

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

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

REPLY COMMENTS OF THIRD PARTY VERIFICATION, INC.

Third Party Verification, Inc. (“3PV”), by its attorneys and pursuant to the Commission’s August 5, 2011 *Public Notice* in this proceeding (the “*Public Notice*”)¹, hereby submits its Reply Comments in the above-captioned matter. 3PV, a leader in performing verification and related database services for scores of telecommunications and information industry service providers, is the third party vendor chosen for the ongoing Interim Duplicate Resolution Process (“IDRP”) mandated by the Commission’s June 21, 2011 *Report and Order* in this proceeding² and the Wireline Competition Bureau’s directive to USAC of the same date.³

3PV limits this brief Reply to the initial comments filed by Emerios in response to the August 5 *Public Notice*. 3PV simply wishes to call to the Commission’s attention the fact that

¹ *Further Inquiry Into Four Issues in the Universal Service Lifeline/Link Up Reform and Modernization Proceeding*, Public Notice (DA 11-1346, rel. Aug. 8, 2011).

² *Report and Order*, FCC 11-97, rel. June 21, 2011.

³ Letter from Sharon E. Gillett, Chief, Wireline Competition Bureau, to D. Scott Barash, Acting CEO, USAC, DA 11-1082 (June 21, 2011).

the *Public Notice* did not seek additional comment on the methodology and specifications of the proposed national verification and eligibility database for the Lifeline program, nor did any party other than Emerios see fit to take advantage of the new comment period to present again its particular vision for the database.⁴

In addition, the Commission should be aware that what Emerios characterizes as the “industry-led proposal of the Professionals for Lifeline and Link-Up Reform (‘PLLR’) for the Eligibility and Duplicate Management Platform,”⁵ which was filed in this docket by Emerios *ex parte* (under the title “FCC National Database Industry Collaboration and Proposal”) on August 3, 2011⁶ and subsequently presented by Emerios representatives in an Emerios-branded PowerPoint presentation in an *ex parte* meeting with Commission staff on August 10, 2011,⁷ is less a “collaboration” of parties⁸ than it is the creation of Emerios. Emerios organized the PLLR, invited interested parties to participate in three conference calls to discuss an Emerios-drafted framework document, incorporated a small number of edits and suggestions, and then filed the “PLLR Proposal” after giving the other parties an opportunity to affirmatively opt out of being listed as a member of the PLLR. In fact, many ETCs, prospective database vendors and other

⁴ Comments on the database proposal were, of course, filed in response to the proposals in section VII. D of the Commission’s *Notice of Proposed Rulemaking* in this proceeding (26 FCC Red 2770 (2011), ¶¶ 205-222. Dozens of *ex parte* presentations and filings have also been properly filed concerning the proposed database, including many by Emerios.

⁵ Emerios comments, summary at i.

⁶ Emerios written *ex parte* notice and attachment, filed Aug. 3, 2011.

⁷ Emerios *ex parte* notice and presentation, filed Aug. 10, 2011.

⁸ Emerios comments at 2; Emerios *ex parte* notice, Aug. 3, 2011 at 1.

parties did not participate, and others listed as PLLR members played a wholly passive role in the process.⁹

3PV agrees with several elements of Emerios's proposed framework for the national database, while disagreeing with a few others.¹⁰ For present purposes, 3PV simply submits that the Commission should not necessarily "adopt and implement"¹¹ a purported "consensus" industry proposal that is no such thing, and should not prejudge the specific properties and specifications of the proposed permanent database on the basis of the instant comment cycle, wherein no such additional comments were solicited.

Respectfully submitted,

THIRD PARTY VERIFICATION, INC.

By:



James M. Smith
DAVIS WRIGHT TREMAINE LLP
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006
202-973-4200

Its Attorney

September 2, 2011

⁹ 3PV was one of many parties that affirmatively opted out of joining Emerios in the "PLLR" filing.

¹⁰ For example, the Emerios proposal evidently contemplates that all data would be transmitted into the verification and eligibility database on a real-time basis, allowing no other input (e.g., batches), true-up or auditing capabilities to ETCs and USAC. If so, such an inflexible system could work a hardship on ETCs both large and small, as well as on USAC.

¹¹ Emerios comments at 13.