



NOTICE OF WRITTEN EX PARTE PRESENTATION (47 C.F.R. § 1.1204)

August 17, 2011

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

RE: Written Ex Parte Presentations in the proceeding captioned:

In the Matter of Lifeline and Link Up Reform and Modernization; Federal-State Joint Board on Universal Service; Lifeline and Link Up; WC Docket Nos. 03-109 and 11-42; CC Docket No. 96-45

Ms. Dortch:

In response to a general question posed by FCC staff about State lifeline programs, the undersigned decided to conduct an informal survey to generate responses to the following query: Does your state PERMIT [yes/no] or NOT PERMIT [yes/no] or REQUIRE [yes/no] ETCs to offer bundled service packages or voice plans with additional services to Lifeline customers? I collected 30 responses and forwarded the collected responses via e-mail to the FCC's Jamie Susskind and Kimberly Scardino. The responses follow:

[1] ALASKA: Alaska permits ETCs to offer bundled service packages or voice plans with additional services to Lifeline customers. 3 AAC 53.53.390(i) prohibits an ETC from disconnecting lifeline service to an eligible customer for nonpayment of charges for a bundle if local service is part of the bundle.

[2] ALABAMA: Alabama does permit ETCs to offer bundle service packages. Alabama supports choice in telecom services.

[3] ARIZONA: Arizona permits ETCs to offer bundled service packages or voice plans with additional services to Lifeline customers.

[4] CALIFORNIA: California permits ETCs to offer bundled service packages to Lifeline customers but with LifeLine discount for the basic service portion of the package. Customers get the same discount as those taking basic service only without added features. Qualified LEC low income customers get both the federal and the state lifeline discounts. (California does not yet require wireless or VoIP to provide our state LifeLine discounts to customers).

[5] DISTRICT OF COLUMBIA: DC has two wireline ETCs: Verizon DC and NationsLine. NationsLine offers a Lifelne bundle, and Verizon DC does not. DC's current rules could be interpreted to prohibit bundles, but the Commission is apparently in the process of changing that and explicitly permitting bundles.

[6] FLORIDA: Florida PSC Order No. PSC-08-0417-PAA-TP, issued June 23, 2008, provides that ETCs are required to apply the Lifeline discount to the basic local service rate or the basic local service rate portion of any service offering which combines both basic and nonbasic service. <http://www.floridapsc.com/library/FILINGS/08/05382-08/05382-08.pdf>. Although Verizon-Florida protested the Order, a settlement was reached between Verizon, the Florida Office of Public Counsel, the Florida Attorney

General, and AARP to provide the Lifeline discount to all eligible customers who request the discount and receive regulated telecommunications service packages, including packages with voice mail. See: <http://www.floridapsc.com/library/FILINGS/09/11445-09/11445-09.pdf>.

[7] IDAHO: PERMITs but does not require ETCs to offer bundled service packages or voice plans with additional services to Lifeline customers. Idaho does not have any requirements or restrictions with respect to what services ETCs can offer Lifeline customers. I do know that in Frontier's Verizon legacy service territory, the Company will not allow Lifeline customers to subscribe to certain bundled services because of billing constraints, but that results from a Verizon policy, not a state regulatory policy. State and Federal Discounts will apply toward the customer's primary line.

[8] INDIANA: As a default state, Indiana has always permitted and encouraged ETCs to offer the Lifeline discount to eligible customers as long as the Lifeline customer purchases a package or bundle that includes the supported services. When Indiana's state Lifeline program Rules are approved; ETCs will be required to offer the discount to any eligible customer that purchases the supported services.

[9] IOWA: Permits bundles but does not require.

[10] KANSAS: Yes, it's required in Kansas. The KCC requires ETCs to allow Lifeline customers to select any plan and the carrier must apply the discount to such plan.

[11] KENTUCKY: KY does permit

[12] MAINE: Maine rules require ETCs to provide the Lifeline credit for all eligible customers on all bundled service offerings. "Bundled Service" means a single retail service offering that includes local exchange service and at least one additional service, that is offered at a single price.

[13] MARYLAND: Maryland does not prohibit ETC applicants to offer bundled service packages. We do require that the ETC offer a service meeting the FCC's definition and what they do beyond that is not our concern.

[14] MASSACHUSETTS - We have not yet addressed the issue directly, so "Not permit" and "Require" do not apply. However, the issues is likely to arise in the state's Lifeline Investigation (docket DTC 10-3): "Further, the Department seeks comment on the services for which Lifeline subscribers may use the discounts. Presently, wireline Lifeline subscribers may subscribe to basic residential services, and may also purchase optional vertical features at tariffed rates. Wireless Lifeline subscribers of TracFone SafeLink Wireless® service may choose from three monthly plans. The Department asks: Whether Lifeline subscribers should be able to apply the Lifeline subsidy to the basic exchange component of telephone service packages, including unlimited packages, or the telephone component of bundled service packages?" Link to above: http://www.mass.gov/?pageID=ocamodulechunk&L=4&L0=Home&L1=Government&L2=Our+Agencies+and+Divisions&L3=Department+of+Telecommunications+and+Cable&sid=Eoca&b=terminalcontent&f=dtc_telecom_10_03RequestForComment&csid=Eoca

[15] MINNESOTA: The Minnesota PUC permits, but does not require, ETCs to bundle additional services with the basic POTS for Lifeline customers.

[16] MISSISSIPPI: Mississippi permits but does not require bundling of services for Lifeline Customers.

[17] MISSOURI: For Missouri – Yes to "permit" ETCs to offered bundled services to lifeline customers.

[18] MONTANA: MT permits ETCs to offer the bundled package.

[19] NEBRASKA: Nebraska permits, but does not require, ETCs to offer bundled service packages or voice plans with additional services to Lifeline customers.

[20] NEW HAMPSHIRE: New Hampshire is a federal default state. But NH encourages ETCs to allow lifeline eligible customers who subscribe to bundled service packages to receive the Lifeline credit as there is nothing in the FCC rules that would explicitly prohibit it.

[21] NEW JERSEY: New Jersey only requires the minimum requirements established in the 1996 statute therefore I guess the answer is no we do not require but we do permit bundles or add'l plans with Lifeline service.

[22] Oklahoma: PERMITS

[23] OREGON: REQUIRES – ETCs must offer Lifeline discounts on basic voice service “whether sold separately or in combination with other services” per Oregon Administrative Rules.

[24] PUERTO RICO: The Puerto Rico Telecommunications Regulatory Board does not order ETCs to offer bundled service packages or voice plans with additional services to Lifeline customers.

[25] TENNESSEE: In Tennessee ETC's are permitted to offer voice plans and additional services to Lifeline customers.

[26] TEXAS: Texas does require ETCs that bundle service packages or voice plans with additional services to offer Lifeline customers access to ALL bundled packages. The ETCs must provide a Lifeline discount on whatever package the customer chooses.

[27] VERMONT: Vermont has no specific restrictions on bundling of service packages for lifeline customers.

[28] VIRGINIA: Permit - We do not require ETCs to offer additional services. Some companies' lifeline offerings are flexible and others are quite restrictive.

[29] WEST VIRGINIA: Permits but does not require.

[30] WISCONSIN: PERMIT but does not REQUIRE ETCs to offer bundled service packages or voice plans with additional services to Lifeline customer.

If you have any questions about this letter, please do not hesitate to contact the undersigned at 202.898.2207 or jramsay@naruc.org.

Respectfully Submitted,

James Bradford Ramsay
NARUC General Counsel