



WILTSHIRE  
& GRANNIS LLP

December 3, 2012

Ex Parte Notice – Via ECFS

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

Re: *Lifeline and Link-Up*, WC Docket No. 03-109; *Lifeline and Link Up Reform and Modernization*, WC Docket 11-42; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45

Dear Ms. Dortch:

On Friday, November 30, 2012, the undersigned counsel, representing General Communication, Inc. (“GCI”), spoke via telephone with Kimberly Scardino and Divya Shenoy (both from the Wireline Competition Bureau) regarding GCI’s pending petition for a waiver of Section 54.410(f) (the “Petition”).<sup>1</sup> Our conversation addressed additional information that the Commission will require in order to act on the Petition, as well as revisions to the Petition necessary to ensure that it reflects the requirements of the Lifeline program’s annual recertification rule. GCI provides that additional information and makes those revisions in the bullets that follow.

- GCI hereby withdraws the portion of the Petition requesting a waiver for existing subscribers whom GCI *recertified* under the new Lifeline rules between April 2, 2012 and June 1, 2012. GCI believes that those recertifications are valid under paragraph 130 of the *Lifeline Reform Order* without a waiver, as the new Lifeline rules were followed, which staff confirmed. The only portion of GCI’s Petition that remains is its request for a waiver of the requirement to recertify by December 31, 2012, consumers who signed up between April 2, 2012 and June 1, 2012 in compliance with the new Lifeline rules that took effect June 1, 2012, including review of documentation of program-based eligibility.

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<sup>1</sup> See Petition for Wavier of Section 54.410(f), *Lifeline and Link-Up*, WC Docket No. 03-109; *Lifeline and Link Up Reform and Modernization*, WC Docket 11-42; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45 (filed Nov. 21, 2012).

- GCI enrolled 1,089 new Lifeline customers between April 2, 2012 and June 1, 2012. The enrollment process for these customers adhered to the new enrollment requirements presented in the *Lifeline Reform Order*,<sup>2</sup> including review by a GCI employee of the applicant's documentation of eligibility, the applicant's certification with respect to all of the points enumerated in the *Lifeline Reform Order*, and the provision of the applicant's name, date of birth and the last four digits of his or her Social Security Number.
- GCI hereby provides copies of the Lifeline application forms it used during the period from April 2, 2012, to June 1, 2012. A copy of the forms in use from April 2, 2012 to May 6, 2012, is attached as Exhibit A. (There is one form for applicants with program-based eligibility, and another for applicants with income-based eligibility.) On May 7, 2012, GCI began using forms that had been revised slightly;<sup>3</sup> the revised forms are attached as Exhibit B.
- The reason why GCI did not file its waiver request earlier is that it did not understand the Order to require that consumers who were initially enrolled in the first five months of 2012 in full compliance with the Order's requirements for initial enrollment, including eligibility verification, would need to be recertified by December 1, 2012. Such a requirement would have been an unreasonable paperwork burden and would have created confusion for consumers. Nonetheless, in light of the other requests for waiver being filed, GCI filed its Petition out of an abundance of caution.

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<sup>2</sup> *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*, 27 FCC Rcd. 6656 (2012) ("*Lifeline Reform Order*").

<sup>3</sup> The forms were revised in two respects. First, GCI added an express requirement that applicants certify that they had provided documentation of proof of eligibility. (*See* Item #12 on the second page of the May 2012 forms attached as Exhibit B.) While GCI had already required applicants to provide documentation and to certify that all information provided was true and correct (*see* pages 1-3 of the April 2012 forms attached as Exhibit A), GCI added this additional certification for greater clarity. Second, GCI added language requiring the applicant to consent to GCI providing his or her name, telephone number, date of birth, and last four Social Security Number digits to USAC or its agent for purposes of preventing duplicate benefits. (*See* Item #11 on the second page of the May 2012 forms attached as Exhibit B.)

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Sincerely,

/s/

John T. Nakahata  
Charles Breckinridge  
*Counsel to General Communication, Inc.*

Enclosures

cc (by email):  
Kim Scardino  
Divya Shenoy