



Jenny Prime
Director, Regulatory Affairs
Public Policy Office

June 11, 2015

Via ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Re: *Lifeline Eligibility Documentation Retention (WC Docket No. 11-42)*

Dear Ms. Dortch:

Cox Communications, Inc. ("Cox") urges the Commission not to require Lifeline providers to retain customer eligibility documentation, and certainly not to retain it for a burdensome period such as ten years.

Under the Commission's current Lifeline rules, in the absence of a centralized administrator to determine eligibility, the rules place the burden on the Lifeline provider to examine documentation to confirm the customer's eligibility.¹ Cox has supported proposals to remove carriers from the eligibility determination process, such as an eligibility database, and is encouraged by reports that the Commission may take steps towards implementing such a system in its upcoming Lifeline order and notice of proposed rulemaking.² In the same way that the National Lifeline Accountability Database ("NLAD") has substantially eliminated reimbursement for duplicate customers, an eligibility database can be expected to substantially eliminate reimbursements for ineligible customers, further reducing waste, fraud, and abuse in the program. In addition, removing Lifeline providers from the eligibility determination process will reduce burdens on providers, freeing them to invest their resources in improving offerings for Lifeline customers.

While Lifeline providers continue to review eligibility documentation, however, the Commission should not require Lifeline providers to retain the documentation that they review. First, the Commission's pursuit of a means to remove Lifeline providers from the eligibility determination process will obviate the need for any document retention requirements for providers, since providers cannot retain documents that they never obtain. It makes little sense to require Lifeline providers to

¹ 47 C.F.R. § 54.410.

² "FCC Announces Tentative Agenda for June Open Meeting," News Release (May 28, 2015). *See also Lifeline Reform and Modernization*, WC Docket Nos. 11-42 et al, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656, 6700 ¶ 97 (2011) ("*Lifeline Reform Order*") ("We find that establishing a fully automated means for verifying consumers' initial and ongoing Lifeline eligibility from governmental data sources would both improve the accuracy of eligibility determination ... and reduce burdens on consumers as well as ETCs.").

invest in costly systems to collect and retain these documents when there will no longer be a need for such systems in the relatively near term.

Moreover, the Commission correctly concluded in the *Lifeline Reform Order* that Lifeline providers should not retain copies of this documentation – which would include such items as social security benefits statements, prior years’ tax forms, and child support decrees – because they are likely to contain “sensitive information.”³ To the extent that the Commission requires retention of such documents, the retention period should be as short as possible, such as three years or less. In no event should the Commission adopt a long retention period such as ten years. This documentation will be voluminous and duplicative and retaining it will be burdensome to Lifeline providers and is not in Lifeline consumers’ interest. In addition, the longer such documentation is retained, the more likely it is to be subject to inadvertent disclosure. Despite all companies’ best efforts, data breaches sometimes occur. A longer retention period means more sensitive documents subject to such threats, and greater risks to the privacy of low-income consumers.

Cox supports the Commission’s efforts to further reform the Lifeline program to reduce waste, fraud, and abuse. To this end, the Commission should aggressively pursue its decision to remove Lifeline providers from eligibility determination decisions, such as by creating a Lifeline eligibility database. By contrast, adopting a lengthy retention requirement for eligibility documentation would undermine the Commission’s goals for Lifeline reform by diverting considerable provider resources away from the provision of service to customers, with little or no countervailing benefit.

Sincerely,

/s/ Jennifer Prime
Jennifer Prime
Director, Regulatory Affairs
Cox Enterprises, Inc.

cc (via email): Daniel Alvarez
Rebekah Goodheart
Travis Litman
Nicholas Degani
Amy Bender
Matthew DelNero
Carol Matthey
Trent Harkrader

³ *Id.* at 6703 ¶ 101 & n.275. See also 47 C.F.R. § 54.410(b)(ii), (c)(ii).