

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20544**

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

**COMMENTS OF  
THE NATIONAL ASSOCIATION OF  
STATE UTILITY CONSUMER ADVOCATES (NASUCA)**

The National Association of State Utility Consumer Advocates (“NASUCA”)<sup>1</sup> submits the following comments in response to the Notice of Proposed Rulemaking under consideration pursuant to the FCC FACT SHEET and accompanying Draft Order dated October 26, 2017 (“the Draft Order”).

NASUCA strongly opposes the proposal contained in Section V.B of the Draft Order, “Improving Lifeline’s Effectiveness for Consumers,” specifically the proposal in paragraph 64 to

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<sup>1</sup> NASUCA is a voluntary association of 44 consumer advocate offices in 41 states and the District of Columbia, incorporated in Florida as a non-profit corporation. NASUCA’s members are designated by laws of their respective jurisdictions to represent the interests of utility consumers before state and federal regulators and in the courts. Members operate independently from state utility commissions as advocates for utility ratepayers. Some NASUCA member offices are separately established advocate organizations while others are divisions of larger state agencies (e.g., the state Attorney General’s office). NASUCA’s associate and affiliate members also serve utility consumers but are not created by state law or do not have statewide authority. Some NASUCA member offices advocate in states whose respective state commissions do not have jurisdiction over certain telecommunications issues.

discontinue Lifeline support for non-facilities-based service. The Lifeline program is funded through the Universal Service Fund (“USF”). There are 11,339,293 total Lifeline customers.<sup>2</sup> More than 75% of low-income families in the Lifeline program use non-facilities-based services.<sup>3</sup> The elimination of non-facilities-based service would thus gut the Lifeline program and effectively end its provision of critical communication services to millions of low-income households, including veterans who rely on the program for medical help, jobs, and support; homeless youth who rely on it for safety; children and parents who rely on it for school work and communicating with teachers; senior citizens; and rural Americans.<sup>4</sup> The impact on Lifeline consumers would thus be immediate and devastating, removing the provision of safe, reliable communication to millions of Americans.

These draconian measures are neither warranted by the facts, nor justifiable by intended results. Measures implemented by the FCC in recent years have dramatically reduced incidents of waste, fraud, and abuse. This is evidenced by the significant drop in the cost of Lifeline program from \$2.1 billion in 2012 to \$1.3 billion in 2017.

There is also no credible argument that eliminating non-facilities-based service will spur investment in voice- and broadband-capable networks. The current non-facilities-based service providers may well find that it is not economically viable to either build their own wired facilities or overbuild other facilities-based providers. There are also existing robust programs funded by

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<sup>2</sup> USAC Funding Disbursement Search tool (<http://www.usac.org/li/tools/disbursements/default.aspx>)  
Wireless and Wireline Data: USAC report LI03-Eligible Telecommunications Carriers  
(<http://www.usac.org/about/tools/fcc/filings/2017/q4.aspx>)

<sup>3</sup> “NARUC Members Clash on Proposed Lifeline Support Limits,” 8 Communications Daily, November 6, 2017.

<sup>4</sup> Tweets of Commissioner Jessica Rosenworcel, November 2, 2017; James T. Kimbrough, Opinion: Lexington Herald-Leader (February 1, 2013), <http://states.aarp.org/basic-phone-service-lifeline-for-seniors/>

the USF, such as the Connect America Fund, that are intended to incent the build out of 21<sup>st</sup> century communications infrastructure.

The Lifeline program is *not* one designed to create new networks; rather, its primary goal is to provide critical communication services to low-income Americans in immediate need. This it does well, and to withdraw these services from millions of consumers is unjust, unnecessary, and cruel.

Respectfully submitted,

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