

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Telecommunications Carriers Eligible to Receive Universal Service Support) WC Docket No. 09-197
)
) WC Docket No. 11-42
Lifeline and Link Up Reform and Modernization)
)
Compliance Plan of American Connect Services, LLC dba American Connect Wireless)
)

To: The Chief, Wireline Competition Bureau

**COMPLIANCE PLAN OF
AMERICAN CONNECT SERVICES, LLC**

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EXECUTIVE SUMMARY

American Connect Services, LLC, dba American Connect Wireless (“ACS”), seeks to avail itself of the grant of forbearance from the “own facilities” requirement set forth in 47 U.S.C. § 214(e)(1)(A). ACS is a new wireline and wireless provider that will provide residential telephone, wireless, and hosted business PBX services in addition to Lifeline service. It is financially and technically capable of providing the supported Lifeline service in compliance with the Commission’s rules.

As discussed in more detail herein, ACS will use specific procedures to ensure that only eligible subscribers obtain Lifeline benefits, and that no subscriber receives duplicate benefits at the same household. ACS will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. ACS commits to complying with the Commission’s marketing and disclosure requirements. ACS need not provide toll limitation service for its wireless service offering because it will not differentiate between domestic long distance toll usage and local usage, as all usage is paid for in advance. For wireless service, ACS will not seek reimbursement for prepaid subscribers until the subscriber activates the service, and will follow de-enrollment procedures for subscribers that have not used their service for 60 days.

ACS seeks expeditious approval of this Compliance Plan.

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To: The Chief, Wireline Competition Bureau

**COMPLIANCE PLAN OF
AMERICAN CONNECT SERVICES, LLC**

American Connect Services, LLC, dba American Connect Wireless (for its wireless services) (collectively, “ACS”), hereby seeks to avail itself of the Federal Communications Commission’s (“Commission”) grant of forbearance from the “own facilities” requirement set forth in 47 U.S.C. § 214(e)(1)(A). Accordingly, ACS hereby submits its Compliance Plan in accordance with the procedures established in the *Lifeline Reform Order*¹ and the guidance provided in the Wireline Competition Bureau’s February 29, 2012 *Public Notice*.² As set forth below, ACS will comply fully with all the relevant conditions for forbearance.

¹ *Lifeline and Link Up Reform and Modernization et al.*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 11-42 et al., FCC 12-11 (rel. Feb. 6, 2012) (“*Lifeline Reform Order*”).

² *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, DA 12-314 (WCB rel. Feb. 29, 2012) (“*Public Notice*”).

I. INFORMATION ABOUT ACS AND THE LIFELINE PLAN IT INTENDS TO OFFER

A. ACS's Names and Identifiers

ACS is a privately held company. It is organized under Florida law and is headquartered in Cape Canaveral, Florida. ACS is registered with the Florida Department of State Division of Corporations as American Connect Services LLC. ACS has no holding company and no affiliates. ACS will operate its wireline business under its own name and its wireless business under the name American Connect Wireless.

B. ACS Is Financially and Technically Capable of Providing the Supported Lifeline Service in Compliance with the Commission's Rules

ACS is financially and technically capable of providing the supported Lifeline service in compliance with the Commission's rules. The Company is a new provider, established in October 2011, but it is financially sound and adequately capitalized. The Company is in the process of launching non-Lifeline service, and expects to have substantial revenue from non-Lifeline customers. In addition to Lifeline service, the Company offers residential telephone service and hosted PBX service for business customers. The Company has an experienced management team. For example, ACS's operations manager was formerly a customer care supervisor and trainer for a major incumbent local exchange carrier, and most recently served as billing and collection coordinator for utility accounts for a Florida municipality. ACS's director of sales has over ten years of experience in sales, marketing, and communications, mostly in the heavily regulated insurance industry. The Company has not been the subject of any enforcement action or any proceedings to revoke ETC status.

C. ACS’s Current Service Offerings and Geographic Locations

ACS has authority to offer wireline telephone service in Colorado, Nevada, New Mexico, and Oregon. ACS has wireless resale agreements with a national facilities-based wireless carrier, Sprint, to allow it to provide wireless services nationwide.

D. The Terms and Conditions of ACS’s Lifeline Service Plan Offering

ACS plans to offer a wireline Lifeline plan with broadband service and unlimited local and domestic long distance calling for \$44.69 per month. ACS plans to offer a wireless Lifeline plan with 250 anytime minutes per month at no charge. ACS plans to allow wireless Lifeline customers to purchase additional bundles of minutes on a prepaid basis as follows: 75 minutes for \$5.00; 250 minutes for \$13.50; 500 minutes for \$25.00; and 1,000 minutes for \$30.00.

ACS will provide wireless Lifeline subscribers with a free 911/E911-compliant handset.

E. Other Certifications Required by Section 54.202

ACS hereby certifies that it will comply with the service requirements applicable to the support it receives, including satisfying the applicable consumer protection and service quality standards.³ For its wireless business, ACS commits to complying with CTIA’s Consumer Code for Wireless Service.⁴ For its wireline business, ACS will comply with the carrier service requirements and consumer protection laws of each state in which it provides service.

³ 47 C.F.R. § 54.202(a)(1).

⁴ CTIA, Consumer Code for Wireless Service (2011), *available at* http://files.ctia.org/pdf/The_Code.pdf.

II. ACS WILL PROVIDE LIFELINE SERVICE ONLY TO ELIGIBLE CUSTOMERS

ACS commits to complying with the subscriber eligibility requirements set forth in section 54.409 of the Commission's rules⁵ and any state-specific requirements in the various states in which ACS will provide Lifeline service. Specifically, ACS will ensure that all subscribers demonstrate eligibility based on: (1) household income at or below 135% of the Federal Poverty Guidelines for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in Sections 54.409(a)(2) or 54.409(a)(3) of the Commission's rules.⁶ ACS will also ensure that a subscriber is not already receiving Lifeline service and that no one else in the subscriber's household is subscribed to a Lifeline service.⁷

ACS commits to implement policies and procedures to ensure that consumers demonstrate their eligibility for Lifeline to ACS personnel. ACS shares the Commission's concern about abuse of the Lifeline program and is committed to procedures that will prevent ACS customers from engaging in abuse of the program, inadvertently or intentionally. Every applicant will be required to complete an application/certification form containing disclosures, and collecting the required information and certifications. Applicants generally will be required to return the signed application/certification to ACS by mail, facsimile, electronic mail, or by uploading it through ACS's website. In some cases, ACS may market Lifeline services to customers in person, such as door-to-door marketing in low-income neighborhoods. Where ACS personnel sign up customers in person, the certification will be obtained at that time. In addition, ACS will verbally explain the certifications to consumers when they are enrolling in person or

⁵ 47 C.F.R. § 54.409.

⁶ 47 C.F.R. §§ 54.409(a)(2), (a)(3).

⁷ See Section V.A. below.

over the phone to ensure that the potential subscriber fully understands the eligibility requirements. ACS's customer certification form is attached hereto as Exhibit A.

The customer certification form will collect all of the required information, including full name, residential address (including whether temporary), billing address (if different), date of birth, and last four digits of social security number or Tribal identification number. Wherever income databases or program eligibility databases are available, ACS will query them to check subscriber eligibility. Where they are not, ACS personnel will be adequately trained to review documentation establishing eligibility pursuant to the Lifeline rules. Personnel will also be trained to answer questions about Lifeline eligibility and the documentation required to establish income-based or program-based eligibility. Prospective Lifeline customers will generally provide documentation of eligibility to ACS personnel by mail, facsimile, electronic mail, or by uploading it through ACS's website. As noted above, ACS may sometimes market to Lifeline customers in person, such as door-to-door marketing in low-income neighborhoods. Where ACS personnel sign up customers in person, documentation of qualification will be reviewed in person. ACS personnel will review prospective and continuing Lifeline customers' documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements prior to providing or continuing Lifeline service to the customer.

ACS personnel will accept the following documentation to establish program eligibility:

- The current or prior year's statement of benefits from a qualifying state, federal or Tribal program;
- A notice letter of participation in a qualifying state, federal, or Tribal program;
- Program participation documents (*e.g.*, the consumer's Supplemental Nutrition Assistance Program ("SNAP") electronic benefit transfer card or Medicaid participation card (or copy thereof)); or
- Another official document evidencing the consumer's participation in a qualifying state, federal, or Tribal program.

To establish income-based eligibility, ACS proposes to check customers' incomes directly with the Internal Revenue Service ("IRS") by requesting that customers fill out IRS Form 4506T (request for transcript of tax return information), which will provide a reliable report of the consumer's income, as reported to the IRS.⁸

In either case, ACS personnel will examine the documentation provided for each Lifeline applicant, and will record the type of documentation used to satisfy the income- or program-based criteria. ACS will not retain a copy of the documentation, but will retain a record of what type of documentation it examined.

Where ACS personnel conclude that the documentation submitted is insufficient to establish Lifeline eligibility, ACS will deny the associated application and inform the applicant of the reason for such rejection. Where personnel cannot ascertain whether documentation of a specific type is sufficient to establish an applicant's eligibility, the matter will be escalated to supervisory personnel.

If ACS has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, ACS will notify the subscriber of impending termination in writing and in compliance with any state dispute resolution procedures applicable to Lifeline termination, providing the subscriber 30 days to demonstrate continued eligibility. In addition, ACS will implement an annual re-certification process, pursuant to Section 54.410(f) of the Commission's rules.⁹ Specifically, ACS will re-certify the eligibility of all of its continuing Lifeline subscribers annually by querying appropriate eligibility databases, where available, and documenting the results of that review, or obtaining a signed certification consistent with section

⁸ For more information about the Form 4506T process, see <http://www.irs.gov/individuals/article/0,,id=110571,00.html>.

⁹ 47 C.F.R. § 54.410(f).

54.410(d). Lifeline subscribers whose continued eligibility cannot be verified will be de-enrolled pursuant to section 54.405(e)(4).

III. ACS WILL COMPLY WITH FORBEARANCE CONDITIONS RELATING TO PUBLIC SAFETY AND 911/E-911 ACCESS

ACS will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. ACS provides access to 911 and E911 services through the services it resells. For wireless services, ACS uses the Sprint network, and therefore ACS customers' wireless 911 calls will be handled in the same manner as this carrier handles its own customers' 911 calls. For wireline services, ACS resells the services of CenturyLink; CenturyLink routes 911 calls from ACS customers in the same manner as 911 calls from its own retail customers.

ACS will ensure that all handsets used in connection with its wireless Lifeline service offering are E911-compliant. ACS wireless phones are received from Sprint, and have undergone a stringent certification process to ensure that the handset models used meet all 911 and E911 requirements. Any customer that qualifies for and enrolls in the Lifeline program will receive a free 911/E911-compliant handset.

ACS relies on the carrier from whom it purchases wholesale service for the ability to remain functional in emergency situations. ACS's contracts with its underlying carrier obligate the carrier to be prepared for emergency situations.

IV. ACS WILL COMPLY WITH MARKETING AND DISCLOSURE REQUIREMENTS

ACS commits to complying with the Commission's marketing and disclosure requirements. ACS application and certification forms will include the following disclosures:

- Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment, or being barred from the program;

- Only one Lifeline service account is available per household;
- A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses;
- A household is not permitted to receive Lifeline benefits from multiple providers;
- Violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the applicant's de-enrollment from the program; and
- Lifeline is a non-transferable benefit and the applicant may not transfer his or her benefit to any other person.

Applications and certification forms will also state that:

- The service is a Lifeline service;
- Lifeline is a government assistance program; and
- Only eligible consumers may enroll in the program.

ACS will notify applicants for its prepaid services that the prepaid service must be personally activated by the subscriber and that the service will be deactivated, and the subscriber de-enrolled, if the subscriber does not use the service for 60 days.

In all of ACS's advertising and marketing materials for its Lifeline services, including all print, audio, video, and web materials (including social networking media) used to describe Lifeline service offerings, ACS will ensure that customers are aware that the service is Lifeline-supported, and that special rules and restrictions apply. In addition, if the rules requiring specific disclosures for other advertising and marketing materials is submitted for and approved under the Paperwork Reduction Act, ACS will provide the required information in all of its advertising and marketing materials related to its Lifeline offerings.

V. ADDITIONAL PROCEDURES AND EFFORTS TO PREVENT WASTE, FRAUD, AND ABUSE

A. Procedures to Prevent Duplicate Lifeline Subsidies

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicate subsidies, ACS will implement measures and procedures to prevent the provision of duplicate Lifeline benefits to the same household. These measures will entail additional emphasis in written disclosures as well as live due diligence. ACS will check the database once available and, in addition, ACS personnel will emphasize the “one Lifeline phone per household” restriction in their direct sales contacts with potential customers. Further, ACS 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 the restriction. All personnel that interact with existing and potential Lifeline customers will undergo training regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan.

More specifically, upon receiving an application for the Lifeline service, ACS will search internal records to ensure it does not already provide Lifeline-supported service to someone at the same residential address. If the applicant lives at an address with multiple households, ACS will require the applicant to complete and submit a written USAC document containing the following:

- An explanation of the Commission’s one per-household rule;
- A check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households;
- A space for the applicant to certify that he or she shares an address with other adults who do not contribute income to the applicant’s household and share in the household’s expenses or benefit from the applicant’s income; and

- The penalty for a consumer’s failure to make the required one-per-household certification enrollment.

If the rules regarding re-verification of temporary addresses are submitted for and approved under the Paperwork Reduction Act, ACS will verify every 90 days that the subscriber continues to reside at that address. Finally, ACS personnel will also inform each Lifeline applicant that the service is Lifeline-supported and help the applicant to determine whether the applicant is already benefiting from Lifeline support through services provided by other carriers.

B. ACS Procedures to De-Enroll Ineligible and Duplicate Subscribers

ACS has established procedures to ensure it de-enrolls subscribers that are ineligible, are receiving more than one Lifeline subsidy per household, or failure to comply with the annual re-certification requirement. In any of these cases, ACS will notify the subscriber of impending termination in writing, separate from any bill, and in compliance with any state dispute resolution procedures applicable to Lifeline termination, providing the subscriber 30 days to demonstrate continued eligibility. Such demonstrations must be consistent with the annual verification procedures set forth in Section 54.410(f) of the Commission’s rules,¹⁰ and include the submission of a certification form (see Exhibit A).

C. Toll Limitation Service

ACS will not provide toll limitation service (“TLS”). ACS Wireless, like most wireless carriers, does not differentiate between domestic long distance toll usage and local usage, as all usage is paid for in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS.¹¹ With respect to ACS’s wireline service offering, ACS does not propose to charge extra for domestic long distance calls.

¹⁰ 47 C.F.R. § 54.410(f).

¹¹ *Lifeline Reform Order* ¶ 230.

D. Non-Usage Policy

For wireless service, ACS will not consider a prepaid subscriber activated, and will not seek Lifeline reimbursement, until the subscriber activates ACS's prepaid service via ACS's website or by calling the ACS call center. In addition, after service activation, ACS will provide a de-enrollment notice to subscribers that have not used their service for 60 days. After 60 days of nonuse, ACS will provide notice to the subscriber that failure to use the Lifeline service within a 30-day notice period will result in de-enrollment. Subscribers can "use" the service by:

- Completing an outbound call;
- Purchasing minutes from ACS to add to the subscriber's plan;
- Answering an incoming call from a party other than ACS; or
- Responding to a direct contact from ACS and confirming that the subscriber wants to continue receiving the service.

If the subscriber does not respond to the notice, the subscriber will be de-enrolled and ACS will not request further Lifeline reimbursement for the subscriber. ACS will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.

ACS's wireline service offering assesses a monthly charge on the subscribers and, consequently, the non-usage policy requirements do not apply.

E. Additional Procedures to Prevent Waste, Fraud, and Abuse

ACS is committed to cooperating with federal and state regulators to prevent waste, fraud, and abuse. Specifically, ACS will:

- Make available state-specific subscriber data, including the names and addresses of Lifeline subscribers, to USAC and to each state public utilities commission where ACS operates for the purpose of determining whether an existing Lifeline subscriber receives Lifeline service from another carrier;
- Assist the Commission, USAC, state commissions, and other ETCs in resolving instances of duplicative enrollment by Lifeline subscribers, including by

providing to USAC and/or any state commission, upon request, the necessary information to detect and resolve duplicative Lifeline claims;

- Promptly investigate any notification that it receives from the Commission, USAC, or a state commission to the effect that one of its customers already receives Lifeline services from another carrier; and
- Immediately de-enroll any subscriber whom ACS has a reasonable basis to believe is receiving Lifeline-supported service from another ETC or is no longer eligible – whether or not such information is provided by the Commission, USAC, or a state commission.

VI. CONCLUSION

ACS submits this Compliance Plan to demonstrate that it has fully satisfied the conditions set forth the *Lifeline Reform Order*, the *Public Notice*, and the Commission's rules. Accordingly, ACS respectfully requests prompt approval of its pending petition and this Compliance plan.

Respectfully submitted,

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By:



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The American Plan Bundle APPLICATION

BY LAW THE LIFELINE PROGRAM IS ONLY AVAILABLE FOR ONE PHONE PERHOUSEHOLD, WHETHER LAND LINE OR WIRELESS. NO EXCEPTIONS

Things to know about the Lifeline Program:

- (1) Lifeline is a federal benefit.
- (2) Lifeline Service is available for only one line per household. A household cannot receive benefits from multiple providers; and
- (3) A household is defined, for purposes of the Lifeline Program, as any individual or group of individuals who live together at the same address and share income and expenses.

Please Read All Instructions Before Completing Date:

Please fill in all information as completely as possible. The information on this application is strictly confidential and will only be used to verify your eligibility for the American Connect Services, LLC Internet American plan Bundle. Once you have completed and signed this form please mail or fax the form and copies of supporting documents as instructed at the bottom Of the second page. Once your form and supporting documentation is received, American Connect Services,LLC will contact you regarding your eligibility and to complete your order if approved, original documents will not be returned.

Telephone Number or existing Account #	First Name	Middle Initial	Last Name
Address/Apartment #	City	State	Zip code
Social Security Number of Applicant		Cell or can be reached phone number	Best time for us to reach you to complete your order
Current email address		Number of People in Household (required when qualifying under income criteria)	

PLEASE CHECK programs in which you currently participate and attach a copy of eligibility documentation:

Federal Public Housing Assistance / Section 8	Additional eligibility criteria may apply to residents of federally recognized tribal lands
Supplemental Nutrition Assistance Program (SNAP)	Supplemental Security Income (SSI)
Medicaid	Temporary Assistance for Needy Families (TANF)
Low Income Home Energy Assistance Program (LIHEAP)	

Under Title 18 U.S.C. §1621, whoever will state as true any material matter which he does not believe to be true in a statement under penalty of perjury, is guilty of perjury and shall, except as otherwise expressly provided by law, be fined or imprisoned not more than five years, or both.

OR:

_____ I certify that my household income is at or below 135% of the Federal Poverty Guidelines. There are _____ persons in my household. Documentation of my income is attached.

I certify under penalty of perjury that:

- All of the the information in my application is true and correct and I acknowledge that providing false or fraudulent documentation in order to receive government assistance is punishable by law.
- I understand that Lifeline assistance is available for only one residential wired phone line per household or one wireless phone per household (i.e. not both).
- I understand that Lifeline assistance is available for only one residential wired phone line per household or one wireless phone per household (i.e. not both). Violation of this limit will result in me being removed from the Lifeline program and potentially other penalties.
- I am head of household and that neither I nor anyone at my residence receives landline Lifeline or wireless Lifeline service from any other company providing Lifeline services including, but not limited to, AT&T Lifeline, Assurance Wireless, or Safe link. I understand that I must cancel any existing Lifeline service or port my number to American Connect Services, LLC prior to obtaining service from American Connect Services, LLC.
- I participate in the government assistance program identified above, or my income is at or below the level identified above, and I will immediately notify American Connect Services, LLC. when I no longer participate in the government assistance program(s) that qualify me for Lifeline or when my income level increases to the point when I no longer qualify for Lifeline. I also will notify American Connect Services, LLC within 30 days if I move or change addresses.
- I acknowledge that I may be required to re-certify my eligibility for Lifeline at any time, and if I fail to do so it will result in de-enrollment and termination of my Lifeline benefits.

- I have not used the address listed herein to qualify for Lifeline and/or Link Up service with American Connect Services, LLC. Nor any other Lifeline provider. I will notify American Connect Services American plan Bundle if I change my address.
- I understand that it is a violation of federal and state law to rent, sell, or give away Lifeline Service and that I certify that I will only use this phone for my household's own use and will not resell it transfer it.

I authorize American Connect Services, LLC. or its duly appointed representative(s) to:

- (1) access any records contained in any governmental or commercial database to verify my statements herein to;
- (2) confirm eligibility and/or continued eligibility for Lifeline assistance;
- (3) to validate, confirm or update my address; and
- (4) authorize social service agency representatives to discuss with and/or provide information to American Connect Services, LLC. Verifying my participation in benefit programs or income levels that qualify me for Lifeline assistance. I understand that I may be required to verify my continued eligibility for Lifeline service at any time. Failure to verify my eligibility will result in termination of service.

Signing below, I acknowledge that the information contained on this form is true and correct the best of my knowledge and belief.

CHECK THAT YOU HAVE READ AND AGREE TO ALL OF THE STATEMENTS ABOVE. Perjury and false statements are punishable by fines and/or imprisonment. By signing below, I certify under penalty of perjury:

APPLICANT'S SIGNATURE _____ DATE _____

Please provide the following:

- 1. Signed and completed American Connect Services, LLC Internet Basics program application and supporting documents for either #2 or #3 below.**
- 2. If you are qualifying under a program, provide a copy of a program identification card or other social service agency documentation showing current participation for each program checked above.**
- 3. If you are qualifying based on the size and income level of your household, provide a copy of one of the following:**
 - Last year's Federal or State Income Tax Return
 - Current Annual Income Statement from Employer
 - Paycheck Stubs for most recent three consecutive months
 - Social Security Statement of Benefits
 - Veteran's Administration Statement of Benefits
 - Retirement or Pension Statement of Benefits
 - Unemployment or Worker's Compensation Statement of Benefits
 - Letter of Participation in General Assistance
 - Divorce Decree or Child Support Documentation

Please also indicate the size and income level of your household by selecting one of the following:

Check Box	Number of people living in home	Household Income: (at or below)
	1	\$14,621.00
	2	\$19,670.00
	3	\$24,719.00
	4	\$29,768.00
	5	\$34,817.00
	6	\$39,866.00
	7	\$44,915.00
	8	\$49,964.00
	No.	\$
*For each additional person, add \$5,049		