

August 17, 2012

VIA Electronic Filing

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

Re: *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; *Advancing Broadband Availability Through Digital Literacy Training* WC Docket No. 12-32

Dear Ms. Dortch:

In response to questions from FCC staff, i-wireless provides the following additional information with respect to its request for a one-time waiver of the Lifeline re-certification requirement for customers enrolled between January 1, 2012 and May 31, 2012, on which the Bureau is currently seeking public comment.¹

The absolute number of i-wireless customers enrolled between January 1, 2012 and May 31, 2012 (inclusive) is approximately 154,000. The waiver i-wireless seeks would permit it to re-certify these enrollees by their anniversary date, rather than by January 1, 2013.

With respect to obtaining consent from customers to provide the customer's name, address and telephone number to the Universal Service Administrative Company, or its agents, for the purpose of verifying that the subscriber does not receive more than one Lifeline benefit, as set forth in Appendix C of the *Lifeline Reform Order*,² this is not an element of the required certifications or re-certifications under 47 C.F.R. 54.410(d).³ Although Paragraph 220 and Appendix C require an ETC to obtain such consent, that consent is not required as part of

¹ See i-wireless, LLC Petition for Waiver of Section 54.410(f) of the Commission's Rules, WC Docket 11-42 *et al.* (filed July 23, 2012); *Wireline Competition Bureau Seeks Comment on TracFone, Smith Bagley, and i-wireless Petitions for Declaratory Ruling and Waiver of the Commission's Recertification Requirement for Lifeline*, Public Notice, DA 12-1308, WC Docket Nos. 11-42 *et al.* (rel. Aug. 10, 2012).

² 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*, Report and Order and Further Notice of Proposed Rulemaking, Appendix C, 27 FCC Rcd. 6656, 6895, FCC 12-11 (2012) ("*Lifeline Reform Order*").

³ See 47.C.F.R. § 54.410(f)(2)(iii) and (f)(3)(iii), referencing 47 C.F.R. § 54.410(d).

establishing, or re-establishing, eligibility.⁴ However, that consent is incorporated into i-wireless' standard certification and recertification forms so will not be an issue once all customers subject to the waiver request have been recertified by May 31, 2013.

i-wireless is considering various ways in which to obtain the express consent required by Paragraph 220 and Appendix C in the event that a National Database needs to be populated prior to the time that i-wireless has obtained re-certification from a customer that includes the consent to provide the customer's name, address and phone number to USAC. One way it could obtain such interim consent (which would need to last only until the next re-certification), would be for i-wireless to send a text notification to the customer from whom it had not yet received a recertification form. The text would state that i-wireless has important information regarding the customer's account and ask the customer to call customer care. For this specific set of customers, i-wireless would then program its IVR to play a message which notifies them of the need to consent to the submission of information to the National Database and how to opt out. If the customer then chose to opt out, the customer would be sent to a customer care representative who would confirm their desire to opt out, inform them that not consenting will result in loss of the Lifeline benefit and, if the customer continues to wish to opt out, the customer care representative would then remove the customer from the Lifeline service. The IVR would be designed to play the announcement only for the specific customers who will have been identified. The announcement would play once and the customer would not be able to skip the message. This announcement would play regardless of the reason for calling customer care and would stay active until the customer has heard the message. i-wireless would text all customers from whom it did not have a re-certification the first time, and then text non-responders two additional times. By using text, i-wireless would be assured that the message was actually received by the Lifeline subscriber, which would not be the case if email or regular mail were used. It is not necessary for the Commission or Bureau to address this issue now, as it will only be an issue if and when a National Database is ready to be populated.

Please contact me if you have any questions.

Sincerely,



John T. Nakahata
Counsel to i-wireless, LLC

cc: Kim Scardino
Divya Shenoy
Lance Steinhart

⁴ See *Lifeline Reform Order*, ¶220, Appendix C.