



Dora
Department of Regulatory Agencies

Public Utilities Commission

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September 5, 2012

FILED VIA ECFS

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

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

Dear Ms. Dortch:

Staff of the Colorado Public Utilities Commission (COPUC) hereby provides information to update the Federal Communications Commission (FCC or the “Commission”) regarding the Waiver Order released on May 31, 2012¹, which granted relief requested by United States Telecommunications Association (USTelecom) in its Petition filed April 25, 2012

The FCC granted USTelecom’s temporary waiver on behalf of eligible telecommunication carriers (ETCs) in certain states (including Colorado) for relief from sections 54.407(d), 54.410(b)(2)(ii) and 54.410(c)(2)(ii) of the Commission’s rules, which require ETCs to obtain a copy of the subscriber’s certification forms from the state agency responsible for determining initial subscriber’s eligibility before the ETC seeks reimbursement from the Fund.

¹ See Waiver Order, In the Matter of 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; and Advancing Broadband Availability Through Digital Literacy Training, WC Docket No. 12-23 (released May 31, 2012).



The FCC, on their own motion, also provided a waiver from section 54.410(e), which requires state entities to provide such certification forms to the ETCs. The waivers are granted until the sooner of December 1, 2012 or until the states processes have been modified for compliance with these rules.

The Waiver Order also granted a temporary waiver filed by the COPUC from the uniform eligibility requirements in order for state laws to be amended to conform to the Commission's amended rules. Colorado is not required to use the eligibility criteria for the Lifeline program provided for in section 54.409(a) and (b) of the Commission's rules until April 1, 2013.

Staff of the COPUC hereby notifies the FCC that Colorado has updated its process for initial eligibility determinations and the subscriber's certification that complies with the requirements in section 54.410(d) . Specifically, the paper application for Lifeline service available on the Colorado Department of Human Services (CDHS) website has been updated on July 20, 2012. The IVR system (interactive telephone voice response system) available for customers to initially apply for Lifeline service was updated on August 11, 2012 and for recertification on September 3, 2012. In Colorado, the CDHS is responsible for determining individuals' eligibility for both the Lifeline and state LITAP program.

This letter is being filed electronically. Please contact me if you have questions or concerns on this matter.

Respectfully,

/s/ John T Scott
Fixed Utilities - Rate Financial Analyst
Colorado Department of Regulatory Agencies
Public Utilities Commission

cc (via e-mail): Jonathan Lechter
Kimberly Scardino