

June 5, 2019

Ex Parte

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

Re: *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

Dear Ms. Dortch:

On June 3, 2019, John Heitmann of Kelley Drye & Warren LLP, and I of Harris, Wiltshire & Grannis LLP met with Ryan Palmer, Jodie Griffin, and Allison Jones of the Wireline Competition Bureau to discuss Q Link Wireless LLC's ("Q Link") Petition for a Limited Waiver to Permit Alternative Transmission of Lifeline Eligibility Information and Customer Certifications to the National Verifier.¹

We expressed Q Link's appreciation that USAC is working on developing an API interface to permit machine-to-machine communication. If properly implemented, such interfaces will permit providers such as Q Link that enroll rural and suburban consumers online to assist those consumers in completing the verification process.² In the interim while the API is implemented, however, Q Link and the rural and suburban customers it serves lack an alternative way for enrollment and verification information from online consumers to be transmitted to USAC. This means that with each successive hard launch, more online consumers in rural and suburban areas lack an effective way to enroll (or re-enroll) in Lifeline.

We noted that a bulk transfer method of transferring enrollment and verification information to USAC need not add meaningfully to USAC's administrative costs for the National Verifier beyond what would be incurred if these consumers enrolled through the agent portal. For example, the bulk transfer process could be structured as follows:

¹ See Petition of Q Link Wireless, LLC for a Limited Waiver to Permit Alternative Transmission of Lifeline Eligibility Information and Customer Certifications to the National Verifier, WC Docket Nos. 17-287, 11-42 & 09-197 (filed Nov. 1, 2018).

² See 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).

1. The Lifeline ETC runs a “Verify” check on the applicant’s information through the NLAD. If the identity and non-duplicate verification is successful, then the NLAD will return a subscriber identifier.
2. The Lifeline ETC then submits, through bulk transfer, a list of subscriber identifiers, and, if desired by USAC, the associated subscriber’s executed certifications.
3. The National Verifier checks the subscriber associated with the NLAD subscriber identifier in available federal and state databases. If the subscriber’s eligibility is verified by the state eligibility database, the National Verifier so notifies the Lifeline ETC. Alternatively, the National Verifier may indicate that the applicant’s eligibility could not be verified, or that more information is needed (e.g., to verify address or identity). In those cases, the National Verifier notifies the ETC of the result and, if applicable, the information needed. All of this information can be returned to the Lifeline ETC in a bulk transfer from USAC to the ETC. This step will eliminate the need for manual eligibility review for any applicant that can be verified electronically using the National Verifier’s access to federal and state eligibility databases.
4. The ETC then follows up with the consumer and, if possible, collects the necessary additional information, and submits that information to USAC for manual review.
5. USAC then conducts manual review of these remaining applications for which additional information was submitted, and either approves or indicates a not yet verified status identifying the documentation that was not approved.
6. USAC notifies the Lifeline ETC of the applicant status for each applicant submitted for manual review.

Notably, USAC and the National Verifier make all eligibility determinations, and the National Verifier only conducts a manual review of those applications that would have required manual review regardless of how submitted. Thus, USAC’s manual review costs should be about the same as under a properly functioning National Verifier system with service provider API connectivity to enable and support consumer enrollments.

As we have previously stated, providing an alternative means of transferring data to USAC and the National Verifier in this manner would be consistent with the Commission’s National Verifier objectives:

- The interim data transfer would allow Q Link to resume online outreach to and enrollment of new customers in “hard launch” states, even before an API is implemented.
- The interim data transfer process would leave the eligibility determination entirely to the National Verifier in all cases. It merely would provide Q Link with alternative methods for transferring eligibility-related information and documentation, including customer certifications, to the National Verifier.

- The National Verifier conducts all eligibility reviews and makes all eligibility determinations for consumers qualifying based on proof of income or participation in programs for which a database cannot verify eligibility.
- In all cases, the National Verifier would conduct the same review for eligibility that it would conduct if it received an application through any other means.

We noted that USAC could pilot test this bulk transfer system in a couple of states, such as Pennsylvania and Missouri, which are larger and which have state databases already connected to the National Verifier.

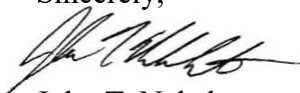
We also emphasized that the Commission could prevent this problem from getting worse by not proceeding to hard launch in any more states pending completion of the API and securing adequate database access (i.e., SNAP and Medicaid at a minimum). Soft launch allows those carriers that seek to transfer all eligibility processing to USAC to do so, but does not disable online Lifeline enrollment.

While Q Link appreciates work currently being done by USAC at the direction of the Commission to design and implement a service provider API and to secure access to CMS's Medicaid database and additional state databases, none of this work is complete. Thus, the unabated string of National Verifier hard launches and the recent start of mass de-enrollments for those who have yet to pass reverification is alarming. Q Link alone has had thousands of subscribers de-enrolled in Colorado and Utah, many, if not all, of whom appear to be eligible.

Proceeding with hard launches and reverification de-enrollments prior to implementing necessary improvements to the National Verifier is inconsistent with Chairman Pai's stated goal of ensuring that *eligible* subscribers are not de-enrolled through false negatives in the re-verification process. The recent mass Lifeline de-enrollments have caused confusion with ETCs and consumers alike. The current lack of transparency regarding the process used to determine when and how USAC will proceed with de-enrollments only adds to the uncertainty, leaving states, Lifeline ETCs, advocates and consumers exactly where we were in February, which is fearful that 3 million Lifeline subscribers will lose their connectivity to emergency services, healthcare, education, jobs and family simply because the National Verifier and reverifications were rolled-out to meet an end-of-2019 timetable without resolving critical issues of both access and accuracy of determinations (i.e. preventing false negatives). Suspending hard launches and reverifications would allow USAC to work collaboratively with all stakeholders to ensure systems are working properly before disconnecting consumers.

Please contact me if you have any questions.

Sincerely,



John T. Nakahata

Counsel to Q Link Wireless, LLC

Ms. Marlene H. Dortch
June 5, 2019
Page 4 of 4

cc: Ryan Palmer
Jodie Griffin
Allison Jones
Nirali Patel