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May 1, 2012

FILED VIA ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-B204
Washington, D.C. 20554

Re: *Ex Parte* Filing, CC Docket No. 96-45; WC Docket No. 11-42; WC Docket No. 03-109; WC Docket No. 12-23

Madam Secretary:

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, United States Cellular Corporation ("U.S. Cellular") submits this written ex parte communication in support of the Petition for Waiver Jointly Submitted By The Public Utility Commission Of Oregon and The Oregon Telecommunication s Association, submitted in the above dockets on April 19, 2012.[1]

U.S. Cellular is a CMRS carrier holding various spectrum licenses issued by the Commission to serve portions of the state of Oregon, primarily the more rural areas in the southern and eastern parts of the state. U.S. Cellular was designated by the Oregon Public Utility Commission ("OPUC") as an eligible telecommunications carrier ("ETC") by the OPUC in 2004. Since that time, U.S. Cellular has been receiving federal universal service fund support under both the High Cost and Low Income programs. U.S. Cellular also participates in the Oregon Telephone Assistance Program ("OTAP"), which provides additional state support for eligible low income customers. U.S. Cellular currently serves approximately 1,800 low income

[1] Hereafter, "Petition." The Petition seeks a narrow waiver, for a limited duration, from the expanded eligibility provisions of the Commission's *Lifeline and Link Up Reform and Modernization*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 11-42, FCC 12-11 (rel. Feb. 6, 2012) ("Lifeline Reform Order").

customers within its designated ETC areas in Oregon. These eligible Lifeline customers receive substantial discounts off of whichever U.S. Cellular service plan they choose.

To date, the federal Lifeline program and OTAP have used the same criteria for customers to qualify for subsidized service. As noted in the Petition, the OPUC is a "comprehensive" administrator of both Lifeline and OTAP. Working in conjunction with the OPUC, U.S. Cellular has established a very efficient and effective set of procedures to ensure that only consumers who are eligible for Low Income support receive Lifeline and OTAP subsidies. The process is effective because the OPUC is a centralized administrator—ensuring no duplication of benefits—and OPUC verifies eligibility using its direct access to the Oregon Department of Human Services database. It is efficient, because once carriers such as U.S. Cellular establish procedures consistent with OTAP's requirements, they have no need for any further verification processes. OTAP confirms that a customer is eligible and also notifies the carrier when a customer loses eligibility. Waste, fraud, and abuse likely are minimal to non-existent in the Oregon programs.

In the Lifeline Reform Order, the FCC expanded somewhat the scope of Lifeline eligibility. This expansion is good for newly eligible low income customers and U.S. Cellular supports it in principle. But, for the reasons set forth in the Petition, U.S. Cellular also supports OPUC's limited request to delay implementation of the new criteria for eligibility in Oregon, for a limited time as necessary to permit the Oregon Legislature to address the newly created disparity between the federal Lifeline and OTAP programs' eligibility standards. U.S. Cellular hopes that after the opportunity for legislative consideration, OTAP will once again be in full alignment with the federal Low Income program. But for roughly a year, it does not make sense for carriers to have to adopt bifurcated validation and verification processes for Oregon. The expansion of the Lifeline program is relatively small, meaning that relatively few additional consumers will benefit. Yet, for a small incremental benefit, without the requested waiver carriers will not only have to establish new validation and verification processes for Oregon, they will have to run them alongside the existing OTAP processes for OTAP-qualified consumers. In short, they will have to establish and maintain two full sets of processes to add a handful of new Lifeline subscribers. And this wasteful duplication will likely be rendered moot in just a year or so.

U.S. Cellular appreciates that the OPUC and Oregon Telephone Association have taken the lead on addressing this significant short-term burden on both the OPUC and carriers. While the expansion of the Lifeline program eligibility criteria is laudable in the long run, U.S. Cellular agrees with the Petition that the public interest weighs in favor of a short and limited delay in

implementation in Oregon. Accordingly, U.S. Cellular encourages the Commission to grant the waiver petition as expeditiously as practicable.

Respectfully submitted,

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