

**Before the
Federal Communications Commission
Washington, D.C. 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
)	
Advancing Broadband Availability Through Digital Literacy Training)	WC Docket No. 12-23
)	

COMMENTS OF THE NEBRASKA PUBLIC SERVICE COMMISSION

The Nebraska Public Service Commission (NPSC) hereby submits these comments in support of the Petition for Waiver and Clarification of the Commission's *Lifeline Reform Order* filed by the United States Telecom Association, the Independent Telephone and Telecommunications Alliance, the National Telecommunications Cooperative Association, the Organization for the Promotion and Advancement of Small Telecommunications Companies, the Western Telecommunications Alliance, and the Eastern Rural Telecom Association (collectively referred to as the "Petitioners") which

was filed on March 9, 2012.¹ The NPSC appreciates the opportunity to file comments in this matter.

The *Lifeline Reform Order* takes important steps to deter waste, fraud, and abuse in the Lifeline Program so that the Program can meet the challenges of providing affordable telephone and broadband services to low income households. The NPSC supports the Commission's goals and looks forward to working with the Commission to reform this program.

The NPSC agrees with the sentiment expressed by the Petitioners that some of the timelines imposed in the *Lifeline Reform Order* are too abbreviated for carriers and states implementing changes. Specifically, we agree with the Petitioners that an April 2, 2012 deadline for the implementation of the flat-rate reimbursement of amount of \$9.25 should be extended.

While the NPSC's rules related to tariffs are streamlined so that changes can be made effective upon ten days notice to the NPSC, a significant number of carriers provide a description of their Lifeline and Link-Up policies and rates in their tariffs and in their outreach materials. Some of these eligible telecommunications carriers (ETCs) are just now learning about the Commission's *Lifeline Reform Order* and have contacted the NPSC with questions surrounding the changes required in that Order.

The NPSC will provide assistance to Nebraska ETCs to ensure that all carriers are aware of the new requirements and understand the process to make the necessary

¹ See Public Notice for Comment Sought on Petition for Waiver and Clarification of Lifeline Reform Order, WC Docket Nos. 11-42, 03-109, 12-23, CC Docket No. 96-45, DA 12-387 (March 9, 2012)(Public Notice).

changes. However, it is clear that the April 2nd deadline will be difficult if not impossible to meet for a number of carriers.

Further, the NPSC understands that for many of the regulated carriers, billing systems will need to be updated, notice to affected customers would need to be given, and marketing materials will need to be changed. Generally, the NPSC provides carriers with a minimum of three months to make changes to their billing systems for any Commission-required changes. The NPSC believes it would be reasonable to afford carriers additional time to make the changes to their billing system and educate customer service representatives so that clear, concise, and accurate information is being relayed to the public.

Similarly, the NPSC must make a number of changes to its forms, rules, orders, and internal processes to implement the *Lifeline Reform Order*. The June 2012 deadline for implementing changes to program criteria and certification processes may also be problematic. The Commission's rules would require we utilize the federal poverty guidelines and Temporary Assistance for Needy Families (TANF), which were not criteria previously used by the NPSC for Lifeline Program eligibility. We are presently working on implementing these changes with the goal to have them implemented by June; however, additional time would assist the NPSC with tasks that require programmatic changes and inter-agency agreements related to initial certification and verification of eligibility.

The NPSC agrees that good cause to waive §§ 54.403(a) and 54.403(b)(2) for a limited period of time has been shown by the Petitioners in accordance with 47 C.F.R. § 1.3. The NPSC also agrees that the public interest will be served by an extension of time

to provide adequate time for implementation and consumer notice of the changes brought about by the *Lifeline Reform Order*.

CONCLUSION

The NPSC appreciates the opportunity to provide comments in response to the Public Notice. The NPSC looks forward to implementing these important reform measures which will ensure that low-income consumers can have access to quality telecommunications and broadband service at affordable rates.

Dated: March 20, 2012.

Respectfully submitted,

Nebraska Public Service Commission

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