

September 17, 2015

**VIA ELECTRONIC FILING**

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

**Re: WC Docket No. 11-42 Lifeline and Link Up Reform  
(Emergency Petition for Declaratory Ruling and Supplements)  
NOTICE OF EX PARTE PRESENTATION**

Dear Ms. Dortch:

On September 17, 2015, Richard Salzman, Executive Vice President and General Counsel, TracFone Wireless, Inc. (TracFone), Mark Rubin, Senior Executive, Government Relations, TracFone, and undersigned counsel for TracFone met with several members of the Commission staff. Those included Trent Harkrader, Associate Chief, Wireline Competition Bureau, David Furth, Deputy Chief, Public Safety and Homeland Security Bureau, Christopher Cook, Wireline Competition Bureau, and Austin Randazzo, Attorney-Advisor, Public Safety and Homeland Security Bureau.

During the meeting, we discussed TracFone's Emergency Petition for Declaratory Ruling filed on October 23, 2014 and the two supplements to that emergency petition. In that petition, TracFone asked the Commission to preempt state laws and regulations which impose state 911 taxes and fees on no charge Lifeline service which either reduce the amount of the Lifeline benefit received by consumers below the monthly benefit amount mandated by the Commission's rules, or which requires providers to such services to pay state 911 taxes and fees from their own resources. Alternatively, TracFone proposed that the Commission conduct a rulemaking proceeding for the purpose of promulgating a rule which would prohibit states from imposing such taxes and fees on no charge federal Lifeline service. Such laws and regulations are in effect in Alabama and Indiana. Positions expressed during the meeting were consistent with those set forth in the emergency petition, reply comments, and supplements to the emergency petition. At the meeting, a table was distributed show the level of such taxes and fees in three states and the overall impact of those taxes and fees on Lifeline benefits received by enrolled low-income households receiving Lifeline service in those states. A copy of that table is enclosed herewith.

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

Sincerely,



Mitchell F. Brecher

Enclosure

cc: Mr. Trent Harkrader  
Mr. David Furth  
Mr. Christopher Cook  
Mr. Austin Randazzo

# Enclosure

## STATE 911 FEES ON LIFELINE

STATE	FEE	% of LIFELINE BENEFITS	% INCLUDING COST OF STAMP (\$.49) AND MONEY ORDER (\$.89)	LAWSUITS
AL	\$1.75	19%	33.8%	AL Board sued Sprint and TF
IN	\$1.00	11%	25.7%	Sprint sued Board on constitutionality of 2015 statute. Board sued Sprint, TF, Nexus, I-Wireless on 2010-2014 statutes.
KY	\$0.70	7.6%	22.5%	KY sued TracFone and now Telrite