

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of:

Lifeline and Link Up Reform and  
Modernization

WC Docket No. 11-42

**MOTION FOR EXTENSION OF TIME OF  
THE CALIFORNIA PUBLIC UTILITIES COMMISSION**

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## I. INTRODUCTION

Pursuant to Section 1.46 of the Federal Communications Commission's (Commission) rules, the California Public Utilities Commission (CPUC or California) requests an extension of time to implement changes to the Commission's Lifeline eligibility rules, 47 C.F.R. §§ 54.400 (j)<sup>1</sup> and 54.409(a),<sup>2</sup> that were adopted in the *2016 Lifeline Modernization Order*<sup>3</sup>. On December 1, 2016, (*See Waiver Order*<sup>4</sup>), the Commission granted the CPUC's request<sup>5</sup> to extend the implementation date of these rules from December 2, 2016 to October 31, 2017. Due to unforeseen circumstances and staffing constraints, the CPUC hereby requests additional time, until December 31, 2018, to implement changes to the federal eligibility rules.

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<sup>1</sup> See 47 C.F.R. § 54.400(j) - *Qualifying assistance program*. A "qualifying assistance program" means any of the federal or Tribal assistance programs the participation in which, pursuant to §54.409(a) or (b), qualifies a consumer for Lifeline service, including Medicaid; Supplemental Nutrition Assistance Program; Supplemental Security Income; Federal Public Housing Assistance; Veterans and Survivors Pension Benefit; Bureau of Indian Affairs general assistance; Tribally administered Temporary Assistance for Needy Families (Tribal TANF); Head Start (only those households meeting its income qualifying standard); or the Food Distribution Program on Indian Reservations (FDPIR).

<sup>2</sup> See 47 C.F.R. § 54.409(a) - Consumer qualification for Lifeline.(a) To constitute a qualifying low-income consumer: (1) A consumer's household income as defined in §54.400(f) must be at or below 135% of the Federal Poverty Guidelines for a household of that size; or (2) The consumer, one or more of the consumer's dependents, or the consumer's household must receive benefits from one of the following federal assistance programs: Medicaid; Supplemental Nutrition Assistance Program; Supplemental Security Income; Federal Public Housing Assistance; or Veterans and Survivors Pension Benefit.

<sup>3</sup>See *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 (2016) (*2016 Lifeline Modernization Order*).

<sup>4</sup> See *In the Matter of LifeLine and Link Up Reform and Modernization*, WC Dkt. No. 11-42, Order (rel. Dec. 1, 2016) (*Waive Order*).

<sup>5</sup> See Petition of the California Public Utilities Commission for Temporary Waiver (Petition), WC Dkt. No. 11-42 et al. (filed Oct. 28, 2016). In the Petition, the CPUC requested more time to implement the Commission's amended Lifeline eligibility rules and benefit port freeze rules.

## **II. DISCUSSION**

In its October, 2016 Petition for Temporary Waiver,<sup>6</sup> the CPUC requested an extension of time to implement: 1) changes to federal eligibility rules; and 2) new port freeze rules. In the *Waiver Order*, the Commission granted the CPUC until October 31, 2017, to implement the federal eligibility changes, and until June 1, 2017, to implement the port freeze rules. The Commission also ordered that the Veterans and Survivors Pension Benefit Program be implemented by December 2, 2017.

In compliance with the *Waiver Order*, the CPUC has incorporated both the port freeze and the Veterans and Survivors Pension Benefit Program<sup>7</sup> into the California LifeLine Program in a timely manner. However, due to unforeseen circumstances and staffing constraints, the CPUC requests until December 31, 2018, to implement the revised federal eligibility rules.<sup>8</sup>

### **A. Unforeseen Circumstances and Staffing Constraints**

The CPUC requests additional time to implement the federal eligibility changes due to unforeseen circumstances and staffing constraints. Last year, the California Department of General Services, Office of State Publishing (OSP) informed the CPUC that all printing and mailing services for the California LifeLine Program (Program) must

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<sup>6</sup> *Id.*

<sup>7</sup> Adding the Veterans and Survivors Pension Benefit Program on the LifeLine forms involved less technical work and testing than deleting and rearranging the forms.

<sup>8</sup> The CPUC estimates that only about four percent of the California LifeLine Program's participants may be impacted by the changes to the federal eligibility rules. Therefore, granting the CPUC's request herein will have a minimal financial impact on the federal Lifeline fund.

be transferred from the Program to the OSP. This was a significant change to the Program because, since the inception of the California LifeLine Program, these services were handled within the Program by the LifeLine Administrator. The CPUC planned to transition these services to OSP in October, 2016, but due to an unanticipated delay, the transition did not commence until May, 2017. This unforeseen delay has created additional work, extended work schedules, and put a strain on already stretched resources. The CPUC estimates that this project will take several more months to complete, until the fourth quarter of 2017.

In addition, the CPUC is in the process of hiring a new California LifeLine Administrator. The current contract is scheduled to expire in April 2018. The CPUC planned to issue a request for proposal (RFP) last year, but due to unforeseen contracting procurement issues, the CPUC has been unable to release the RFP as originally scheduled. The CPUC staff is busy finalizing the RFP and plans to release it by the end of this year. We are working to ensure that the RFP is well-developed so that the transition from the existing to the new Administrator is seamless and without any major issues or problems. After the RFP is released, the CPUC will need to evaluate the bid proposals, conduct interviews and award a contract to the winning bidder. This is a time-sensitive project that must be completed by April 2018. As the California LifeLine Program is administered entirely by a third-party Administrator, the CPUC must have a new Administrator trained and ready to assume control of the Program by April 2018. The California LifeLine Program cannot exist without an Administrator unless the

National Lifeline Eligibility Verifier can reliably and successfully take over the enrollment process for consumers in California.

### **III CONCLUSION**

The CPUC has timely implemented both the port freeze rules and the Veterans and Survivors Pension Benefit Program into the California LifeLine Program. Due to staffing constraints, unforeseen circumstances, and other time-sensitive work, the CPUC requests additional time, until December 31, 2018, to implement changes to the federal eligibility rules. The CPUC requests authority to continue to enroll consumers in the federal Lifeline program under the CPUC's existing LifeLine rules and process and allow consumers to receive federal support during this time.

Respectfully submitted,

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