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December 16, 2011

**VIA ELECTRONIC FILING**

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

**Re: Notice of Ex Parte Meeting  
WC Docket No. 09-197**

Dear Ms. Dortch:

On December 15, 2011, Jeffrey S. Ansted, President of American Broadband & Telecommunications (“American Broadband”) and the undersigned met with separately Angela Kronenberg, Legal Advisor to Commissioner Clyburn; Zachery Katz, Chief Counsel and Senior Legal Advisor to Chairman Genachowski along with Divya Shenoy of the Wireline Competition Bureau’s Telecommunications Access Policy Division and Rebekah Goodheart, Associate Bureau Chief; Lisa Hone, Acting Legal Advisor to Commissioner Copps; and Christine Kurth, Legal Advisor to Commissioner McDowell.

Mr. Ansted discussed the Petition for Forbearance filed by American Broadband in WC Docket No. 09-197 on February 25, 2011 (“Petition”). Specifically, Mr. Ansted explained that American Broadband is seeking forbearance that would permit it to apply for non-facilities based wireless authority to provide Lifeline-only (not Link Up) services, and described the company’s work with state government agencies and community organizations to educate qualified individuals about American Broadband’s current wireline Lifeline service offerings. Mr. Ansted also noted that local agencies have filed in support of his Petition and copies of those letter are attached hereto.

American Broadband also reiterated its request for expedited treatment of the Petition and simultaneous approval of the Petition and the Compliance Plan. A copy of the Compliance Plan was distributed to Ms. Kronenberg and Ms. Kurth and is attached hereto.

Boston  
Hartford  
Hong Kong  
London  
Los Angeles  
New York  
Orange County  
San Francisco  
Santa Monica  
Silicon Valley  
Tokyo  
**Washington**

Bingham McCutchen LLP  
2020 K Street NW  
Washington, DC  
20006-1806

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A/74651959.1

Marlene H. Dortch, Secretary  
December 16, 2011  
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Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter and the accompanying attachment has been filed via ECFS and sent by email to each of the FCC staff members who participated in the meeting. If you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

*/s/ electronically signed*

Tamar E. Finn  
Kimberly A. Lacey

Attachments

cc (by e-mail):

Angela Kronenberg  
Zachary Katz  
Rebekah Goodheart  
Divya Shenoy  
Lisa Hone  
Christine Kurth



May 3, 2011

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

Dear Ms. Dortch:

We are writing in support of American Broadband & Telecommunications' ("AB&T's") petition filed with the FCC in WC Docket No. 09-197 (But do not bind ODJFS Cuyahoga County for offering wireless services at our centers). We believe that the low-cost wireless telephone services proposed by AB&T will provide a vital service to the low income residents of Ohio that we serve

ODJFS Cuyahoga County provides assistance and services to qualified residents of Ohio, such as food stamps, Heating Assistance, Medicaid, etc. We have discussed with AB&T the need for low-cost wireless telephone services in the state, and understand that AB&T is seeking FCC action that will permit it to apply for authorization by the Ohio Public Utilities Commission to become a provider of wireless services supported by the federal Lifeline program. Although we currently assist low income residents sign up for wireline Lifeline service, adding a wireless Lifeline choice would be a great asset to the community and a resource to this agency's continued outreach efforts to the low income residents of Ohio that we serve. The individuals whom we assist frequently change residences at a higher rate than other members of the community and mobile telephone services would help them keep in contact with assistance organizations, employers and other vital resources. Through our partnership with AB&T, we will help provide information about these low-cost wireless services to eligible residents and to help qualified individuals become aware of and use these services.

There is an urgent need for AB&T's proposed services in Ohio, and we ask the Commission to expedite its review of the petition and promptly grant the requested authority.

Sincerely,

Jacquelon Ward, Interim Director

cc: Robert Math  
Aida Idiaquez

Employment & Family Services, 1641 Payne Avenue, Cleveland, Ohio 44114, (216) 987-7000  
Ohio Relay Service (TTY) 711

**Our Mission:** To improve the quality of life for our customers by:

- Enhancing economic well-being
- Coordinating services
- Strengthening families
- Promoting equity



**Board of County  
Commissioners**  
**Pete Gerke**  
*President*  
**Tina Skeldon Woznia**  
**Ben Kono**

**Department of Job  
and Family Services**

Deb Ortiz-Flores  
*Director*

May 2, 2011

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

Dear Ms. Dortch:

We are writing in support of American Broadband & Telecommunications' ("AB&T's") petition filed with the FCC in WC Docket No. 09-197. We believe that the low-cost wireless telephone services proposed by AB&T will provide a vital service to the low income residents of Ohio that we serve.

**Lucas County Department of Job and Family Services** provides assistance and services to qualified residents of Ohio, such as food stamps, Heating Assistance, Medicaid, etc. We have discussed with AB&T the need for low-cost wireless telephone services in the state, and understand that AB&T is seeking FCC action that will permit it to apply for authorization by the Ohio Public Utilities Commission to become a provider of wireless services supported by the federal Lifeline program. Although we currently assist low income residents in signing up for wireline Lifeline service, adding a wireless Lifeline choice would be a great asset to the community and a resource to this agency's continued outreach efforts to the low income residents of Ohio that we serve. The individuals whom we assist frequently change residences at a higher rate than other members of the community and mobile telephone services would help them keep in contact with assistance organizations, employers and other vital resources. Through our partnership with AB&T, we will help provide information about these low-cost wireless services to eligible residents and to help qualified individuals become aware of and use these services.

There is an urgent need for AB&T's proposed services in Ohio, and we ask the Commission to expedite its review of the petition and promptly grant the requested authority.

Sincerely,

Betty Rios  
Community Liaison  
Lucas County Job & Family Services

**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
	)	
Petition for Forbearance	)	
_____	)	

**AMERICAN BROADBAND & TELECOMMUNICATIONS  
COMPLIANCE PLAN**

**Background**

On February 25, 2011, American Broadband & Telecommunications (“American Broadband” or “Company”) filed a Petition for Forbearance (“Petition”) requesting the Federal Communications Commission (“FCC” or “Commission”) forbear from enforcement of section 214(e)(1)(A) of the Act, which requires eligible telecommunications carriers (“ETC”) to use their own facilities to provide services supported by the Universal Service Fund (“USF”). The Commission issued a Public Notice seeking comment on American Broadband & Telecommunications’ Petition and no comments opposing the Petition were filed.<sup>1</sup>

Previously, when the Commission granted similar requests for forbearance, it has issued several conditions and required the carrier to file a Compliance Plan within 30 days outlining its

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<sup>1</sup> *Wireline Competition Bureau Seeks Comments on American Broadband & Telecommunications Petition for Forbearance from Eligible Telecommunications Carrier Facilities Requirement*, Public Notice, DA 11-641 (rel April 7, 2011).

procedures for complying with those conditions.<sup>2</sup> Typically, the Commission's prior grants of forbearance have been made subject to the following conditions: (a) provide Lifeline customers with 911 and Enhanced 911 (E911) access regardless of activation status and availability of prepaid minutes; (b) provide Lifeline customers with E911-compliant handsets and replace, at no additional charge to the customer, noncompliant handsets of existing customers who obtain Lifeline-supported service; (c) comply with conditions (a) and (b) as of the date the ETC provides Lifeline service; (d) obtain a certification from each PSAP where the carrier seeks to provide Lifeline service confirming that the carrier provides its customers with 911 and E911 access to self-certify that it does so if certain conditions are met; (e) require each customer to self-certify at the time of service activation and annually thereafter that he or she is the head of household and receives Lifeline-supported service only from that carrier; (f) establish safeguards to prevent customer from receiving multiple Lifeline subsidies from the carrier at the same address; and (g) deal directly with the customer to certify and verify the customer's Lifeline eligibility.<sup>3</sup>

The Petition filed by American Broadband is still pending with the Commission. However, due to the current harsh economic conditions throughout American Broadband service territories, there is an urgent need for these services. As such, American Broadband has prepared and amended the following Compliance Plan, which complies with those conditions previously adopted in similar cases and incorporates new conditions recently approved as part of i-wireless

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<sup>2</sup> See e.g., *Virgin Mobile USA, L.P. Petition for Forbearance*, Order, 24 FCC Rcd 3381, ¶ 30 (2009) (“*Virgin Mobile Order*”); *i-wireless, LLC Petition for Forbearance from 47 U.S.C. § 214 (e)(1)(A)*, Order, FCC 10-117 (2010) (“*i-wireless Order*”).

<sup>3</sup> See *Virgin Mobile Order* at ¶¶ 22-23; *i-wireless Order* at ¶¶ 11-16.

Compliance Plan.<sup>4</sup> American Broadband respectfully requests expeditious grant of its Petition and simultaneous approval of its proposed Compliance Plan.

### **COMPLIANCE PLAN**

American Broadband commends the Commission's commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline customers. American Broadband will comply with all conditions set forth in any Commission order granting its Petition, the provisions of this Compliance Plan, and all laws and regulations governing its provision of Lifeline-supported prepaid wireless service (both non-facilities-based and facilities-based) to customers throughout our service territories and in addition take the steps set forth herein.

#### **I. Access to 911 and E911 Services**

American Broadband will be required to provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service, and, in order to demonstrate compliance with the condition, American Broadband must obtain certification from each PSAP where it provides Lifeline service confirming that its customers receive 911 and E911 services. If within 90 days of American Broadband's request, a PSAP has neither provided the certification nor made an affirmative finding that the Company does not provide its customers with 911 and E911 services within the applicable service area, then American Broadband may self-certify that it meets the requirements.

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<sup>4</sup> See *i-wireless, LLC Petition for Forbearance from 47 U.S.C. § 214(e)(1)(A)*, Order, DA 11-1763 (Wireline Comp. Bur. Oct. 21, 2011).

The Commission and consumers are hereby assured that all American Broadband customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from American Broadband handsets, even if the account associated with the handset has no minutes remaining. American Broadband can ensure the Commission that all Lifeline customers will have meaningful access to emergency calling services at the time the customer activates Lifeline service, and that such access will continue regardless of the customer's account status or the availability of prepaid minutes.

The Company's existing practices currently provide access to 911 and E911 services to the extent that these services have been deployed by its underlying carriers, such as Sprint and Verizon. American Broadband also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active, suspended or terminated. Finally, the Company transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

American Broadband will implement the following measure prior to deploying Lifeline services in a given area. Initially, the Company will confirm that its underlying carrier has deployed E911 services in a specific PSAP territory. American Broadband will obtain the requisite certification from each PSAP where it provides Lifeline service confirming that its customers receive 911 and E911 services.<sup>5</sup> If within 90 days of receiving the Company's request, a PSAP has neither provided such certification nor made an affirmative finding that the

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<sup>5</sup> A form of PSAP certification is attached hereto Exhibit A.

Company does not provide its customers with 911 and E911 services within the applicable service area, American Broadband will self-certify that it meets the basic and E911 requirements.

## **II. E911-Compliant Handsets**

American Broadband & Telecommunications will ensure that all handsets used in connection with the Lifeline service offering will be E911-compliant. In fact, American Broadband's phones have always been and will continue to be 911 and E911-compliant. American Broadband uses phones from Sprint and Verizon that have been through a stringent certification process in either Sprint's or Verizon's handset certification lab, which ensures that the handset models used meet all 911 and E911 requirements. As a result, any customer that qualifies for and elects Lifeline service will already have a 911/E911-compliant handset, which will be confirmed at the time of enrollment in the Lifeline program. In the event that an existing customer does not have an E911-compliant handset, American Broadband will replace it with a new 911/E911-compliant handset at no charge to the customer. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

## **III. Certification of Lifeline Customers' Eligibility**

To safeguard against misuse of the Lifeline service plan, the Commission will require American Broadband to deal directly with the customer and require each customer to self-certify under penalty of perjury at time of service activation and annually thereafter that they are the head of household and receive Lifeline-supported service only from American Broadband & Telecommunications. The Commission will also require American Broadband to establish safeguards to prohibit more than one supported American Broadband service at each residential

address. American Broadband proposes the following plan to implement these certification and verification conditions and will modify the plan to conform to any new rules and orders, once issued and effective:

**A. Policy**

American Broadband will comply with all certification and verification requirements for Lifeline eligibility established by the states where it is designated as an ETC. In states where there are no state imposed requirements, American Broadband will comply with the certification and verification procedures in effect in that state as reflected on the website of the Universal Service Administration Company.

For any states which do not mandate Lifeline support and/or which do not have established rules of procedure in place, American Broadband will certify at the outset and will verify annually consumers' Lifeline eligibility in accordance with the Commission's requirements. American Broadband will enact the same stringent requirements of annual re-certification that it currently uses with its wireline Lifeline service offering. This process requires a customer signed, annual certification form to be entered into our systems prior to any benefits being extended for the next year. Lifeline benefits will not continue to be extended until all eligibility requirements are met.

**B. Certification Procedures**

American Broadband will implement certification procedures that enable consumers to demonstrate their eligibility for Lifeline assistance by contacting American Broadband via telephone, facsimile, or the Internet. At the point of sale, consumers will be provided with printed information describing American Broadband's Lifeline program, including eligibility

requirements, and instructions for enrolling. Consumers will be signed up in person or directed via Company literature or advertising to a toll-free telephone number and to American Broadband's website, which will contain a link to information regarding the Company's Lifeline service plan, including a detailed description of the program and state-specific eligibility criteria. American Broadband's application form for its wireless service will identify that it is a "Lifeline" application. A sample application form is attached hereto as Exhibit B.

American Broadband understands and accepts the Commission's requirement that the Company have direct contact with all customers applying for participation in the Lifeline program. American Broadband will have direct contact with all customers applying for Lifeline service, either in person through its employees or agents or via the telephone (including facsimile) or mail. American Broadband will provide Lifeline-specific training to all personnel, whether employees or agents, that interact with actual or prospective consumers with respect to obtaining, changing or terminating its Lifeline services.

Consumers who do not complete the application process in person must return the signed application and support documentation to the Company by mail, fax, email or other electronic transmission. The Company will accept electronic signatures that meet the requirements of the Electronic Signatures in Global and National Commerce Act, 15 USC § 7001-7006, and any applicable state laws. Processing of consumers' applications, including review of all application forms and relevant documentation will be performed under American Broadband's supervision by managers experienced in the administration of the Lifeline program. American Broadband will ensure that all required documentation is taken care of properly by using state-specific compliance checklists.

For states with program-based eligibility criteria, the form will list each of the qualifying programs, and the applicant will be required to identify the program(s) in which they participate, and to furnish proof that they currently participate in such program(s), regardless of whether such proof is required pursuant to state law. For states with income-based eligibility criteria, the applicant will be required to certify under penalty of perjury that their household income does not exceed the relevant threshold (*e.g.*, 135% of the Federal Poverty Guidelines for federal default states) and will be required to provide proof of income-based eligibility. Notwithstanding the foregoing with respect to program or income eligibility, for states that require American Broadband to enroll subscribers identified by the state or as eligible in a state database, American Broadband may continue to rely on the state identification or database. In addition, the Lifeline application form will include a certification section where the applicant must attest and sign under penalty of perjury that the applicant's representations are true and correct. Applicants will also be required to certify under penalty of perjury that they are head of their household and receive Lifeline-supported service only from American Broadband. Penalties for perjury will be clearly stated on the certification form. American Broadband will use substantially the following form of its certification, printed in at least 10 point font:

By signing below, I certify under penalty of perjury – (additionally, please initial each of the 6 statements below)

1. The information contained within this application is true and correct. I acknowledge that providing false or fraudulent documentation in order to receive assistance is punishable by law. \_\_\_\_\_

2. I understand that Lifeline is only available for one phone line per household, whether landline or wireless. I am the head of household and will only receive Lifeline from American Broadband & Telecommunications (AB&T). \_\_\_\_\_

3. I am not currently receiving a Lifeline telephone service from any other landline or wireless telephone company. (Some Lifeline services are not marketed under a “Lifeline” name; these include Lifeline services sold under the names AT&T Lifeline, Assurance Wireless, and Safelink.) \_\_\_\_\_

4. I understand that I must cancel any Lifeline service or port my number to AB&T prior to establishing my service with AB&T. \_\_\_\_

5. Furthermore, I certify that I will only use this phone for my family’s own use and will not resell it. \_\_\_\_\_

6. I will notify AB&T immediately if I no longer qualify for Lifeline, or if I have a question as to whether I would still qualify. \_\_\_\_\_

Perjury and false statements are punishable by fines and/or imprisonment.

Signature (required)\_\_\_\_\_ Date\_\_\_\_\_

Finally, the application forms will require each applicant to provide their name and primary residential address. American Broadband will incorporate this information into its customer information database. Prior to initiating service for a customer, the Company will check the name and address of each Lifeline applicant against its database to determine whether or not it is associated with a customer that already receives American Broadband Lifeline service, and will then review the application to ascertain whether the applicant is attempting to receive Lifeline-supported service for more than one handset or wireline associated with the address. American Broadband will deny the Lifeline application of any such individual and advise the applicant of the basis for the denial. In addition, prior to requesting a subsidy, American Broadband will process and validate American Broadband’s subsidy data to prevent: (1) Duplicate Same-Month Lifeline Subsidies (“Double Dip,” *i.e.*, any household that is already receiving a Lifeline subsidy from American Broadband, will be automatically prevented from receiving a second Lifeline subsidy in that same month); and (2) Inactive lines receiving subsidy (*i.e.*, systems compare all

subsidy requests to underlying network status to ensure that subsidies are requested only for active lines).<sup>6</sup>

American Broadband shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that the procedures it will implement will prevent American Broadband customers from engaging in such abuse of the program. Because of American Broadband's relationship with multiple government agencies throughout our service territory, we are also able to certify eligibility through default program participation as a majority of our current lifeline customers are direct referrals from agencies that provide benefits that qualify customers for Lifeline eligibility.

### **C. Verification Procedures**

American Broadband will require every consumer enrolled in the Lifeline program to verify on an annual basis that they are the head of their household and only receive Lifeline service from American Broadband. American Broadband will notify each participating Lifeline consumer prior to their service anniversary date that they must confirm their continued eligibility in accordance with the applicable requirements. This notification will be mailed via the U.S. Postal Service to the address the subscriber has on record with American Broadband. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact American Broadband. Customers will have 60 days to complete the form, certify under penalty of perjury that they are the head of household and receive Lifeline service only from American Broadband, and return the form to American

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<sup>6</sup> See Usage Policy, below.

Broadband by mail. Anyone who does not respond to the mailing and certify their continued eligibility will be removed from the Lifeline program.

Currently, customers will be required to complete the verification process by mail; however, American Broadband may offer additional options, such as web-based methods, in the future. Such verification will be required in order for the consumer to continue to receive free Lifeline service or to purchase prepaid airtime from American Broadband at the discounted rate only available to those customers who are enrolled in its Lifeline program.

American Broadband submits that its Compliance Plan fully satisfies the conditions that have previously been set forth by the Commission in prior orders granting forbearance. Implementation of the procedures, outlined in this plan, will promote public safety and ensure that Lifeline customers have access to 911 and E911 services while safeguarding against misuse of the company's Lifeline service benefits.

#### **IV. Additional Measures to Prevent Waste, Fraud, and Abuse**

##### **A. Non-usage Policy**

American Broadband will implement a non-usage policy whereby we will identify Lifeline customers that have not used the Company's Lifeline service for 60 days, and cease to claim Lifeline reimbursements for such customers if they do not use their service within a 30-day grace period following the initial 60-day non-usage period. Specifically, if no usage appears on an American Broadband Lifeline customer's account during any continuous 60-day period, American Broadband will promptly notify the customer that the customer is no longer eligible for American Broadband Lifeline service subject to a 30-day grace period. During the 30-day grace period, the customer's account will remain active, but American Broadband will engage in

## **B. Customer Education with Respect to Duplicates**

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicates, American Broadband will implement measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. These measures entail additional emphasis in written disclosures as well as live due diligence.

- a) Call Center and Sales Script – American Broadband will emphasize the “one Lifeline phone per household” restriction through its interaction with the potential customer at the call center. American Broadband will also emphasize the “one Lifeline phone per household” restriction through its direct sales contact with the potential customer. The sales training materials will include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction. Attached as Exhibit C is a sample of training material that would meet the requirements of this provision.
- b) Marketing, Advertising and Website Content – American Broadband, in its marketing materials, will reinforce the limitation of one Lifeline phone per household. The following statement will appear in conspicuous place in bold font in an offsetting color, in a minimum 10 point font, to ensure it is not overlooked. Attached as Exhibit D is a copy, to scale, of a two by three foot advertisement display, and description of wireless offerings.

**Note: By Law, the Lifeline program is only available for ONE phone per household, whether landline or wireless.**

This statement will also appear on the company’s website ([www.ambt.net](http://www.ambt.net)) during the customer information/education cycle. At the point on its website when a customer inputs his/her zip code to verify that American Broadband offers service in their area, American Broadband will display the above message in the section where the website explains the service and rate plan options. The message would flash to draw attention to it. In addition, American Broadband will include in its printed materials and website substantially the following statement “Not all Lifeline supported programs are identified as ‘Lifeline’ and may be marketed under other brand names.”

#### **D. Cooperation with state and federal regulators**

American Broadband has and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse, including:

- Providing state commissions (PUC), the FCC or USAC upon request with data that will enable that state, the FCC or USAC to determine whether some consumers are enrolled in more than one Lifeline program. Specifically, American Broadband agrees to make available state-specific customer data, including name and address, upon request to each state PUC where it operates, the FCC or USAC for the purpose of permitting the PUC, FCC or USAC to determine whether an existing Lifeline customer receives Lifeline service from another carrier, and will participate in such a duplicate resolution process, provided that costs for participation are reasonable or defrayed through the universal service contribution mechanisms;
- Promptly investigate any notification that it receives from a state PUC, the FCC or USAC that one of its customers already receives Lifeline service from another carrier;
- Immediately deactivate a customer's Lifeline service and no longer report that customer on USAC Form 497 if American Broadband's investigation, a state, the FCC or USAC concludes that the customer receives Lifeline services from another carrier in violation of the Commission's regulations and that American Broadband's Lifeline service should be discontinued such as a de-enrollment notification pursuant to the FCC's June 17, 2011 Report and Order (Section III, B.).

#### **V. Included Usage**

American Broadband will offer at least one Lifeline plan that provides consumers with at least 250 included minutes-of-use per month at the lowest end user rate permitted under FCC rules. This provision will expire 36 months from the date of approval of this Compliance Plan.

## **Conclusion**

American Broadband respectfully requests that the Commission expeditiously approve its Compliance Plan so that the company may begin providing the benefits of Lifeline service to qualified low-income customers as soon as possible.

Respectfully submitted,

*/s/ electronically signed*

Tamar E. Finn  
Kimberly A. Lacey  
Bingham McCutchen LLP  
2020 K Street, N.W.  
Washington, DC 20006

Dated: November 30, 2011

**Exhibit A**

Public Safety Answering Point Coordinator

[Address]

RE: Request for PSAP Certification for Lifeline Participation

Dear PSAP Coordinator:

This is to inform you that American Broadband & Telecommunications (“American Broadband”), has been designated an Eligible Telecommunications Carrier (“ETC”) by the Federal Communications Commission (“FCC”) for the purpose of offering reduced-cost service to low-income customers in the state of [State] under the federal Lifeline program. (See attached FCC Order \_\_\_\_\_ released \_\_\_\_\_.)

Lifeline ensures that low-income customers have access to quality telephone service at a reasonable, affordable rate, and American Broadband is pleased to be among the wireless carriers offering Lifeline service to low-income customers, particularly during this difficult economic environment.

The FCC’s approval for American Broadband to offer Lifeline service was conditional upon the following requirements: (1) offer 911 and enhanced 911 (E911) access immediately upon activation of service, and (2) provide its new Lifeline customers with E911-compliant handsets and replace, at no additional charge to the customer, noncompliant handsets of existing customers who subscribe to Lifeline service. The FCC further required that American Broadband seek certification from each Public Safety Answering Point (“PSAP”) where American Broadband intends to offer Lifeline service confirming that American Broadband provides its customers with 911 and E911 access. American Broadband is seeking this certification from your PSAP based on the information provided in this letter and any additional information you may request.

American Broadband wireless services operate on the Sprint Nextel (“Sprint”) network. As you may be aware, Sprint has completed the deployment of facilities necessary to offer Phase I and/or II E911 services in your service area, providing Sprint and American Broadband customers with 911 and E911 access. American Broadband Lifeline customers will enjoy this same access to 911 and E911 service once activated for service, regardless of activation status or availability of prepaid airtime. As required by the FCC, all American Broadband handsets will comply with applicable federal requirements government the provision of 911 and E911 service. American Broadband will provide new Lifeline customers with E911-compliant handsets and, for existing customers who subscribe to Lifeline service, will verify that their handsets are E911-compliant or replace the handset at no charge to the customer.

For your convenience, enclosed is a certification form for your review and signature as PSAP Coordinator. Please return the signed certification form in the self-addressed stamped envelope. As required by the FCC, American Broadband will keep the certification on file in the event the FCC seeks to review this documentation. **If within 90 days of receipt of this letter, you do not provide the certification or make an affirmative finding that American Broadband does not provide its customers with 911 and E911 service in your area, American Broadband is permitted to self-certify compliance with the requirements for 911 and E911 access for this PSAP.** (See FCC order \_\_\_\_\_ at para. \_\_\_\_\_.)

Should you have any questions about the foregoing, please contact us at [email]. Please be sure to include your name and address in the email.

Thank you in advance for your cooperation and for enabling American Broadband to offer Lifeline service to low-income customers in your PSAP jurisdiction.

Sincerely,

American Broadband and Telecommunications Company

American Broadband & Telecommunications Lifeline Program

PSAP Certification Form

State of \_\_\_\_\_

PSAP Name: \_\_\_\_\_

PSAP Coordinator Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

PSAP Jurisdiction Description: \_\_\_\_\_

In my capacity as the Coordinator for the Public Safety Answering Point (“PSAP”) described above, I am responsible for the implementation of 911 and Enhanced 911 (“E911”) service in accordance with the rules and regulations of the Federal Communications Commission (“FCC”).

I have been informed by American Broadband & Telecommunications (“American Broadband”) that, by Order dated \_\_\_\_\_, the FCC has designed American Broadband as an Eligible Telecommunications Carrier (“ETC”) pursuant to Section 214(e)(6) of the Communications Act of 1934, as amended (47 U.S.C. § 214(e)(6)), for the limited purpose of providing Lifeline service in [State], among other states. I have further been informed that the FCC’s designation of American Broadband as an ETC is subject to certain conditions, including a condition that American Broadband must obtain certification from each PSAP where it will offer Lifeline service that American Broadband customers will have 911 and E911 access immediately upon activation of service.

In connection with its request for certification by the PSAP, American Broadband has provided certain information. I have been informed by American Broadband that its wireless service operates on the Sprint Nextel (“Sprint”) network. American Broadband has indicated that its Lifeline customers will have the same access to 911 and E911 service as the retail customers of Sprint. In addition, American Broadband has represented that its Lifeline handsets will comply with the FCC Order requiring that the handsets be capable of accessing 911 and E911 service regardless of activation status or availability of prepaid airtime.

Upon information and belief, in my capacity as PSAP Coordinator, I hereby certify that American Broadband has provided evidence that it is complying with the FCC requirement that it provide customers with access to basic and E911 service immediately upon activation of Lifeline service.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature of PSAP Coordinator

**Exhibit B**

Sample Application Form

# Wireless Lifeline Assistance Application

PLEASE MAIL OR FAX SIGNED APPLICATION TO:

ABT Wireless Lifeline— PO Box 577 Toledo, OH 43697

Toll free: 877-777-7922

Fax: 877-211-3705



Your Name: \_\_\_\_\_  
(Last) (First) (Middle Initial)

Current Home Telephone Number: \_\_\_\_\_ Best Contact or Cell Number: \_\_\_\_\_

Your Address: \_\_\_\_\_  
(Number) (Street) (Apartment, Floor)

City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

## Please Select Your Wireless Plan

Lifeline Wireless Essentials 250       Lifeline Wireless Essentials 500       Lifeline Wireless Unlimited

## Program Eligibility — PROOF OF INCOME IS NOT REQUIRED IF YOU PARTICIPATE IN ANY OF THE PROGRAMS BELOW

I receive Assistance from one of the following programs (Check all that apply) (NOTE: Social Security and Medicare Alone **DO NOT** qualify for Lifeline):

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Food Stamps                                   | <input type="checkbox"/> Federal Public Housing and/or Section 8    | <input type="checkbox"/> Disability Assistance                          |
| <input type="checkbox"/> Medicaid (Not Medicare)                       | <input type="checkbox"/> Ohio or Michigan Works First /TANF         | <input type="checkbox"/> National School Lunch Program                  |
| <input type="checkbox"/> Supplemental Security Income (SSI)            | <input type="checkbox"/> Low Income Home Energy Assistance (LIHEAP) | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF) |
| <input type="checkbox"/> Federal Public Housing Assistance (Section 8) |   |   |

## Income Based Eligibility — DO NOT COMPLETE THIS SECTION IF YOU COMPLETED THE PROGRAM ELIGIBILITY SECTION ABOVE

Calculate **TOTAL** household income by reporting the income of all adult persons residing in your home in the appropriate category:

Household Size	Maximum Yearly Income
1	\$16,335
2	\$22,065
3	\$27,795
_____	\$ _____

You must attach proof of income reported. Examples include:

- Prior year's State or Federal income tax return **OR**
  - Most recent type of current statement from the income source(s) noted below:
  - Three consecutive months'** worth of your most current pay stubs
  - Social Security benefits statement
  - Veterans Administration benefits statement
  - Retirement/Pension benefits statement
  - Divorce decree or child support document
  - Unemployment/Workers Compensation benefits statement
- (Supporting Documentation WILL NOT Be Returned)**

If you have more than 3 people in your household, write the number and add \$5,730 for each additional person on top of the \$27,795

I authorize AB&T to Contact my Case Worker to Verify Eligibility:

Name of Case Worker: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Program eligibility verified by (initial all that apply) (1) reviewing customer documentation \_\_\_\_\_; (2) contacting caseworker \_\_\_\_\_.

## PLEASE READ AND SIGN THE FOLLOWING STATEMENT

By signing below, I certify under penalty of perjury – (additionally, please initial each of the 6 statements below)

- The information contained within this application is true and correct. I acknowledge that providing false or fraudulent documentation in order to receive assistance is punishable by law. \_\_\_\_\_
- I understand that Lifeline is only available for one phone line per household, whether landline or wireless. I am the head of household and will only receive Lifeline from American Broadband & Telecommunications (AB&T). \_\_\_\_\_
- I am not currently receiving a Lifeline telephone service from any other landline or wireless telephone company. (Some Lifeline services are not marketed under a "Lifeline" name; these include Lifeline services sold under the names AT&T Lifeline, Assurance Wireless and Safelink.) \_\_\_\_\_
- I understand that I must cancel any Lifeline service or port my number to AB&T prior to establishing my service with AB&T \_\_\_\_\_
- Furthermore, I certify that I will only use this phone for my family's own use and will not resell it. \_\_\_\_\_
- I will notify AB&T immediately if I no longer qualify for Lifeline, or if I have a question as to whether I would still qualify. \_\_\_\_\_

Perjury and false statements are punishable by fines and/or imprisonment.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Exhibit C**

Training Materials

## American Broadband & Telecommunications Training Materials

**The following information may be used by sales and calling center staff to respond to inquiries about Lifeline supported services.**

Confirm the individual is the head of household and they are not currently receiving a Lifeline subsidized service through the following questions:

- “Do you currently have wireless or home phone service?”
- **If no:** skip remaining questions and complete application process.
- **If yes:** “Is the [wireless or home phone] service a subsidized service or do you pay full price?”
- **If subsidized:** “By law, the Lifeline program is only available for one phone per household. Do you know if your current phone is subsidized under the Lifeline program?”
- **If individual is not sure:** “Who is your provider for that service?” “Are you using any of the following, AT&T Lifeline, Assurance Wireless or Safelink?”

**If it is a Lifeline service:** “We cannot provide you with a second Lifeline phone. However, If there is a problem with your current service, and you would like to switch to our service, you must first either disconnect your current service and call us back to sign up or authorize us to port your telephone number from your current provider to our service.”

- If it is clear that the individual does not currently have Lifeline service, proceed with the following steps:

- Using the database, verify the individual’s address is not currently in the ABT system as a registered recipient of Lifeline services.
  - If there is an active Lifeline account at the address, then thank the customer for their interest in the service, and explain that “by law, the Lifeline program is only available for one phone per household.”
  - If there is no active account for that address, proceed with the application process.

**Exhibit D**

Sample Advertisement and Description of Wireless Offerings

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GET CONNECTED...  
STAY CONNECTED.

---

GET WIRELESS LIFELINE.

---



**Wireless Lifeline** is a government assisted program that provides qualified low-income consumers with:

- Free cellular phone
- Free monthly airtime, including long distance calls
- Free 911 access
- No credit check

American Broadband and Telecommunications is a local Wireless Lifeline provider who can help you take advantage of this government program.

Sign up today.

Call **1 (877) 777-7922**  
Fax your application to **1 (877) 211-3705**  
Or visit **[www.ambt.net](http://www.ambt.net)**

**By Law, Lifeline is only available for ONE phone line per household, whether landline or wireless.**

**AMERICAN**  
BROADBAND + TELECOMMUNICATIONS

**Stay Connected Wirelessly with:**

- Potential or current employers
- Children who are at home while their parents have to go to work
- Healthcare specialists
- Vital emergency responders
- Relatives during a personal emergency

**ALL American Broadband & Telecommunications Wireless Lifeline plans come with:**

- Superior areas of coverage throughout the entire United States
- Access to 411 with no airtime charges
- Unlimited 911 access
- Call waiting
- Call ID
- Voicemail

**3 Great Plans to Choose From!**

<p><b><u>Lifeline Wireless Essentials 250</u></b></p> <ul style="list-style-type: none"> <li>• 250 FREE Voice Minutes added every month, automatically, you do nothing.</li> <li>• Includes Free Cell Phone*</li> <li>• Access to 911</li> <li>• Free Voicemail, Caller ID and Call Waiting</li> <li>• Access to Operator Service and Directory Listing. OSDA service includes information and connection to publicly listed, domestic, landline telephone numbers and Addresses.</li> <li>• No annual contract, no monthly Bills</li> </ul>	<p><b><u>Plan Price: Free*</u></b></p>
<p><small>*Assumes initial and continued program eligibility requirements are met - Non-usage for 60 days will result in a notice that service will be deactivated in 30 days; if customer actively uses service during the 30-day grace period, service will remain active.</small></p>	

<p><b><u>Lifeline Wireless Essentials 500</u></b></p> <ul style="list-style-type: none"> <li>• 500 Voice Minutes added every month, automatically, you only pay \$9.95.</li> <li>• Includes Free Cell Phone*</li> <li>• Access to 911</li> <li>• Free Voicemail, Caller ID and Call Waiting</li> <li>• Access to Operator Service and Directory Listing. OSDA service includes information and connection to publicly listed, domestic, landline telephone numbers and Addresses.</li> <li>• No annual contract</li> </ul>	<p><b><u>Plan Price: \$9.95 per month</u></b></p>
<p><small>*Assumes initial and continued program eligibility requirements are met</small></p>	

<p><b><u>Lifeline Wireless Unlimited</u></b></p> <ul style="list-style-type: none"> <li>• Unlimited Voice Minutes and Unlimited Texting, you only pay \$39.95.</li> <li>• Includes Free Cell Phone*</li> <li>• Access to 911</li> <li>• Free Voicemail, Caller ID and Call Waiting</li> <li>• Access to Operator Service and Directory Listing. OSDA service includes information and connection to publicly listed, domestic, landline telephone numbers and Addresses.</li> <li>• No annual contract</li> </ul>	<p><b><u>Plan Price: \$39.95 per month</u></b></p>
<p><small>*Assumes initial and continued program eligibility requirements are met</small></p>	

**Need More Minutes? We have 6 Easy Top Up Plans. You can Add Minutes 24 hours per Day, 7 Days Per Week.**

<u>Options*</u>	<u>Price</u>	<u>Options*</u>	<u>Price</u>
100 Talk or Text Minutes	\$3.99	240 Talk or Text Minutes	\$ 9.99
180 Talk or Text Minutes	\$5.99	360 Talk or Text Minutes	\$12.99
200 Talk or Text Minutes	\$6.99	500 Talk or Text Minutes	\$19.99

\* 1 Text is the equivalent of 1 minute of talk time