contributing to and sharing in the income and expenses of a household,” and defining a “household” as “any individual or group of individuals who are living together at the same address”). Somewhat inconsistent with TracFone’s characterization of its recommendation, the *ex parte* cited in the NPRM recommends that the Commission require facility managers to certify that the applicant “is not part of the same household as any other resident already receiving Lifeline-supported service.” Letter from Mitchell F. Brecher, Counsel for TracFone Wireless Inc., to Marlene Dortch, Secretary, Federal Communications Commission, Attachment B at B-2, WC Docket Nos. 17-287, 11-42, & 09-197 (filed Nov. 9, 2017). Even this language

GCI does not support TracFone's scaled-back version of the Commission's suggestion but simply references it as illustrative of the apparent absence of support for the Commission's approach. The administrative challenges, the additional burdens on the most vulnerable segments of our population, and the increased risk that sensitive information might fall into the wrong hands overwhelm any benefit that a certification requirement would furnish.

VI. CONCLUSION

GCI appreciates the Commission's efforts to sustain the Lifeline program for the benefit of low-income Americans by continuing to improve the program to support modern communications services and removing opportunities for waste, fraud and abuse. The record shows where the Commission's ideas could go too far by rendering the Lifeline program ineffective for the very people it is intended to serve. GCI encourages the Commission to continue to support voice services in remote Alaska and to temper its process reforms to better consider consumer needs.

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does not obviously go as far as the Commission's inquiry, however, in that it does not expressly reference "economic unit" or "economic household."