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June 21, 2012

**VIA ECFS**

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

Re: NewPhone Wireless, L.L.C. Compliance Plan Meeting; WC Docket Nos. 09-197, 11-42

Dear Ms. Dortch:

On Wednesday, June 20, 2012, Richard Jaubert of NewPhone Wireless, L.L.C. ("NewPhone Wireless"); Alex Rodriguez of CGM, LLC; and John Heitmann and Joshua Guyan of Kelley Drye & Warren, LLP met with Kimberly Scardino, Garnet Hanly and Divya Shenoy of the Wireline Competition Bureau ("Bureau") to discuss NewPhone Wireless's Compliance Plan filed on May 23, 2012 in the above referenced dockets.

At the meeting, NewPhone Wireless provided the Bureau staff with the enclosed presentation introducing the company and its management, the company's Lifeline product offerings and its approach to compliance with the requirements of the *Lifeline Reform Order*.<sup>1</sup> NewPhone Wireless will be submitting a revised Compliance Plan, which, among other things, will include NewPhone Wireless's revised Lifeline service offerings.

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<sup>1</sup> See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23, Report And Order and Further Notice Of Proposed Rulemaking, FCC 12-11 (Feb. 6, 2012).

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This letter and presentation is being filed electronically for inclusion in the public record of the above-referenced proceedings. Please feel free to contact the undersigned with any questions.

Respectfully submitted,



John J. Heitmann  
Joshua T. Guyan

*Counsel to NewPhone Wireless, L.L.C.*

cc: Kim Scardino  
Divya Shenoy  
Garnet Hanly

NewPhone Wireless, L.L.C.  
FCC Compliance Plan Meeting

June 20, 2012

# Agenda

- Introduction of Companies
- Company Lifeline Product Offerings
- Marketing/ Advertising Compliance
- End User Enrollment
- Annual Certification
- Procedures for Addressing Waste, Fraud and Abuse
- Questions



- History
- Currently provides Lifeline service in:
  - Louisiana
- Arkansas ETC designation stayed pending further consideration of the Lifeline Reform Order
- 10 federal jurisdiction states
- Current Retail Offerings
  - [www.newphonewireless.net](http://www.newphonewireless.net)

# NewPhone Wireless and its Lifeline Product Offerings

- NewPhone Wireless is financially and technically capable of providing the supported Lifeline Service
  - Wireline telecom provider since 1998 with an ETC designation in 6 states
  - Razorline affiliate hosted VOIP provider since 2004 for SMBs
  - Owned and operated by Jim Dry, Gene Dry and Richard Jaubert
    - Background on Richard Jaubert

# NewPhone Wireless Lifeline Product Offerings

Plan Description	Monthly Minutes	Monthly Minutes
Price to Lifeline Subscriber	FREE	\$5.00
Number of Free Minutes	150	360 (150 free plus 210)
Rollover	Y	150 free – Y 210 - N
Text Messaging	1 text per airtime minute	1 text per airtime minute

All plans include. . .

- Free handset
- Free calls to 911 emergency services
- Free calls to customer service and for balance inquiries
- Free domestic long distance calling
- Free voicemail, caller ID, call waiting

# NewPhone Wireless Lifeline Product Offerings

- Public Safety and 911/ E911 Access:
  - NewPhone Wireless will ensure that all handsets used in connection with its Lifeline service are E911- compliant
  - NewPhone Wireless will provide its Lifeline customers with access to 911 and E911 services:
    - Through its underlying carrier Sprint
    - At the time of Lifeline service initiation
    - Regardless of activation status and minute availability

# Marketing and Advertising Compliance

- In compliance with the marketing and disclosure requirements, all of NewPhone's marketing materials will include:
  - Disclose company name under which it does business
  - Explain in clear, easily understood language the following:
    - This service is a Lifeline service
    - Only eligible consumers may enroll in the program
    - That documentation is necessary for enrollment
    - The program is limited to one benefit per household, consisting of either wireline or wireless service
    - NewPhone Wireless's Lifeline application form will state that Lifeline is a government benefit program and consumers who willfully make false statements in order to obtain the benefit can be punished by fine or imprisonment or can be barred from the program
    - Lifeline service is non-transferable

# End User Enrollment

- Direct Sales – Electronic: Typically a face-to-face enrollment transaction occurring at an event; all documentation can be viewed in real-time and customer walks away with phone
- Direct Sales – Paper: Face-to-face enrollment in which enroller does not have access to real-time electronic validation; as such, phone must be shipped to end user after Quality Assurance department performs validation
- Internet Sales: Self-driven enrollment by customer who signs self-certification form electronically to complete transaction; proof of identity and program eligibility must be mailed/faxed and received prior to shipment of phone
- Phone Sales: Real-time, but proof of identity, program eligibility and completed self-certification form must be mailed/faxed and received prior to shipment of phone

# End User Enrollment

- Company's Enrollment Process requires confirmation of the following 5 items:
  1. Confirms Applicant's Identity (see government issued picture ID)
  2. Confirm program or income eligibility (see proof or participation or annual household income)
  3. Confirm valid residence address and whether the address is permanent/temporary or multi-household (validates address via Melissa data)
  4. Confirms applicant is not currently receiving a subsidy from another carrier
    - Applicant certifies under penalty of perjury.
    - Specifically mentions other providers in certification
    - Company perform duplicate check into an internal and pooled external database
  5. Confirm applicant receives handset and personally activates the phone prior to seeking reimbursement from the Universal Service Fund
    - Applicant activates the phone by placing a test call

# Annual Recertification

- NewPhone Wireless will recertify the eligibility of all its Lifeline customers as of June 1, 2012, which will be concluded by the end of the year, and the results sent to USAC by January 31, 2013
- NewPhone Wireless will continue to recertify each Lifeline end user annually
- All customers who fail to respond to recertification attempts within 30 days will be given a written notice that they have 30 days to confirm their eligibility or be de-enrolled from the Lifeline program
- Additionally, NewPhone Wireless will follow any state-specific recertification requirements

# Procedures for Addressing Waste, Fraud and Abuse

- NewPhone Wireless will ensure compliance with all policies & procedures surrounding its Lifeline program
  - Marketing/ advertising
  - End user initial enrollment and annual certification
  - Training of employees
    - Initial mandatory training session for all employees and representatives involved in enrollment/recertification
    - Every 50<sup>th</sup> customer is called by customer service to verify the information provided during enrollment
  - Customer non-usage & de-enrollment

# Procedures for Addressing Waste, Fraud and Abuse

- Subscriber Usage:
  - 60 day non-usage policy
- Duplicate Detection:
  - CGM pooled database
  - National database (when operational)

# QUESTIONS?

Thank You