

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Telecommunications Carriers Eligible to
Receive Universal Service Support

WC Docket No. 09-197

Lifeline and Link Up Reform and Modernization

WC Docket No. 11-42

Data Net Systems, Inc.

**DATA NET SYSTEMS, INC.
WIRELINE SERVICE COMPLIANCE PLAN**

Data Net Systems, Inc. d/b/a Trucomm (“DNS” or the “Company”), through its undersigned counsel, hereby respectfully submits and requests expeditious approval of its Compliance Plan outlining the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order* for its wireline service.¹

The Company commends the Commission’s commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline customers. DNS will comply with 911 requirements as described below and is submitting this Compliance Plan in order to qualify for blanket forbearance from the facilities

¹ 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) (“*Lifeline Reform Order*”). The Company herein submits the information required by the Compliance Plan Public Notice. See *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, WC Docket Nos. 09-197, 11-42, Public Notice, DA 12-314 (rel. Feb. 29, 2012).

requirement of section 214(e)(1)(A) of the Communications Act and participate as an eligible telecommunications carrier (“ETC”) in the Lifeline program.

DNS will comply fully with all conditions set forth in the *Lifeline Reform Order*, as well as with the Commission’s Lifeline rules and policies more generally. This Compliance Plan describes the specific measures that the Company intends to implement to achieve these objectives. Specifically, this Compliance Plan: (1) describes the specific measures that the DNS will take to implement the obligations contained in the *Lifeline Reform Order*, including the procedures the Company follows in enrolling a subscriber in Lifeline and submitting for reimbursement for that subscriber from the Low-Income Fund, materials related to initial and ongoing certifications and sample marketing materials; and (2) provides a detailed description of how DNS offers Lifeline services, the geographic areas in which it offers services, and a detailed description of the Company’s Lifeline service plan offerings.

ACCESS TO 911 AND E911 SERVICES²

Pursuant to the *Lifeline Reform Order*, forbearance is conditioned upon the Company: (1) providing its Lifeline subscribers with 911 and E911 access, regardless of activation status and availability of minutes; and (2) providing its Lifeline subscribers with E911-compliant handsets and replacing, at no additional charge to the subscriber, noncompliant handsets of Lifeline-eligible subscribers who obtain Lifeline-supported services.³ The Company complies with the Commission’s 911 and E911 requirements for its wireline services, however, the handset requirement is not applicable to DNS’s wireline services.

The Company will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission and consumers are hereby assured that

² See Compliance Plan Public Notice at 3.

³ See *Lifeline Reform Order*, ¶ 373.

all Company customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available using the Company's services at all times until service is disconnected.

DNS's existing practices currently provide access to 911 and E911 services for all customers. The Company uses AT&T, as its underlying network provider/carrier. AT&T routes 911 calls from the Company's customers in the same manner as 911 calls from their own retail customers.

E911-Compliant Handsets. As discussed above, this requirement does not apply to DNS's wireline services.

COMPLIANCE PLAN

I. PROCEDURES TO ENROLL A SUBSCRIBER IN LIFELINE⁴

A. Policy

DNS complies with the uniform eligibility criteria established in new section 54.409 of the Commission's rules, as well as any additional certification and verification requirements for Lifeline eligibility where the Company is designated as an ETC.

Therefore, all subscribers are required to demonstrate eligibility based at least 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 new sections 54.409(a)(2) or 54.409(a)(3) of the Commission's rules. In addition, through the certification requirements described below, the Company confirms that the subscriber is not already receiving a Lifeline service and no one else in the subscriber's household is subscribed to a Lifeline service.

⁴ See Compliance Plan Public Notice at 3.

B. Eligibility Determination

Customers can enroll in DNS's wireline Lifeline service in-person, or by calling the Company's customer service center. DNS requires all prospective customers to show a valid government-issued photo identification and the address is checked against the E911 database to clear service from DNS's underlying providers. Each prospective customer is checked against DNS's internal database in real-time to ensure that the customer does not already receive a Lifeline benefit from the Company before the customer is enrolled. Customers that enroll in a manner other than in-person are sent an application/certification form to complete, sign and return by electronic mail, fax, or U.S. mail along with a copy of the prospective customer's proof of eligibility.

As discussed in further detail in Section I.F. below, all employees or agents ("Company personnel") that conduct such in-person enrollments are trained regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan, including the one-per-household requirement, and told to inform potential customers of those requirements. New Company personnel undergo an initial mandatory training session where they are given training materials, as well as shown visual examples of documents acceptable to demonstrate eligibility for the Lifeline program.

If DNS cannot determine a prospective subscriber's eligibility for Lifeline by accessing income databases or program eligibility databases, Company personnel will review documentation establishing eligibility pursuant to the Lifeline rules.⁵ All personnel who interact with current or prospective customers will be trained to assist Lifeline applicants in determining whether they are eligible to participate based on the federal and state-specific income-based

⁵ See *Lifeline Reform Order*, ¶ 100; section 54.410(b)(1)(i)(B), 54.410(c)(1)(i)(B).

and/or program-based criteria. These personnel will be trained to answer questions about Lifeline eligibility, and will review required documentation to determine whether it satisfies the *Lifeline Reform Order* and state-specific eligibility requirements using state-specific checklists.

Proof of Eligibility. Company personnel will be trained on acceptable documentation required to establish income-based and program-based eligibility.⁶ Acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice letter of participation in a qualifying state, federal or Tribal program; (3) 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 (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.⁷

Acceptable documentation of income eligibility includes the prior year's state, federal, or Tribal tax return; current income statement from an employer or paycheck stub; a Social Security statement of benefits; a Veterans Administration statement of benefits; a retirement/pension statement of benefits; an Unemployment/Workmen's Compensation statement of benefits; federal or Tribal notice letter of participation in General Assistance; or a divorce decree, child support award, or other official document containing income information for at least three months time.⁸

Company personnel will examine this documentation for each Lifeline applicant, and will record the type of documentation used to satisfy the income- or program-based criteria by

⁶ See *Lifeline Reform Order*, ¶ 101. See also USAC Guidance available at <http://www.usac.org/li/telecom-carriers/step06/default.aspx>.

⁷ *Id.* and section 54.410(c)(1)(i)(B).

⁸ See *Lifeline Reform Order*, ¶101; section 54.410.(b)(1)(i)(B).

checking the appropriate box on the application form.⁹ In addition, Company personnel will fill in, where available, the last four digits of an account or other identifying number on the proof document, the date of the proof document and the expiration of the proof document. The Company will not retain a copy of this documentation, except where state rules require such retention.¹⁰ Where the Company personnel conclude that proffered documentation is insufficient to establish such eligibility, DNS will deny the associated application and inform the applicant of the reason for such rejection. In the event that Company 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.

De-Enrollment for Ineligibility. If DNS has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, the Company will notify the subscriber of impending termination in writing and in compliance with any state dispute resolution procedures applicable to Lifeline termination, and give the subscriber 30 days to demonstrate continued eligibility.¹¹ A demonstration of eligibility must comply with the annual verification procedures below and found in new rule section 54.410(f), including the submission of a certification form. If a customer contacts the Company and states that he or she is not eligible for Lifeline or wishes to de-enroll for any reason, the Company will de-enroll the customer within five business days. Customers can make this request by calling the Company's customer service number and will not be required to submit any documents.

⁹ See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(iii), 54.410(c)(1)(iii).

¹⁰ See *Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(ii), 54.410(c)(1)(ii).

¹¹ See *Lifeline Reform Order*, ¶ 143; section 54.405(e)(1).

C. Subscriber Certifications for Enrollment

DNS will implement certification policies and procedures that enable consumers to demonstrate their eligibility for Lifeline assistance to Company personnel as detailed in the *Lifeline Reform Order*, together with any additional state certification requirements.¹² The Company shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that these procedures will prevent the Company's customers from engaging in such abuse of the program, inadvertently or intentionally. Every applicant will be required to complete an application/certification form containing disclosures, and collecting certain information and certifications as discussed below.¹³ Applicants that seek to enroll based on income eligibility will be referred to a worksheet showing the Federal Poverty Guidelines by household size.¹⁴ Applicants that do not complete the form in person will be required to return the signed application/certification to the Company by mail, facsimile, electronic mail or other electronic transmission. In addition, Company personnel will verbally explain the certifications to consumers when they are enrolling in person or over the phone.¹⁵

Disclosures. The Company's application and certification forms will include the following disclosures: (1) 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; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at

¹² *Lifeline Reform Order*, ¶ 61; section 54.410(a).

¹³ See Model Application/Certification Form, included as Exhibit A. See Compliance Plan Public Notice at 3.

¹⁴ See Income Qualification Worksheet, included in Exhibit A.

¹⁵ See *Lifeline Reform Order*, ¶ 123.

the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) 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 (6) Lifeline is a non-transferable benefit and the applicant may not transfer his or her benefit to any other person.¹⁶

Applications and certification forms will also state that: (1) the service is a Lifeline service, (2) Lifeline is a government assistance program, and (3) only eligible consumers may enroll in the program.¹⁷

Information Collection. The Company also will collect the following information from the applicant in the application/certification form: (1) the applicant's full name; (2) the applicant's full residential address (P.O. Box is not sufficient¹⁸); (3) whether the applicant's residential address is permanent or temporary; (4) the applicant's billing address, if different from the applicant's residential address; (5) the applicant's date of birth; (6) the last four digits of the applicant's Social Security number (or the applicant's Tribal identification number, if the subscriber is a member of a Tribal nation and does not have a Social Security number); (7) if the applicant is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the applicant, his or her dependents, or his or her household receives benefits; and (8) if the applicant is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.¹⁹

Applicant Certification. Consistent with new rule section 54.410(d)(3), the Company will require the applicant to certify, under penalty of perjury, in writing or by electronic signature or

¹⁶ See *id.*, ¶ 121; section 54.410(d)(1).

¹⁷ See section 54.405(c).

¹⁸ ²¹ See *Lifeline Reform Order*, ¶ 87.

¹⁹ See section 54.410(d)(2).

interactive voice response recording,²⁰ the following: (1) the applicant meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the applicant will notify the Company within 30 days if for any reason he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the applicant is receiving more than one Lifeline benefit, or another member of the applicant's household is receiving a Lifeline benefit; (3) if the applicant is seeking to qualify for Lifeline as an eligible resident of Tribal lands, he or she lives on Tribal lands; (4) if the applicant moves to a new address, he or she will provide that new address to the Company within 30 days; (5) if the applicant provided a temporary residential address to the Company, the applicant will be required to verify his or her temporary residential address every 90 days; (6) the applicant's household will receive only one Lifeline service and, to the best of the applicant's knowledge, the applicant's household is not already receiving a Lifeline service; (7) the information contained in the applicant's certification form is true and correct to the best of the applicant's knowledge; (8) the applicant acknowledges that providing false or fraudulent information to receive Lifeline benefits is punishable by law; and (9) the applicant acknowledges that the applicant may be required to re-certify his or her continued eligibility for Lifeline at any time, and the applicant's failure to re-certify as to the applicant's continued eligibility will result in de-enrollment and the termination of the applicant's Lifeline benefits pursuant to the de-enrollment policy included below and in the Commission's rules.

In addition, the applicant will be required to authorize DNS to access any records required to verify the applicant's statements on the application/certification form and to confirm

²⁰ See *Lifeline Reform Order*. ¶¶ 168-69; section 54.419.

the applicant's eligibility for the Company Lifeline credit.²¹ The applicant must also authorize the Company to release any records required for the administration of the Company Lifeline credit program, including to USAC to be used in a Lifeline program database.²²

D. Annual Verification Procedures

DNS will annually re-certify all subscribers by querying the appropriate eligibility databases or obtaining a signed certification from each subscriber consistent with the certification requirements above and new section 54.410(d) of the Commission's rules. This certification will include a confirmation that the applicant's household will receive only one Lifeline service and, to the best of the subscriber's knowledge, the subscriber's household is receiving no more than one Lifeline service.²³ Further, the verification materials will inform the subscriber that he or she is being contacted to re-certify his or her continuing eligibility for Lifeline and if the subscriber fails to respond, he or she will be de-enrolled in the program.²⁴

2012 Verification. DNS will re-certify the eligibility of each of its existing subscribers as of June 1, 2012 on a rolling basis by the end of 2012 and report the results to USAC by January 31, 2013.²⁵ The Company will contact its subscribers via their Lifeline supported telephone, or by mail, email or other Internet communication. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact the Company.

²¹ *See id.*

²² *See* Section 54.404(b)(9). The application/certification form will also describe the information that will be transmitted, that the information is being transmitted to USAC to ensure the proper administration of the Lifeline program and that failure to provide consent will result in the applicant being denied the Lifeline service. *See id.*

²³ *See Lifeline Reform Order*, ¶ 120.

²⁴ *See Lifeline Reform Order*, ¶ 145.

²⁵ *See id.*, ¶ 130.

Verification De-Enrollment. DNS will de-enroll subscribers that do not respond to the annual verification or fail to provide the required certification.²⁶ The Company will give subscribers 30 days to respond to the annual verification inquiry. If the subscriber does not respond, the Company will send a separate written notice explaining that failure to respond within 30 days will result in the subscriber's de-enrollment from the Lifeline program. If the subscriber does not respond within 30 days, the Company will de-enroll the subscriber within five business days.

E. Activation and Non-Usage

Although DNS's wireline service offerings are prepaid, the Company does assess and collect a monthly fee from each wireline subscriber. Each customer is required to prepay for the Lifeline service offering chosen each month or the service is disconnected. Therefore, DNS's wireline customers have a regular billing relationship with the Company and the activation and non-usage requirements do not apply.²⁷

F. Additional Measures to Prevent Waste, Fraud and Abuse

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicates, DNS will implement measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. These measures entail additional emphasis in written disclosures as well as live due diligence.

In addition to checking the database when it becomes available, Company personnel emphasize the "one Lifeline phone per household" restriction in their direct sales contacts with potential customers. Training materials include a discussion of the limitation to one Lifeline

²⁶ See *Lifeline Reform Order*, ¶ 142; section 54.54.405(e)(4).

²⁷ See *Lifeline Reform Order*, ¶¶ 257, 263; section 54.407(c).

phone per household, and the need to ensure that the customer is informed of this restriction. All customer-facing employees and agents must demonstrate understanding of the Commission’s and DNS’s rules and policies by completing the Company’s Lifeline training. The training will be updated as needed, and will be revised no less frequently than every 90 days.²⁸

Database. When the National Lifeline Accountability Database (“National Database”) becomes available, the Company will comply with the requirements of new rule section 54.404. The Company will query the National Database to determine whether a prospective subscriber is currently receiving a Lifeline service from another ETC and whether anyone else living at the prospective subscriber’s residential address is currently receiving Lifeline service.²⁹

One-Per-Household. DNS will implement the requirements of the *Lifeline Reform Order* to ensure that it provides only one Lifeline benefit per household³⁰ through the use of its application and certification forms discussed above, internal database checks and its marketing materials discussed below. Upon receiving an application for the Company’s Lifeline service, the Company will search its own internal records to ensure that it does not already provide Lifeline-supported service to someone at the same residential address.³¹ If so, and the applicant lives at an address with multiple households, the Company will require the applicant to complete and

²⁸ See Exhibit B, Supplemental Lifeline Training

²⁹ See *Lifeline Reform Order*, ¶ 203. Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. See *id.*, ¶¶ 189-195; section 54.404(b)(6). Further, Company will update each subscriber’s information in the National Database within ten business days of any change, except for de-enrollment, which will be transmitted within one business day. See section 54.404(b)(8),(10).

³⁰ A “household” is any individual or group of individuals who are living together at the same address as one economic unit. A household may include related and unrelated persons. An “economic unit” consists of all adult individuals contributing to and sharing in the income and expenses of a household. An adult is any person eighteen years or older. If an adult has no or minimal income, and lives with someone who provides financial support to him/her, both people shall be considered part of the same household. Children under the age of eighteen living with their parents or guardians are considered to be part of the same household as their parents or guardians. See *Lifeline Reform Order*, ¶ 74; section 54.400(h).

³¹ See *Lifeline Reform Order*, ¶ 78.

submit a written USAC document containing the following: (1) an explanation of the Commission's one-per-household rule; (2) a check box that an applicant can mark to indicate that he or she lives at an address occupied by multiple households; (3) 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, pursuant to the Commission's definition; and (4) the penalty for a consumer's failure to make the required one-per-household certification (*i.e.*, de-enrollment).³² Further, if a subscriber provides a temporary address on his or her application/certification form collected as described above, DNS will verify with the subscriber every 90 days that the subscriber continues to rely on that address.³³

In addition, Company personnel will inform each Lifeline applicant that he or she may be receiving Lifeline support under another name, and facilitate the applicant's understanding of what constitutes "Lifeline-supported services," and ability to determine whether he or she is already benefiting from Lifeline support, by informing the consumer that not all Lifeline services are currently marketed under the name Lifeline. DNS will also ask each customer whether they are receiving Lifeline service from one of the other major Lifeline providers in the state (e.g., SafeLink, Assurance).

Marketing Materials. Within the deadline provided in the *Lifeline Reform Order*, the Company will include the following information regarding its Lifeline service on all marketing materials describing the service: (1) it is a Lifeline service, (2) Lifeline is a government assistance program, (3) the service is non-transferable, (4) only eligible consumers may enroll in the program, (5) the program is limited to one discount per household; (6) that documentation is

³² *Id.* The USAC worksheet is available at <http://www.usac.org/li/tools/news/default.aspx#582>.

³³ See *Lifeline Reform Order*, ¶ 89.

necessary for enrollment; (7) DNS's name (the ETC); and (8) the Company's application/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit can be punished by fine or imprisonment or can be barred from the program.³⁴ These statements will be included in all print, audio video, Internet (including e-mail, and web materials used to describe or enroll customers in the Company's Lifeline service offering, as well as the Company's application forms and certification forms.³⁵ A sample of the Company's marketing materials is included as Exhibit C.

G. Company Reimbursements From the Fund

To ensure that the DNS does not seek reimbursement from the Fund without a subscriber's consent, the Company will certify, as part of each reimbursement request, that it is in compliance with all of the Commission's Lifeline rules and, to the extent required, has obtained valid certification and verification forms from each of the subscribers for whom it is seeking reimbursement.³⁶ Further, the Company will transition the submission of its FCC Forms 497 to the eighth day of each month in order to be reimbursed the same month, and inform USAC, to the extent it deems necessary, to transition its reimbursement process to actual claims rather than projected claims over the course of more than one month.³⁷ In addition, the Company will keep accurate records as directed by USAC³⁸ and as required by new section 54.417 of the Commission's rules.

³⁴ See *id.*, ¶ 275; section 54.405(c).

³⁵ *Id.*

³⁶ See *Lifeline Reform Order*, ¶ 128; section 54.407(d).

³⁷ See *Lifeline Reform Order*, ¶¶ 302-306.

³⁸ See section 54.407(e).

H. Annual Company Certifications

The Company will submit an annual certification to USAC, signed by a DNS officer under penalty of perjury, that the Company: (1) has policies and procedures in place to review consumers' documentation of income- and program-based eligibility and ensure that its Lifeline subscribers are eligible to receive Lifeline services;³⁹ (2) is in compliance with all federal Lifeline certification procedures;⁴⁰ and (3) has obtained a valid certification form for each subscriber for whom the carrier seeks Lifeline reimbursement.⁴¹

In addition, the Company will provide the results of its annual re-certifications/verifications on an annual basis to the Commission, USAC, the applicable state commission and the relevant Tribal governments (for subscribers residing on Tribal lands).⁴²

The Company will also annually report to the Commission, USAC, and relevant state commissions and the relevant authority in a U.S. territory or Tribal government as appropriate,⁴³ the company name, names of the company's holding company, operating companies and affiliates, and any branding (such as a "dba" or brand designation) as well as relevant universal service identifiers for each entity by Study Area Code.⁴⁴ The Company will report annually information regarding the terms and conditions of its Lifeline plans for voice telephony service offered specifically for low-income consumers during the previous year, including the number of minutes provided and whether there are additional charges to the consumer for service, including minutes of use and/or toll calls.⁴⁵ Finally, DNS will annually provide detailed information

³⁹ See *Lifeline Reform Order*, ¶ 126; section 54.416(a)(1).

⁴⁰ See *Lifeline Reform Order*, ¶ 127; section 54.416(a)(2).

⁴¹ See section 54.416(a)(3).

⁴² See *Lifeline Reform Order*, ¶¶ 132,148; section 54.416(b).

⁴³ See section 54.422(c).

⁴⁴ See *Lifeline Reform Order*, ¶¶ 296, 390; section 54.422(a).

⁴⁵ See *Lifeline Reform Order*, ¶ 390; section 54.422(b)(5).

regarding service outages in the previous year, the number of complaints received and certification of compliance with applicable service quality standards and consumer protection rules, as well as a certification that the Company is able to function in emergency situations.⁴⁶

I. Cooperation with State and Federal Regulators

DNS has cooperated and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse. More specifically, the Company will:

- Make available, upon request, state-specific subscriber data, including the names and addresses of Lifeline subscribers, to USAC and to each state public utilities commission where the Company 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 the Company has a reasonable basis to believe⁴⁷ 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.

II. Description of Lifeline Service Offerings⁴⁸

DNS will offer its prepaid wireline Lifeline service in the study areas in the where it is designated as an ETC⁴⁹ and throughout the coverage area of its underlying provider. DNS resells AT&T service in Illinois and offers a residential service package that is comparable to calling plans offered by Illinois Bell. DNS monthly fees are billed in advance and usage is billed in

⁴⁶ See *Lifeline Reform Order*, ¶ 389; section 54.422(b)(1)-(4).

⁴⁷ See section 54.405(e)(1).

⁴⁸ See Compliance Plan Public Notice at 3.

⁴⁹ DNS is currently designated as a wireline ETC in Illinois.

arrears. DNS offers a Lifeline-discounted Residential Basic Package “Trucomm Saver Plus”⁵⁰ to eligible Lifeline customers in Illinois Service Areas: Band A for \$9.25/month; Band B for \$14.25/month; and Band C for \$18.25/month.

III. Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation⁵¹

Financial and Technical Capabilities. Revised Commission rule 54.202(a)(4), 47 C.F.R. 54.202(a)(4), requires carriers petitioning for ETC designation to demonstrate financial and technical capability to comply with the Commission’s Lifeline service requirements.⁵² The Compliance Plan Public Notice requires that carriers’ compliance plan include this demonstration. Among the factors the Commission will consider are: a carrier’s prior offering of service to non-Lifeline subscribers, the length of time the carrier has been in business, whether the carrier relies exclusively on Lifeline reimbursement to operate; whether the carrier receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding in any state.

DNS was designated as an eligible telecommunications provider for Lifeline by the Illinois Commerce Commission on September 13, 2006⁵³, and has been offering Lifeline wireline service since that date. DNS was authorized by the Illinois Commerce Commission to provide local exchange and interexchange services on October 27, 1997.⁵⁴ The Company generates substantial revenues from non-Lifeline services. DNS has not relied, and will not be relying exclusively on Lifeline reimbursement for the Company’s operating revenues. The

⁵⁰ The Trucomm Saver Plus Plan includes a local line and local usage. Local toll usage (in Bands B and C) is billed at an additional \$0.035/minute. Interstate usage is billed at an additional \$ 0.035 (in Bands A, B, and C),

⁵¹ See Compliance Plan Public Notice at 3.

⁵² See *Lifeline Reform Order*, ¶¶ 387-388 (revising Commission rule 54.202(a)(4)).

⁵³ See Illinois Commerce Commission Docket No. 06-0410.

⁵⁴ See Illinois Commerce Commission Docket No. 96-0515.

Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state.

Service Requirements Applicable to the Company's Support. The Compliance Plan Public Notice requires carriers to include "certifications required under newly amended section 54.202 of the Commission's rules."⁵⁵ DNS certifies that it will comply with the service requirements applicable to the support the Company receives.⁵⁶ The Company provides all of the telecommunications service supported by the Lifeline program and will make the services available throughout the state in which it is designated as an ETC. The Company's services include voice telephony services that provide voice grade access to the public switched network or its functional equivalent. Further, the Company's service offerings provide its customers with unlimited minutes of use for local service at no charge to the customer. The Company's current Lifeline offerings include packages in Section II *supra* that can be used for local service.

The Company also will provide access to emergency services provided by local government or public safety officials, including 911 and E911 where available and will comply with any Commission requirements regarding E911 compliance. As discussed above, the Company will comply with the Commission's applicable forbearance grant conditions relating to the provision of 911 and E911 services.

Finally, DNS provides toll limitation service ("TLS") to its Lifeline customers at no cost, which allows low-income consumers to avoid unexpected toll charges.⁵⁷ The Company's Basic Lifeline offerings include unlimited local calling, but no long distance.

⁵⁵ Compliance Plan Public Notice at 3.

⁵⁶ 47 C.F.R. § 54.202(a)(1).

⁵⁷ See *Lifeline Reform Order*, ¶ 230.

IV. Conclusion

DNS submits that its Compliance Plan fully satisfies the conditions set forth in the Commission's *Lifeline Reform Order*, the Compliance Plan Public Notice and the Lifeline rules. Accordingly, the Company respectfully requests that the Commission expeditiously approve its Compliance Plan.

Respectfully submitted,



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October 23, 2012

EXHIBIT A

Application / Certification Form

LIFELINE CERTIFICATION FORM

Please mail or fax the application to: Data Net Systems
12 S. Riverside Ave, Flr. 3, St. Charles, IL 60174
Phone: 877-878-2455 Fax: 630-587-0303



First Name: _____	Social Security # (last 4 digits): _____
Middle Name: _____	Alt. Contact #: _____
Last Name: _____	Email Address: _____
Date of Birth: _____	

BY SIGNING BELOW, I CERTIFY UNDER PENALTY OF PERJURY (ADDITIONALLY, PLEASE INITIAL EACH OF THE STATEMENTS BELOW).

1. ___ The information contained within this application is true and correct. I acknowledge that providing false or fraudulent documentation in order to receive assistance is punishable by fines, imprisonment, de-enrollment or being barred from the program.
2. ___ I understand that Lifeline is a federal benefit and is only available for one phone line per household, whether landline or wireless. For purposes of the Lifeline program, a household is any individual or group of individuals who live together at the same address and share income and expenses. Violation of the one-per-household requirement is a violation of FCC rules, will result in de-enrollment from the Lifeline program and potentially prosecution by the federal government.
3. ___ I understand that households are not permitted to receive Lifeline benefits from multiple providers. I certify that to the best of my knowledge, I, and any members of my household, will only receive Lifeline from Data Net Systems.
4. ___ I understand that I must notify Data Net Systems within 30 days if I cease to participate in a qualifying federal program or my annual household income exceed this threshold.
5. ___ I understand that I must cancel any Lifeline service or port my number to Data Net Systems prior to establishing my service with Data Net Systems.
6. ___ I understand that Lifeline is a non-transferrable benefit and certify that I will only use this phone for my household's own use and will not resell or transfer it.
7. ___ I will notify Data Net Systems within 30 days if I, or any member of my household, no longer qualify for Lifeline, I or any members of my household move, or if I, or any member of my household, are receiving more than one Lifeline-supported service.
8. ___ I understand that I may be required to re-certify my continued eligibility at any time, and at least annually, and failure to do so will result in the termination of my Lifeline benefits.
9. ___ I certify that I meet the income-based or program-based eligibility criteria for receiving Lifeline services as described by FCC rules.
10. ___ I understand that my name, telephone number, and address will be divulged to the Universal Service Administrative Company (USAC) (the administrator of the program) and/or its agents for the purpose of verifying that I, or my household, do not receive more than one Lifeline benefit. I consent to inclusion of this information in the support database.
11. ___ I understand that if I have listed a temporary residential address, I will be required to verify my temporary residential address every 90 days.

Perjury and false statements are punishable by fines and/or imprisonment.

Signature: _____ Date: _____

LIFELINE CERTIFICATION FORM

Please mail or fax the application to:
12 S. Riverside Ave, Flr. 3, St. Charles, IL 60174
Phone: 877-878-2455 Fax: 630-587-0303



First Name: _____	Social Security # (last 4 digits): _____
Middle Name: _____	Home Phone #: _____
Last Name: _____	Alt. Contact #: _____
Date of Birth: _____	Email Address: _____

RESIDENTIAL ADDRESS (No PO boxes, must be your principal address)

This address is: Permanent Temporary Multi-Household

Street Address: _____

Name of Apt Complex/Multi Resident Facility: _____

Apt. No.: _____ Multi Resident Facility Room/Bed No: _____

City: _____ State: _____ Zip Code: _____

BILLING ADDRESS

Same as Residential Address

Street Address: _____

Name of Apt Complex/Multi Resident Facility: _____

Apt. No.: _____ Multi Resident Facility Room/Bed No: _____

City: _____ State: _____ Zip Code: _____

ELIGIBILITY

PLEASE CHECK ALL THAT APPLY AND PRESENT BUDGET EMPLOYEE WITH PROOF OF PROGRAM QUALIFICATION:

- | | | |
|---|--|--|
| <input type="checkbox"/> Food Stamps (SNAP) | <input type="checkbox"/> Federal Housing Assistance (Section 8) | <input type="checkbox"/> Low Income Energy Assistance Program |
| <input type="checkbox"/> Supplemental Security Income (SSI) | <input type="checkbox"/> National School Lunch (Free Program Only) | <input type="checkbox"/> Food Distribution Program on Indian Reservations (FDPIR) |
| <input type="checkbox"/> Medicaid | <input type="checkbox"/> Temporary Assistance for Needy Families | <input type="checkbox"/> Bureau of Indian Affairs General Assistance (BIA) |
| | | <input type="checkbox"/> Tribally-Administered Temporary Assistance for Needy Families (TTANF) |

LIFELINE CERTIFICATION FORM

Please mail or fax the application to:

12 S. Riverside Ave, Flr. 3, St. Charles, IL 60174

Phone: 877-878-2455 Fax: 630-587-0303



INCOME QUALIFICATION

Persons whose household income is at or below 135% of national poverty level qualify for Lifeline credit.

Calculate TOTAL household income by reporting the income of all adult persons residing in your home in the appropriate category:

How many people are in your Household? _____

(1) \$15,080 (2) \$20,426 (3) \$25,772 (4) \$31,118 (5) \$36,464 Add \$5,346 for each additional person.

TO QUALIFY BASED ON YOUR INCOME, YOU MUST PROVIDE COPIES OF ONE OR MORE OF THE DOCUMENTS LISTED BELOW. IF YOU PROVIDE DOCUMENTATION THAT DOES NOT COVER A FULL YEAR (SUCH AS CURRENT PAY STUBS), YOU MUST SUBMIT THREE CONSECUTIVE MONTHS OF THE SAME TYPE OF DOCUMENT WITHING THE PREVIOUS 12 MONTHS.

- Current income statement from employer or paycheck stub
- Unemployment/Workers Compensation benefits statement
- Retirement/Pension benefit statement
- Prior year's state, federal or tribal tax return
- Social Security benefits statement
- Divorce decree or child support document
- Veterans Administration benefits statement

I authorize Data Net Systems to contact my Case Worker to Verify Eligibility:

Name of Case Worker: _____

Phone Number: _____

Eligibility verified by (initial all that apply):

Penalty of Perjury

Under Title 18 U.S.C S1621, 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.

* BY LAW THE LIFELINE PROGRAM IS ONLY AVAILABLE FOR ONCE PHONE PER HOUSEHOLD, WHETHER LANDLINE OR WIRELESS.

Signature _____ Date _____

EXHIBIT B

Supplemental Lifeline Training



Supplemental Lifeline Training

September 10, 2012

Use the following guidelines when assisting end users who are inquiring about Lifeline support:

CONFIRM THAT THE PERSON YOU'RE TALKING TO IS THE HEAD OF HOUSEHOLD AND THEY ARE CURRENTLY NOT RECEIVING A LIFELINE SUBSIDIZED SERVICE.

- (1) Ask if end user currently has wireless or home phone service.
- (2) If yes, ask whether their wireless or home service is subsidized.
- (3) If subsidized, inform the user that *by law, the Lifeline program is only available for one phone per household. As such we cannot provide the user with a second Lifeline phone.* The user can only choose to switch their existing service to Data Net Systems from their current provider.
- (4) If the individual does not currently have Lifeline service, proceed with the application process.

UTILIZE THE DATA NET SYSTEMS DATABASE TO VERIFY THAT THE INDIVIDUAL IS NOT CURRENTLY REGISTERED AS A LIFELINE CUSTOMER (VERIFY THE NAME, DATE OF BIRTH AND LAST FOUR DIGITS OF THE SOCIAL SECURITY NUMBER).

- (1) If you discover that there is an active Lifeline account for that end user, explain that *by law, the Lifeline program is only available for one phone per household.*
- (2) If there is no active account listed proceed with the application.

VERIFY THAT THE USER'S ADDRESS IS NOT REGISTERED IN THE DATA NET SYSTEM'S SYSTEM AS A LIFELINE RECIPIENT. USE THE STATE/USAC DATABASE ONCE WHEN AVAILABLE TO VERIFY THE SAME INFORMATION.

- (1) If there is an active Lifeline account for that address, explain *that by law, the Lifeline program is only available for one phone per household*. A household is defined as any individual or group of individuals who live together at the same address and share income and expenses.
- (2) If customer states address is multifamily or group housing, use USAC form (when available) to determine whether the user qualifies for Lifeline as multiple household.
- (3) If there is no active account for the address listed proceed with the application.

COMPLETE THE APPLICATION

- (1) User must complete the entire application.
- (2) Confirm the residential address is also the billing address. If not, both addresses must be supplied.
- (3) If address is not permanent, explain that we must verify address every 90 days. If customer does not respond, Lifeline service will be deactivated.
- (4) Explain service plan options.
- (5) Customer must complete either program eligibility or income eligibility section.
- (6) Review all documentation carefully and note what documents have been submitted and reviewed in the Data Net Systems database.
- (7) Confirm that the user has read and initialed all 11 statements on the Lifeline Certification form.

EXHIBIT C

Marketing Materials



AFFORDABLE LOCAL PHONE SERVICE

STARTING AT... **\$9.25** PER MONTH



Local Line Included



Unlimited Local Usage



Band C & Interstate Usage
Billed at \$0.035/min

Ⓢ The offering is a Lifeline supported service. Lifeline is a government assistance program. Only eligible consumers may enroll in the program. Documentation is necessary for enrollment and the program is linked to one benefit per household, consisting of either wireline or wireless service.

Call us today at:

+1 (877) 878-2455

Or visit us at:

www.trucomm.net

