

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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

**COMMENTS OF SPRINT NEXTEL CORPORATION**

Sprint Nextel Corporation (“Sprint”), in response to the Public Notice released February 27, 2012 (DA 12-295), hereby submits its comments on the Emergency Petition for Declaratory Ruling and Interim Relief filed by TracFone Wireless, Inc. (“TracFone”) on February 22, 2012, in the above-captioned proceedings.

In its petition, TracFone has asked the Commission to declare that recent directives issued by the Puerto Rico Telecommunications Regulatory Board (“PR TRB”) to de-enroll certain Lifeline customers are inconsistent with FCC policy and procedures. Sprint agrees that Commission guidance will help to ensure that eligible end users in Puerto Rico receive federal Lifeline benefits to which they are entitled, while simultaneously reducing program inefficiencies and promoting an environment in which carriers can continue to provide much-needed telecommunications services to residential customers in Puerto Rico efficiently and effectively.

Sprint and its affiliate, Virgin Mobile USA, L.P., d/b/a Assurance Wireless, are Lifeline service providers in multiple jurisdictions and have been active participants in

federal and state efforts to address the problem of duplicate Lifeline subscribers – end users who receive multiple federal Lifeline benefits in error (most commonly, from two different service providers). The FCC has taken aggressive steps to address this problem, both on an interim basis (through the on-going IDR process)<sup>1</sup> and on a comprehensive basis (through its recently released Lifeline Reform order).<sup>2</sup> Sprint believes that the policies and measures adopted by the FCC will reduce the incidence of duplicate Lifeline subscribers to close to zero, and that, overall, these new requirements balance the sometimes competing goals of minimizing the burden on the USF, protecting the needs of low income consumers, and limiting the administrative burden on Lifeline service providers.<sup>3</sup> Therefore, Sprint urges that the same measures adopted by the FCC be applied in Puerto Rico as well.

As the TRB has correctly recognized, steps must be taken to reduce the number of duplicate Lifeline subscribers in Puerto Rico. However, the procedures adopted by the TRB have the consequence of leaving eligible low income households without any Lifeline service at all, for up to a year.<sup>4</sup> To prevent such an outcome, and to avoid creating an environment which discourages competitive carriers from entering/remaining in the market, Sprint recommends the following:

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<sup>1</sup> *Lifeline and Link Up Reform and Modernization, et al., Report and Order*, 26 FCC Rcd 9022 (2011); Letter from Sharon E. Gillett, Chief, Wireline Competition Bureau, FCC, to D. Scott Barash, USAC, in WC Docket Nos. 11-42 *et al.*, dated June 21, 2011.

<sup>2</sup> *Lifeline and Link Up Reform and Modernization, et al., Report and Order and Further Notice of Proposed Rulemaking*, WC Docket Nos. 11-42 *et al.*, released Feb. 6, 2012 (FCC 12-11), Federal Register, 77:42 (March 2, 2012), p. 12952 (“*Lifeline Reform Order*”).

<sup>3</sup> This is not to say that the *Lifeline Reform Order* could not be improved; indeed, Sprint expects that the Order may be amended on reconsideration.

<sup>4</sup> See TracFone Petition, p. 3.

- The TRB should adopt the FCC's processes and procedures regarding the IDR process, and enlist the assistance of USAC and the cooperation of the ETCs in Puerto Rico to implement the customer default allocation/service provider selection process successfully used in 12 states to date.<sup>5</sup> The same data reporting format used in each of the previous and pending IDR audits should also be used in Puerto Rico.
- The TRB should clarify its Lifeline reporting requirements. To ensure that Lifeline carriers provide the information needed by the TRB, in the format it requires, the TRB should release a template to be used by all Lifeline service providers in Puerto Rico. Consistency also will facilitate aggregation and comparison of data, and thereby improve program administration.
- To the extent necessary, the FCC should revise its IDR schedule to ensure that the situation in Puerto Rico is addressed as expeditiously as possible.

Respectfully submitted,

**SPRINT NEXTEL CORPORATION**

*/s/ Charles W. McKee*

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<sup>5</sup> Four other states are also in the midst of the IDR process, and Sprint expects a similarly successful outcome.

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Comments of Sprint Nextel Corporation was filed electronically or via US Mail on this 9<sup>th</sup> day of March, 2012 to the parties listed below.

*/s/ Norina T. Moy*

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