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3 AAC 53.390

Alaska Admin. Code tit. 3, § 53.390

ALASKA ADMINISTRATIVE CODE  
TITLE 3. COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
PART 7. REGULATORY COMMISSION OF ALASKA  
CHAPTER 53. TELECOMMUNICATIONS  
ARTICLE 5. UNIVERSAL SERVICE FUND

Current through October 2009 (Register 191)

3 AAC 53.390. **Lifeline** and **link up** eligibility.

(a) An eligible telecommunications carrier shall use (b) of this section to identify customers eligible to participate in the **lifeline** and **link up** programs.

(b) A customer is eligible to participate in the **lifeline** and **link up** programs if the customer

(1) lives in a household with income at or below 135 percent of the applicable federal poverty guidelines for this state, as established by the United States Department of Health and Human Services, except that for purposes of this section, where the term “family unit” appears in the federal poverty guidelines, “family unit” has the meaning given “household” in (k) of this section;

(2) receives benefits under

(A) [42 U.S.C. 1396 - 1396v](#) or AS 47.07 (Medicaid);

(B) [7 U.S.C. 2011 - 2036](#) or [AS 47.25.975 - 47.25.990](#) (Food Stamp Program);

(C) [42 U.S.C. 1382 - 1382j](#) (Supplemental Security Income Program);

(D) [42 U.S.C. 1437f](#) (Federal Public Housing Assistance Program);

(E) [42 U.S.C. 8621 - 8629](#) or 7 AAC 44 (Low-Income Home Energy Assistance Program (LIHEAP));

(F) [25 U.S.C. 1 - 17](#) (Bureau of Indian Affairs General Assistance Program);

(G) [42 U.S.C. 601 - 619](#) (Temporary Assistance for Needy Families (TANF));

(H) [42 U.S.C. 9831 - 9852](#) (Head Start Program), and meets the low-income criteria prescribed under [42 U.S.C. 9840](#);

(I) [42 U.S.C. 1758\(b\)](#) (National School Lunch Program) for free lunches;

(J) AS 47.27 (Alaska Temporary Assistance Program (ATAP)); or

(K) AS 47.25 (Alaska Adult Public Assistance Program); or

(3) receives benefits under another social services assistance program that

(A) uses an income-based means test to determine eligibility for benefits;

(B) is administered by the state or federal government;

(C) an eligible telecommunications carrier has identified as a program in which a customer's participation makes that customer eligible for **lifeline** and linkup services offered by that carrier; a program is identified under this subparagraph if the eligible telecommunications carrier has submitted the identification through an amendment to the carrier's current tariff or by letter if the carrier does not have a current tariff; and

(D) the commission has approved through review of a filing under (C) of this paragraph.

(c) An eligible telecommunications carrier shall require a customer eligible under (b)(1) of this section to sign a document

(1) certifying under penalty of perjury the number of individuals in the customer's household and the customer's household income; and

(2) agreeing to notify the eligible telecommunications carrier when the customer's household income exceeds the 135-percent threshold under (b)(1) of this section.

(d) An eligible telecommunications carrier shall require a customer eligible under (b)(2) or (3) of this section to sign a document

(1) certifying under penalty of perjury that the customer is receiving benefits from at least one of the programs listed in (b)(2) or (3) of this section;

(2) identifying one or more of the programs under (b)(2) or (3) of this section from which the customer is receiving benefits; and

(3) agreeing to notify the eligible telecommunications carrier when the customer no longer receives benefits from any program that the customer identified in (2) of this subsection.

(e) When certifying a customer's initial eligibility under (b)(1) of this section, an eligible telecommunications carrier shall require the customer to provide documentation of income in the form of

(1) a previous year's state or federal tax return;

(2) a current income statement from an employer or paycheck stub;

(3) a statement of benefits from the United States Social Security Administration;

(4) a statement of benefits from the United States Department of Veterans Affairs;

(5) a retirement or pension statement of benefits;

(6) an unemployment or workers' compensation statement of benefits;

- (7) a federal or tribal notice letter of participation in general assistance;
  - (8) a divorce decree or child support document; or
  - (9) any other official document issued by a provider of income to document that income.
- (f) If the documentation provided under (e) of this section does not cover a full year, the documentation must cover at least three consecutive months in the current calendar year.
- (g) An eligible telecommunications carrier shall select annually a random sample of **lifeline** customers and verify that those customers remain eligible for **lifeline** service. However, if a specific customer is selected in a sample more than once within a three-year period, the eligible telecommunications provider is not required to re-verify that customer's continued eligibility within that period. To verify a customer's continued eligibility for **lifeline** service, the eligible telecommunications carrier may
- (1) accept from the customer a self-certification under (c) or (d) of this section, as applicable; or
  - (2) require the customer to provide written documentation of continued eligibility; the eligible telecommunications carrier may require documentation under this paragraph regardless of whether the customer
    - (A) previously provided documentation under (e) of this section; or
    - (B) initially applied under (b)(2) or (3) of this section.
- (h) An eligible telecommunications carrier shall retain a customer's self-certification under (c), (d), or (g)(1) of this section for as long as the customer receives **lifeline** service from the carrier. However, an eligible telecommunications carrier is not required to retain any other documentation of eligibility that the customer provides.
- (i) An eligible telecommunications carrier may not disconnect **lifeline** service or refuse to provide **lifeline** and **link up** service to an eligible customer for non-payment of any of the following:
- (1) interexchange carrier charges;
  - (2) cable television charges;
  - (3) satellite television charges;
  - (4) charges for cellular telephone service, if those charges are for service other than **lifeline** service;
  - (5) charges for services not subject to commission regulation;
  - (6) charges for a bundle of services if local service is part of the bundle.
- (j) If a **lifeline** customer makes a partial payment on a bill that includes both local service and non-local services, the eligible telecommunications carrier shall apply the partial payment to local service first, unless the customer directs otherwise.
- (k) In this section,
- (1) "household" means all persons who occupy a housing unit, regardless of whether they are related to each

other;

(2) “income” has the meaning given in [47 C.F.R. 54.400\(f\)](#).

(Eff. 1/28/2005, Register 173)

AUTHORITY: [AS 42.05.141](#), [AS 42.05.145](#), [AS 42.05.151](#), [AS 42.05.306](#), [AS 42.05.431](#), [AS 42.05.800](#), [AS 42.05.840](#)

<General Materials (GM) - References, Annotations, or Tables>

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