Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
Lifeline and Link Up Reform and Modernization	)	WC Docket No. 11-42
Telecommunications Carriers Eligible for Universal Service Support	)	WC Docket No. 09-197
Connect America Fund	)	WC Docket No. 10-90

REPLY COMMENTS OF PREPAID WIRELESS RETAIL, LLC ON LIFELINE AND LINK UP REFORM AND MODERNIZATION

Prepaid Wireless Retail, LLC, dba Odin Mobile, hereby files its Reply Comments with respect to the Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, And Memorandum Opinion and Order.[1]

In its comments, Odin Mobile urged the Commission to adopt an additional eligibility criteria specifically tailored to people with disabilities. Namely, that any person who receives equipment through a State equipment distribution program be eligible for Lifeline. This eligibility criteria would be available only in States whose programs adopted the following three elements: first, the program must include equipment that supports broadband; second, the

[1] FCC 11-42, 09-197, 10-90, released June 22, 2015 ("*Second Further Notice*").

program must provide equipment to all major disability groups (i.e., hearing, vision and mobility); and third, the program must include income-based eligibility criteria.

The National Association of the Deaf, and other organizations that represent the deafness community, support the Odin Mobile proposal[2], as does the American Council of the Blind[3] and the American Foundation for the Blind.[4] Comments filed by other parties provided information and analysis that supports elements of Odin Mobile's comments. These are discussed below.

I. Broadband Adoption by People With Disabilities

The California Emerging Technology Fund ("CATF"), confirms in its comments that there is a significant discrepancy between broadband adoption by people with disabilities and those without disabilities. Odin Mobile, in its comments, cited a 2012 study by PEW Internet, which found that 41 percent of adults living with a disability have broadband at home, compared with 69 percent of those without a disability. CATF, on the other hand, reported that "2015 Field Poll data on broadband home adoption in California show that adults who identify having a disability have lower broadband adoption (59%) than other California households (79%)."

Accordingly, more up-to-date data reinforces the notion that the country continues to experience a significant "digital divide" with respect to individuals with disabilities.

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[2] Comments of the National Association of the Deaf, Telecommunications for the Deaf and Hard of Hearing, Deaf and Hard of Hearing Consumer Advocacy Network, Association of Late-Deafened Adults, Hearing Loss Association of America, RERC on Technology for the Deaf and Hard of Hearing at Gallaudet University at 10-12 (Aug 31, 2015).

[3] Bridges, Eric, American Council of the Blind (Letter filed September 10, 2015).

[4] Richert, Mark, American Foundation for the Blind (Letter filed September 25, 2015).

II. The Commission Cannot Ignore Equipment

Randolph J. May, the President of the Free State Foundation, stated in his comments that "[s]upport for 'access' without the means to acquire the associated devices is meaningless." This is precisely the point that Odin Mobile has been making for the past several years with respect to the Lifeline program and individuals who are blind. Wireless ETCs have been providing, free of charge, inexpensive handsets that are not accessible. The result is that millions of blind Americans cannot benefit from Lifeline.

If the Commission intends for Lifeline to narrow the digital divide for individuals who are disabled, it *must* address the issue of broadband equipment. As Odin Mobile discussed in its comments -- and recognized by the Commission in the National Broadband Plan -- equipment used by people with disabilities is sometimes unique and often expensive.[5] Thus, to the extent that equipment is a barrier to broadband adoption by low income persons generally,[6] it is a far greater barrier for people with disabilities.

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[5] Odin Mobile Comments at 5-6.

[6] Assurance Wireless states in its comments that it "will not provide a free smartphone or other broadband-capable device to its Lifeline subscribers if the only Lifeline support available is $9.25 per month service subsidy – the devices are too costly, and the Lifeline revenue stream is too uncertain, to make this financially feasible." Sprint Corporation Comments at 20.

AARP urges the Commission "to address the need for customer premise equipment. Programs that make low-cost computers or tablets available to low-income households are appropriate …" AARP Comments at 20.

The California Emerging Technology Fund urged the Commission to subsidize equipment. It asserted that "Link Up was appropriately discontinued yet it should inform the structure of a new fund to make these essential pieces of equipment, which are required for service, affordable." CATF Comments at 4.

The Communications Workers of America and the American Federation of Labor-Congress of Industrial Organizations stated that "the Commission should also monitor the cost and availability of broadband products intended for low-income customers, and consider providing Lifeline customers with a partial reimbursement to offset the cost of purchasing equipment." Communications Workers of America and the American Federation of Labor-Congress of Industrial Organizations Comments at 5.

It is noteworthy that the importance of equipment for individuals with disabilities in the context of Lifeline is not a new issue. When the Commission reformed Lifeline in 1997, a number of commenters, including State agencies and non-profits, urged the Commission to subsidize "equipment for low-income people with disabilities."[7] The New York State Public Service Commission explained that "disabled people are often poor, and while they may qualify for Lifeline service, they may be unable to purchase the equipment to access the network."[8] The Commission, however, rejected this argument, asserting that section 254 of the Act does not contemplate subsidies for equipment.

The concerns raised by commenters in 1996, are in part the same concerns that Odin Mobile is raising now. Odin Mobile, however, is not suggesting that the Commission subsidize equipment; rather it is urging the Commission to encourage the further development of State equipment subsidy programs simply by adding an eligibility criteria to its Lifeline program.[9]

It must also be emphasized that subsidizing a router and modem is not a satisfactory solution for many people with disabilities. While broadband at home is particularly useful for students, there are significant advantages to mobile broadband for people with disabilities. Mobile platforms allow individuals with disabilities to access an entire world of applications that help them overcome their disability at home, as well as outside of their home.

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[7] *In the Matter of Federal-State Joint Board on Universal Service*, Recommended Decision, 12 FCC Rcd 87, n. 1254 (1996).
[8] *Id.*
[9] Adding Odin Mobile's proposed eligibility criteria has other benefits, which it discusses in its comments, such as allowing a greater number of people with disabilities to qualify for Lifeline and facilitating outreach.

III. Outreach to People With Disabilities

Odin Mobile explained in its comments that outreach efforts will be an important factor in determining whether Lifeline materially increases broadband adoption by people with disabilities since many people who have disabilities are isolated. Leveraging the outreach performed by the State equipment distribution programs would be a highly effective solution to this challenge.

CATF, in its comments, similarly affirmed that there are "unconnected persons with disabilities," and urged the Commission to enable grants, through an independent fund, so that community-based organizations can perform outreach to such people (as well as provide other services).[10] While the solution proposed by CATF is different than that proposed by Odin Mobile, both recognize the importance of outreach with respect to persons with disabilities.

CONCLUSION

For the reasons enumerated in its comments and reply comments, the Commission should adopt Odin Mobile's proposal to add an eligibility criteria that specifically focuses on people with disabilities.

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[10] CETF Comments at 13.