

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

In the Matter of)	
)	
)	
Federal-State Joint Board on)	
Universal Service)	
)	WC Docket No. 09-197
Virgin Mobile USA, L.P.)	
)	
Public Comment for Limited Designation)	
as an Eligible Telecommunications Carrier)	
in the States of Alabama, Connecticut,)	
Delaware, New Hampshire, and the)	
District of Columbia)	
)	

Comments of Advocates for Universal Access, LLC

Advocates for Universal Access, LLC (“AUA”) respectfully requests the opportunity to present comments concerning the revised Virgin Mobile Compliance Plan. In short, we applaud Virgin Mobile for what it terms as “the most attractive offering” in the Lifeline marketplace, and we seek a few minor clarifications to ensure that the customer receives benefits that are clear and easy to understand. As such, we respectfully request clarification on the following questions prior to the FCC approval of this plan¹:

I. IVR

1. In its compliance plan, Virgin Mobile proposes voice-verification in place of written affidavits. Said another way, Virgin Mobile seeks to amend the current IVR process which pre-qualifies customers over the telephone and then sends them written applications/affidavits by mail, to be sent and sign back. Rather, it intends to “orally” certify that the individual on the phone is (1) the head of the household, (2) Is not enrolled with another Lifeline company, (3) is eligible to

¹ Some of these questions are similar to questions previously submitted concerning Virgin Mobile’s revised Petition for ETC designation and removal of forbearance conditions. These questions are in addition to, not in lieu of, previously submitted questions.

participate in the Lifeline program. Accordingly, we ask the Virgin Mobile clarify:

- a. What new process has Virgin Mobile created to ensure against fraud?
- b. How can Virgin Mobile confirm a person is who they say they are, without a signature in writing or at least a minimum an electronic signature accepting written terms of service?
- c. How can Virgin Mobile ensure that a person is not “double dipping” by registering with multiple providers?
- d. Is a “verbal” authentication legally enforceable?
- e. What does Virgin Mobiles plan for post-IVR enrollment? Does the customer receive terms and conditions?
- f. If terms and conditions will be sent, in what font and font size will these be printed in (will they be easy to read?) and in which languages would this document be in?
- g. Will Virgin Mobile provide the FCC with its standard terms and conditions for review prior to approval?

II. Pricing, Billing and Features Air Time Charges

1. Virgin Mobile has stated it will offer 200 Minutes, with additional features such as text messaging (\$.15 per message) and additional minutes (\$.10 per minute) available for purchase. For clarification purposes, we seek clarification on the following:
 - a. How are text messages billed? Are these included in the Lifeline Offering or must they be purchased separately?
 - b. Are text messages offset against the 200 minutes or do they represent a separate fee category?
 - c. Is a credit card or Virgin Mobile phone card needed to use this text messaging feature?
2. Will Virgin Mobile:
 - a. Confirm that the remaining of the 200 minutes per month will roll over to the next month?

- b. Does Virgin pro-rate minutes the first month of service or award the full amount?
If pro-rated, does the Lifeline Program pay a pro-rated fee?
 - c. Can Virgin Mobile confirm that customers will receive at least 200 minutes per month for the life of their participation in the program? If the terms may change, how much notice will be followed and how will customers be informed?
3. In its presentation, Virgin Mobile claims that customer service calls from its handsets will be “free” to its customers. We seek clarification as to the following:
- a. Does “free” mean that calls will not deduct minutes (as opposed to deducting minutes provided by Lifeline which are also “free” to the customer).
 - b. How does a customer reach customer service? Are the following free to the customer?
 - i. 6-1-1.or similar customer service number; and/or
 - ii. Virgin Mobile’s advertised 800 Lifeline customer service number, dialed from the handset; and/or
 - iii. Are there any other codes or numbers a customer must know to receive free customer service from the handset? If yes, how will this be conveyed to the customer?
4. Which of the following commonly provided services are included in the 200 minutes per month, and which require the usage of minutes?
- a. 4-1-1 (information).
 - b. Toll Free Numbers (800, 888, etc.)
 - c. Voice Mail.
5. Under what terms may customers cancel service?
- a. Is there any fee for the handset?

How is termination reported to the USF?

III. Conclusion:

In conclusion, we wish to note that we are not opposed to the concepts set forth by Virgin Mobile, and that we applaud the offering. We ask these questions in light of general practices in the pre-paid wireless industry, to ensure clarity and tangible benefits for

consumers. The innovations proposed, such as IVR registration, appear to present significant efficiencies if they are implemented in a manner that ensures user confirmation and comprehension. Furthermore, the prospect of customers receiving 200 minutes monthly appears to be a great benefit, particularly if it is clearly explained to customers, and easy to understand. These questions are intended to ensure the best possible program for consumers and ensure there are no hidden fees, or costs that may not be readily apparent.

We respectfully request that the FCC seek clarification as to these issues.

Respectfully Submitted this 14th day of April, 2010, by:

A handwritten signature in black ink, appearing to read "Sheila Stickel", is centered on the page. The signature is written in a cursive, flowing style.

Sheila Stickel, President & Executive Director

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