

November 30, 2018

VIA ELECTRONIC FILING

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

Re: WC Docket No. 17-287 – Bridging the Digital Divide for Low-Income Consumers
WC Docket No. 11-42 – Lifeline and Link Up Reform and Modernization
WC Docket No. 09-197 – Telecommunications Carriers Eligible for Universal Service Support
EX PARTE PRESENTATION

Dear Ms. Dortch:

On November 29, 2018, Mark Rubin, Senior Executive – Government Relations, TracFone Wireless, Inc. (“TracFone”), and I spoke via telephone with Nirali Patel, Wireline Advisor to Chairman Ajit Pai. During the meeting, we discussed TracFone’s concerns regarding an impending policy change announced by the Universal Service Administrative Company (“USAC”) that will materially impact participation in the Lifeline telecommunications assistance program. As part of a recent webinar presentation, USAC announced that, commencing December 4, 2018, Supplemental Nutritional Assistance Program (“SNAP”) benefit cards and most Medicaid cards no longer would be acceptable documentation of enrollment in Lifeline-qualifying programs. By letter dated November 20, 2018, TracFone notified USAC about its concerns with the announced policy change. To date, TracFone has received no response from USAC and no indication that USAC would delay implementation of this change so as to afford the Commission an opportunity to address the lawfulness of USAC’s announced change.

We explained to Ms. Patel that SNAP benefit cards and Medicaid cards have been acceptable forms of Lifeline eligibility documentation for many years. In the Commission’s 2012 Lifeline Reform Order (Lifeline and Link Up Reform and Modernization, et al, 27 FCC Rcd 6656, at ¶ 101), the Commission explicitly stated that SNAP benefit cards and Medicaid cards were acceptable forms of Lifeline eligibility documentation. As we discussed with Ms. Patel, USAC’s stated reason for deviating from the Commission’s requirements is that SNAP cards and many Medicaid cards do not have expiration dates on their face. Yet, that was so in 2012 when the Commission stated that such cards would be acceptable. We further discussed with Ms. Patel the fact that SNAP and Medicaid are the two largest Lifeline qualifying programs and that millions of low-income households have demonstrated their qualifications for Lifeline by producing SNAP and Medicaid cards. Implementation of USAC’s changed policy would preclude many Lifeline-eligible low-income households from demonstrating their eligibility by producing the most readily-available forms of eligibility documentation – SNAP cards and Medicaid cards.

Finally, we discussed with Ms. Patel the Commission's concern about prevention of waste, fraud and abuse in the Lifeline program – a concern shared by TracFone. In this regard, we indicated that TracFone is not aware of any systematic Lifeline program fraud associated with acceptability of SNAP cards or Medicaid cards as documentation of eligibility.

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically. If there are questions, please communicate with undersigned counsel for TracFone.

Sincerely,



Mitchell F. Brecher

cc: Ms. Nirali Patel