

FCC/DWS/DPU/PSC

Meeting Minutes

April 9, 2013

I. Call to order

John Harvey, Public Service Commission (PSC) called to order the telephone conference meeting with the Federal Communications Commission (FCC), Department of Workforce Services, Division of Housing & Community Development (DWS/HCD) and the Division of Public Utilities (DPU) at 1:00pm on April 9, 2013 at the Heber Wells Building, Room 401 in Salt Lake City, UT.

II. Roll call

The following persons were physically present in the main conference room:

John Harvey, PSC; Bill Duncan, DPU; Justin Jetter, AG's; Shauna Benvegna-Springer, DPU

On the phone bridges were:

Jonathan Lechter, FCC Low Income Attorney Advisor TAPD; Michelle Schaefer, FCC Telecommunications Access Policy Division; Gordon Walker, DWS/HCD; Katherine Smith, DWS/HCD; Susan Kolthoff, DWS/HCD; Melanie Reif, PSC

III. Purpose of Meeting:

Jonathan Lechter stated the purpose of the meeting was:

- 1) to determine the progress the State of Utah was making in providing certification forms to ETC's by the June 1, 2013 waiver deadline, and
- 2) John Harvey stated we also wanted to identify temporary and permanent waivers that the PSC will need to file by April 30, 2013.

IV. Progress on Lifeline Project:

- a) PSC Progress - Jonathan Lechter asked what progress the State of Utah was making in developing the integration with the DWS system or providing the certification forms to the ETC's. John Harvey discussed a brief history of the project and explained that nearly all of the DWS programming resources are being devoted to Medicaid reforms with the Affordable Care Act. This has pushed the project back in time, but the DWS is willing to look at alternative processes to meet the requirements until the project can be programmed and integrated. It is the PSC's and DWS' desire that the DWS/HCD would be the

depository for the paper application, supporting documents and sensitive information. This facilitates centralizing the information, securing sensitive and confidential information, creates efficiencies in handling the information and lowers the cost. Access to the information would be given only to those who are required to have it for qualifying the applicants or for audit purposes, likely just the state agencies and the FCC if needed in the case of an audit. The cost of distributing copies of the applications and the duplication in securely storing the applications with DWS and with the ETC's is redundant and cost prohibitive. The wire line ETC's are not equipped to deal with, nor do they desire to, securely store the information. The DWS can do it efficiently and is already dealing with sensitive information as part of its on-going responsibilities administering many aid programs. Further, the DWS certification system (eREP) requires the applicants to provide their full social security number. This is another reason we feel the information should be kept in a centralized secure location rather than shipping all application information to the ETCs.

- b) The current processes for both wire line and wireless ETCs were discussed for both the initial eligibility qualification and the recertification process. Currently there are two processes, one for wire line and another for wireless. The wire line ETCs are all processed for new (initial eligibility) and re-certification by DWS/HCD. The wireless ETCs self process the initial and recertification eligibility themselves under the FCC jurisdiction.
- c) For a new (initial eligibility) wire line participant the paper application is completed by the applicant and mailed, delivered, faxed, or emailed to DWS/HCD. DWS/HCD performs the following:
 - 1) checks the application for completeness of the information,
 - 2) checks that the perjury statements are acknowledged and signed,
 - 3) performs a query of the appropriate public assistance program database for qualification of the discount.
 - 4) If positive, HCD logs the information into a spreadsheet/database which includes full name (last name, first name, middle initial), service address, telephone #, county, permanent or temporary address, qualifying program, ETC name, DOB, and full social security number.
 - 5) If negative in step 1, 2 or 3, a letter is sent to the participant asking for the needed information.

- 6) After the applicant is approved or denied, a decision letter is sent to the participant.
 - 7) At the end of the week, DWS/HCD reports to the ETCs and the DPU which participants qualify for Lifeline program. ETCs can only add the Lifeline discount when they are notified by the state administrator agency.
- d) For a new (initial eligibility) wireless participant,
- 1) the wireless ETC provides an application to the participant,
 - 2) the wireless ETC has the participant self certify how they qualify, either through program participation, or an income criteria with documentation,
 - 3) the wireless ETC stores the application and any supporting documents,
- e) It is the long-run desire of the PSC, DPU and DWS/HCD to incorporate the new (initial eligibility) wireless participants into the same process as the new wire line participants follow. It is also desired to have the wireless participants recertified in the same fashion as the wire line participants. However, as we work through defining exactly what an interim (short-run) program would entail, we may, or may not, fully incorporate the wireless ETCs in our processes. Due to security breaches, the State of Utah has implemented restrictive security procedures and software to provide security to sensitive confidential information and the distribution of the same which does not allow the telephone carriers (or any private company) access to either program participation information or income certification information collected by the state. This makes fully incorporating the wireless ETCs into the temporary process somewhat difficult.

V. Waivers

- a) A permanent waiver will be filed by the PSC with the FCC by the end of April 2013. The Waiver Application will request to maintain the storage of the application/certification form and all confidential information about participants with the state administrator, meaning ETCs would not be required to keep any of this documentation, rather they would rely on the state's weekly (or monthly) updates to the eligibility lists to determine which applications are approved and which customers can continue to receive the Lifeline subsidy. Authorized individuals needing access to the information for required audits will be granted access to the State's repository.

- b) A permanent waiver will be filed with the FCC by the end of April 2013 asking that Utah not be required to participate in the National Lifeline Accountability Database (NLAD) until it is operable. Further, the waiver will request that Utah ETCs not be required to participate directly in NLAD rather they will rely on Utah state administrators to supply the required information.
- c) A temporary waiver will be filed to suspend the requirement that the state administrator or ETCs will query the NLAD as part of the initial eligibility process or the recertification process until the Utah Lifeline project is fully integrated into the DWS eREP system.

VI. Adjournment

John Harvey, Public Service Commission adjourned the meeting at 1:50 pm.

Minutes submitted by: Shauna Benvegna-Springer, DPU Utility Analyst

Minutes approved by: John Harvey, Public Service Commission