



November 8, 2019

Marlene Dortch, Secretary  
Federal Communications Commission  
445 12th Street N.W.  
Washington, D.C. 20554

**RE:** *Ex Parte* Presentation by TracFone on the Joint Petition to Pause Implementation of December 2019 Lifeline Minimum Service Standards Pending Forthcoming Marketplace Study, WC Docket Nos. 11-42, 09-197, and 10-90.

Dear Ms. Dortch:

Lifeline is a small subsidy that makes a big impact in people's lives, helping participants communicate with prospective and current employers; connect with emergency, healthcare, social and educational services; and keep in touch with family and friends. We are again writing to you about Lifeline, specifically the proposal by TracFone for a reasonable escalation to the implementation of the December 1, 2019, minimum service standards for Lifeline-supported mobile broadband.

As we said in our July 31, 2019, filing<sup>1</sup> the FCC should evaluate the impact of the rule in the "State of the Lifeline Marketplace Report" so it can make an informed decision regarding all of the relevant issues—including affordability, access, and consumer choice—while maintaining low-income consumers' ability to choose broadband data services that best meet their needs.

We support the proposal from TracFone to move to 3 GB, however the increase should be contingent on a commitment by the FCC to freeze the voice subsidy at its current level and take no other steps affecting Lifeline until the study is completed.

As we understand it, TracFone is recommending that the FCC should enforce a monthly broadband data allowance of 3 GB instead an enormous jump to 8.75 GB/month, which would apply on Dec. 1, 2019. The TracFone proposal is higher than the 2 GB compromise suggested by CTIA and other advocates.<sup>2</sup> As we stated in earlier filings, we agree with advocates who note that implementing the new 8.75 GB service standards would drive up costs for Lifeline services.<sup>3</sup> If providers can move to 3 GB instead of 2 GB, it would benefit consumers.

Consumer Action has been a champion of underrepresented consumers nationwide since 1971. As a non-profit 501(c)(3) organization, Consumer Action focuses on consumer education that empowers low and moderate-income; and limited-English-speaking consumers to financially prosper. It also advocates for consumers in the media and before lawmakers and regulators to

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<sup>1</sup> Filing from Consumer Action and Consumer Federation of America on WC 11-42, filed July 30, 2019.

<sup>2</sup> Joint Petition To Pause Implementation of December 2019 Lifeline Minimum Service Standards Pending Forthcoming Marketplace Study, filed by CTIA, NCLC, NHMC, OCA, and UCC, on June 27, 2017 regarding dockets 11-42, 09-197, 10-90.

<sup>3</sup> Ibid

advance consumer rights and promote industry-wide change. We are happy to meet with you to discuss these issues, and support your efforts to close the digital divide.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken McEldowney". The signature is fluid and cursive, with the first name "Ken" being more prominent.

Ken McEldowney  
Executive Director