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Business Partners and Certified Public Accountants

June 14, 2013

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

Re: NHLT, Inc. Revised Compliance Plan;
WC Docket Nos. 09-197, 11-42

On January 30, 2013, NHLT, Inc. (“NHLT” or the “Company”) submitted its Compliance Plan outline the measures it will take to implement the conditions imposed by the Commission in its *Lifeline Reform Order*¹. NHLT is submitting a revised copy to provide additional details and clarifications.

Patrick Hardy
Regulatory Director

¹ See *Lifeline and Linkup Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, 27 FCC Red 6656 (Feb. 6, 2012)

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

In the Matter of Telecommunications Carriers Eligible to Receive Universal Service Support Lifeline and Link Up Reform and Modernization NHLT, Inc Compliance Plan	 WC Docket No. 09-197 WC Docket No. 11-42
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NHLT, INC COMPLIANCE PLAN

NHLT, Inc (“NHLT” 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*.¹

The Company 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.² This Compliance Plan describes the specific measures that the Company intends to implement to

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).

² In addition, this Compliance Plan is consistent with the compliance plan filed by Global Connection Inc. of America. See *Global Connection of America Inc. Compliance Plan*, WC Docket Nos. 09-197, 11-42 (Apr. 30, 2012). The Global Connection compliance plan was approved on May 25, 2012. See Public Notice, DA 12-828.

achieve these objectives. Specifically, this Compliance Plan: (1) describes the specific measures that the Company will take to implement the obligations contained in the *Lifeline Reform Order*, including the procedures the Company will follow 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 the Company will offer Lifeline services, the geographic areas in which it will offer services, and a detailed description of the Company's Lifeline service plan offerings.

ACCESS TO 911 AND E911 SERVICES

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 will comply with these conditions on the first day that it begins providing service.

The Company will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Company will ensure that Lifeline customers will have 911 and E911 service access upon activation and until termination of service regardless of the number of available minutes on the handset. As a result, the Company will transmit all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

³ See *Lifeline Reform Order*, ¶ 373.

The Company will use Verizon as its underlying wireless network provider/carrier through an MVNO agreement, to serve its non-Lifeline and Lifeline customers. Verizon will route 911 calls from the Company's customers in the same manner as 911 calls from its own retail customers. To the extent that Verizon is certified in a given PSAP territory, this 911 capability will function the same for the Company.

E911-Compliant Handsets. NHLT will ensure that all handsets used in connection with the Lifeline service offering are E911-compliant. All of the Company's phones will be E911-capable handsets. The Company will use phones from various suppliers that have been through a stringent certification process to ensure that the handset models used meet all 911 and E911 requirements. As a result, any new customer that qualifies for and enrolls in the Lifeline program will receive a 911/E911-compliant handset at no extra charge.

COMPLIANCE PLAN

I. PROCEDURES TO ENROLL A SUBSCRIBER IN LIFELINE⁴

A. Policy

NHLT will comply 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 in states where the Company is designated as an ETC.

Therefore, all subscribers will be required to demonstrate eligibility based at least on: (1) household income at or below 135% of the Federal Poverty Guidelines ("FPG") for a household of that size; or (2) the household's participation in one of the federal assistance programs listed in 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 will confirm that the subscriber is not

⁴ See Compliance Plan Public Notice at 3.

already receiving a Lifeline service and no one else in the subscriber's household is subscribed to a Lifeline service.

B. Eligibility Determination

NHLT will enroll customers primarily through retail stores where it is designated with the remaining sales coming through the website at www.talkforgood.com and through its Inbound Call Center.

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 and/or program-based criteria. If unable to determine a prospective subscriber's eligibility for Lifeline by accessing state or federal income or program eligibility databases, Company personnel will review applicant provided documentation establishing eligibility pursuant to the Lifeline rules.⁵ 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. Lifeline training will be refreshed as necessary.

Proof of Eligibility. 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

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

or Tribal program.⁶ Acceptable documentation of income eligibility includes the prior year's state, federal, or Tribal tax return; current income statement from an employer or three months of paycheck stubs; 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.⁷

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 checking the appropriate box on the application form.⁸ The Company will not retain a copy of this documentation, except where state rules require such retention.⁹ Customers electing to enroll via the Internet, Toll-Free Facsimile, USPS Mail, or Voice/IVR will be required to fax or e-mail proof of eligibility documentation to the Company. Proof will be reviewed by Company personnel NHLT prior to service activation and then deleted/destroyed. Where NHLT concludes that the proffered documentation is insufficient to establish such eligibility, the Company 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 at the Company's corporate headquarters.¹⁰

⁶ *Id.* and section 54.410(c)(1)(i)(B).

⁷ *See Lifeline Reform Order*, ¶101; section 54.410.(b)(1)(i)(B).

⁸ *See Lifeline Reform Order*, ¶101; sections 54.410(b)(1)(iii), 54.410(c)(1)(iii).

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

¹⁰ *See id.*

De-Enrollment for Ineligibility. If NHLT 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.

Customers who elect to use the online application process will be required to review all mandatory disclosures and review and acknowledge all certifications with a check mark. Once the online application form has been completed, applicants will be required to submit copies of their government-issued identification and proof of eligibility to the Company by regular mail, fax or electronic mail (scanned version). Once NHLT has verified the enrollment materials as described above, the image(s) of proof of eligibility will be deleted.

As discussed in further detail in Section I.F. below, all Company personnel that conduct Lifeline enrollments are trained regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan. This training emphasizes the importance of the one-per-household limitation and the need to effectively convey that limit to Lifeline applicants. The training also focuses on review and consideration of proof of eligibility requirements.¹²

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

¹² See *Lifeline Reform Order*, ¶ 101. See also USAC Guidance available at <http://www.usac.org/li/telecom-carriers/step06/default.aspx>.

C. Subscriber Certifications for Enrollment

The Company 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.¹³ 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. As described above, every applicant will be required to complete an application/certification form containing disclosures, and collecting certain information and certifications as discussed below.¹⁴ Applicants that seek to enroll based on income eligibility will be referred to a worksheet showing the Federal Poverty Guidelines by household size.¹⁵ Company personnel will verbally explain the certifications to consumers when they are enrolling over the phone.¹⁶

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 the same address and share income and expenses; (4) a household is not permitted to receive

¹³ *Lifeline Reform Order*, ¶ 61; section 54.410(a).

¹⁴ *See Model Application/Certification Form*, included as Exhibit A. *See Compliance Plan Public Notice* at 3.

¹⁵ *See Income Eligibility Worksheet*, included as Exhibit B.

¹⁶ *See Lifeline Reform Order*, ¶ 123.

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.¹⁷

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.¹⁸

In addition, the Company will notify the applicant that the prepaid service must be personally activated by the subscriber and the service will be deactivated and the subscriber de-enrolled if the subscriber does not use the service for 60 days.¹⁹

Information Collection. The Company will also 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 sufficient²⁰); (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

¹⁷ See *id.*, ¶ 121; section 54.410(d)(1).

¹⁸ See section 54.405(c).

¹⁹ See *Lifeline Reform Order*, ¶ 257.

²⁰ See *Lifeline Reform Order*, ¶ 87.

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.²¹

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 interactive voice response recording,²² 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 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) the applicant, if providing a temporary address, will verify their 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.

²¹ See section 54.410(d)(2).

²² See *Lifeline Reform Order*. ¶¶ 168-69; section 54.419.

In addition, the applicant will be required to authorize the Company to access any records required to verify the applicant's statements on the application/certification form and to confirm the applicant's eligibility for Lifeline. The applicant must also authorize the Company to release any records required for the administration of the Company Lifeline service, including to USAC to be used in a Lifeline program database.²³

D. Annual Verification Procedures

NHLT 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.²⁴ 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.²⁵

Verification De-Enrollment. NHLT 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

²³ 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.*

²⁴ *See Lifeline Reform Order*, ¶ 120.

²⁵ *See id.*, ¶ 145.

²⁶ *See id.*, ¶ 142; section 54.54.405(e)(4).

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

NHLT will not consider a prepaid subscriber activated, and will not seek reimbursement for Lifeline for that subscriber, until the subscriber activates the Company's prepaid service by completing an outbound call. An outbound call must be made in order for the service to be activated and for NHLT to seek Lifeline reimbursement for that customer. For phones sold in-person, the customer must complete an outbound call in front of the representative upon taking possession of the phone in order to complete the enrollment process. In the event phones are mailed to the customer's address, the customer must dial an activation code which will connect them to a customer service representative. The customer then has to provide the customer service representative with identification information and confirm Lifeline service was ordered.

Further, after service activation, the Company will provide a de-enrollment notice to subscribers that have not used their service for 60 consecutive days. After 60 days of non-use, the Company will provide notice to the subscriber that failure to use the Lifeline service within a 30-day notice period will result in de-enrollment.²⁷ Subscribers can "use" the service by: (1) completing an outbound call; (2) purchasing minutes from the Company to add to the subscriber's plan; (3) answering an incoming call from a party other than the Company; or (4) responding to a direct contact from the Company and confirming that the subscriber wants to continue receiving the service.²⁸ If the subscriber does not respond to the notice, the subscriber

²⁷ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

²⁸ See *Lifeline Reform Order*, ¶ 261; section 54.407(c)(2).

will be de-enrolled and the Company will not request further Lifeline reimbursement for the subscriber. The Company will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.²⁹

In addition to the above, NHLT's usage team identifies accounts that have not been used for 30 days and sends a text message to such customers asking the customers to respond to the text message or call NHLT's customer service number within 30 days to keep their account active. After 45 days of non-usage, NHLT's internal outreach team attempts to contact the customer to inquire about the customer's intentions to retain the service. NHLT will not seek to recover a Federal Universal Service Fund subsidy for the minutes provided to the customer during the grace period or thereafter report that customer on its USAC Form 497 unless the customer reinitiates service.

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, NHLT 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, and as discussed above, Company personnel will emphasize the “one Lifeline phone per household” restriction in their direct sales contacts with potential customers. Training materials will include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is

²⁹ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

informed of this restriction. All Company personnel interacting with existing and potential Lifeline customers will undergo training regarding the eligibility and certification requirements in the *Lifeline Reform Order* and this Compliance Plan. These personnel must sign a statement agreeing not to take part in any fraud with respect to Lifeline enrollment process. Employees must sign and return to NHLT the Acknowledgement of Receipt of the training manual that they receive as part of this training.

National Lifeline Accountability Database. When the National Lifeline Accountability Database (“National Database”) becomes available, NHLT 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.³⁰

One-Per-Household. The Company will implement the requirements of the *Lifeline Reform Order* to ensure that it provides only one Lifeline benefit per household³¹ through the use of its application and certification forms discussed above, database checks and its marketing

³⁰ See *Lifeline Reform Order*, ¶ 203. Company will also transmit to the National Database the information required for each new and existing Lifeline subscriber. See *Lifeline Reform Order*, ¶¶ 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).

³¹ 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).

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 any individual at the same residential address.³² In the event that the applicant lives at an address with multiple households, the Company will require the applicant to complete and submit a multiple household worksheet 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).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 all Lifeline services may not be currently marketed under the name Lifeline. NHLT 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. The Company will include, in clear, easily understood language, 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

³² See *Lifeline Reform Order*, ¶ 78.

³³ *Id.* The USAC worksheet is available at <http://www.usac.org/li/tools/news/default.aspx#582>.

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 necessary for enrollment; and (7) NHLT's name (the ETC).³⁴ These statements will be included in all print, radio, television and web materials (including social networking media) 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 This specifically includes the Company's website (www.talkforgood.com) and outdoor signage.³⁶ A sample of the Company's marketing materials is included as Exhibit C. In addition, the Company's application/certification form will state that consumers who willfully make a false statement in order to obtain the Lifeline benefit may be punished by fine or imprisonment or may be barred from the program.

G. Company Reimbursements From the Fund

To ensure that NHLT 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.³⁷ Further, the Company will submit its FCC Forms 497 on the eighth day of each month in order to be reimbursed the same month.³⁸

³⁴ See *Lifeline Reform Order*, ¶ 275; section 54.405(c).

³⁵ *Id.*

³⁶ *Id.*

³⁷ See *Lifeline Reform Order*, ¶ 128; section 54.407(d).

³⁸ See *Lifeline Reform Order*, ¶¶ 302-306.

In addition, the Company will keep accurate records as directed by USAC³⁹ and as required by new section 54.417 of the Commission's rules. For example, NHLT will keep the following records for each subscriber's individual Lifeline account, among other records, if applicable and as permitted: 1) date that NHLT queried the duplicates database; 2) date and information that NHLT transmitted to the duplicates database; 3) date of transmission of updated customer information to database; 4) date and database upon which NHLT determined income-based eligibility where available; 5) date and documentation/data source used to determine income-based eligibility if no database was available to determine subscriber eligibility;⁴⁰ 6) date, database, and program on which the Company determined subscriber eligibility; 7) date and records detailing the documentation a subscriber provided to demonstrate Lifeline eligibility; 8) state Lifeline administrator documentation of customer eligibility, and subscriber's certification of eligibility; 9) date of customer service activation; 10) application/certification and annual re-certification forms for each subscriber associated with a date and time of signature; and 11) date of transmission of customer de-enrollment to database.

H. Annual Company Certifications

NHLT will submit an annual certification to USAC, signed by a Company 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;⁴¹ (2) is in compliance with all federal

³⁹ See section 54.407(e).

⁴⁰ Such documentation includes the documentation listed in Section I.B. *supra*.

⁴¹ See *Lifeline Reform Order*, ¶ 126; section 54.416(a)(1).

Lifeline certification procedures;⁴² and (3) has obtained a valid certification form for each subscriber for whom the carrier seeks Lifeline reimbursement.⁴³

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).⁴⁴ Further, as discussed above, NHLT will report annually to the Commission the number of subscribers de-enrolled for non-usage by month.⁴⁵

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,⁴⁶ 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.⁴⁷ 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.⁴⁸ Finally, the Company will annually provide detailed information regarding service outages in the previous year, the number of complaints received and certification of compliance with applicable service quality standards and consumer

⁴² See *Lifeline Reform Order*, ¶ 127; section 54.416(a)(2).

⁴³ See section 54.416(a)(3).

⁴⁴ See *Lifeline Reform Order*, ¶¶ 132,148; section 54.416(b).

⁴⁵ See *Lifeline Reform Order*, ¶ 257; section 54.405(e)(3).

⁴⁶ See section 54.422(c).

⁴⁷ See *Lifeline Reform Order*, ¶¶ 296, 390; section 54.422(a).

⁴⁸ See *Lifeline Reform Order*, ¶ 390; section 54.422(b)(5).

protection rules, as well as a certification that the Company is able to function in emergency situations.⁴⁹

I. Cooperation with State and Federal Regulators

NHLT will cooperate with federal and state regulators to prevent waste, fraud and abuse.

More specifically, the Company will:

- Obtain customer consent to provide and 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;⁵⁰
- 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 believe⁵¹ 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 Offering⁵²

The Company will offer its Lifeline service in the states where it is designated as an ETC and throughout the coverage area of the Verizon footprint. NHLT's Lifeline offering will provide all non-Tribal customers with 250 anytime prepaid minutes per month at no charge, with

⁴⁹ See *Lifeline Reform Order*, ¶ 389; section 54.422(b)(1)-(4).

⁵⁰ The Company anticipates that the need to provide such information will sunset following the implementation of the national duplicates database.

⁵¹ See section 54.405(e)(1).

⁵² See Compliance Plan Public Notice at 3.

text messaging at a rate of 1 text per voice minute. Tribal customers will get 1,000 anytime prepaid minutes per month, with text messaging at a rate of 1 text per voice minute.

Lifeline customers can purchase additional bundles of minutes, referred to in NHLT's general terms and conditions as Replenishment plans. These Replenishment plans, or "top-up" minutes, will be available for purchase at NHLT's website, by speaking with a customer service representative or through an IVR via the Company's toll free number. Where text messaging is not included in a plan as a separate component, it is available with all NHLT voice plans at the rate of one (1) text, either sent or received, to one (1) minute of airtime usage.

In addition to free voice services, NHLT's Lifeline plan will include a free handset and custom calling features, including Caller ID, Call Waiting, Call Forwarding, 3-Way Calling, and Voicemail, at no charge. All plans include domestic long-distance at no extra per minute charge. Calls to 911 emergency services are always free, regardless of service activation or availability of minutes. NHLT does not plan to charge customers for basic handsets, but does allow for customers the option to upgrade to a more expensive phone at an additional cost.

III. Demonstration of Financial and Technical Capabilities and Certifications Required for ETC Designation⁵³

Financial and Technical Capabilities. Section 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.⁵⁴ For purposes of demonstrating capability, the Commission will consider factors including 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

⁵³ See Compliance Plan Public Notice at 3.

⁵⁴ See *Lifeline Reform Order*, ¶¶ 387-388 (revising Commission rule 54.202(a)(4)).

receives revenues from other sources and whether the carrier has been the subject of an enforcement action or ETC revocation proceeding in any state.

NHLT, Inc. is a prepaid wireless telecommunications carrier based in White River Junction, Vermont. The Company has been in business since 2008 and derives the majority of its revenue from the sale of low-cost prepaid telephone services under the Talk for Good brand name. NHLT receives revenue from a number of sources which are completely independent from the revenue it will receive in the form of Lifeline reimbursements. NHLT has been providing low cost prepaid wireless services across the county since 2008 under the Talk For Good brand name. NHLT owns its own switching facilities to provide access to directory assistance, operator services, and some interexchange services. The Company has not been subject to enforcement sanctions or ETC revocation proceedings in any state. NHLT's management has been in the telecommunications industry since 1992. Company president Thomas Lyons has founded and managed many successful telecommunications companies over the last 20 years

Service Requirements Applicable to Company's Support. The Compliance Plan Public Notice requires carriers to include "certifications required under newly section 54.202 of the Commission's rules."⁵⁵ NHLT certifies that it will comply with the service requirements applicable to the support the Company receives.⁵⁶ The Company will provide all of the telecommunications service supported by the Lifeline program and will make the services available to all qualified consumers throughout the states in which it is designated as an ETC. The Company's services will include voice telephony services that provide voice grade access to the public switched network or its functional equivalent. Further, the Company's service

⁵⁵ Compliance Plan Public Notice at 3.

⁵⁶ 47 C.F.R. § 54.202(a)(1).

offerings will provide its customers with a set number of minutes of use for local service at no charge to the customer. The Company's proposed Lifeline offerings include packages in Section II *supra* that can be used for local and domestic toll 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-compatible handsets. As discussed above, the Company will comply with the Commission's forbearance grant conditions relating to the provision of 911 and E911 services and handsets.

Finally, the Company will not provide toll limitation service ("TLS"). NHLT, like most wireless carriers, does not differentiate domestic long distance toll usage from local usage and all usage is paid for in advance. Pursuant to the *Lifeline Reform Order*, subscribers to such services are not considered to have voluntarily elected to receive TLS.⁵⁷

⁵⁷ See *Lifeline Reform Order*, ¶ 230.

VERIFICATION

I hereby verify that I have read the foregoing NHLT, Inc Compliance Plan; and that to the best of my knowledge, information and belief the information stated therein is true and accurate.

NHLT, Inc.

By: _____

Title: _____

Date: _____

EXHIBIT A - APPLICATION



Talk for Good
[State] Wireless Lifeline Service Application and Certification

Mail form completed and signed form to:
75 S Main Street White River Junction VT 05001
Customer Service: 1-888-649-1713

A complete and signed Lifeline Service Application and Certification ("Certification") is required to enroll you in NHLT, Inc.'s (Talk for Good) Lifeline service program in your state. This Certification is only for the purpose of verifying your eligibility for Lifeline service and will not be used for any other purpose. Service requests will not be processed until this Form has been received and verified by Company.

One Lifeline service per household disclosures: Lifeline is a government assistance program and willfully making false statements to obtain a Lifeline benefit can result in fines, imprisonment, de-enrollment or being barred from the program. Lifeline benefits are limited to a single line of service per household. A household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses. A household may not receive multiple Lifeline discounts. You may apply your Lifeline discount to either one landline or one wireless number, but you cannot have the discount on both and you cannot receive Lifeline benefits from multiple providers. Note that not all Lifeline services are currently marketed under the name Lifeline. Lifeline is a non-transferable benefit and you may not transfer your benefit to any other person, including another eligible low-income consumer. Violation of the one-per-household limitation constitutes a violation of the Federal Communications Commission's rules and will result in your de-enrollment from the program, and potentially prosecution by the United States Government.

I hereby certify that I have read and understood the disclosures listed above and that, to the best of my knowledge, my household is not already receiving a Lifeline service benefit.

Customer eligibility certification: I hereby certify that I participate in at least one of the following programs (check one):

- Supplemental Nutrition Assistance Program (SNAP)
Section 8 Federal Public Housing Assistance (FPHA)
Medicaid (not Medicare)
Supplemental Security Income (SSI)
Temporary Assistance for Needy Families (TANF)
Low Income Home Energy Assistance Program (LIHEAP)
National School Lunch Program's free lunch program
Income at or below 135% of Federal Poverty Guidelines
Food Distribution Program on Indian Reservations (FDPIR)
Bureau of Indian Affairs General Assistance (BIA)
Tribally Administered TANF (TATNF)
Head Start (meeting income qualifying standards) (Tribal)

Tribal eligibility:

I hereby certify that I reside on Federally-recognized Tribal lands.

Customer Application Information:

First Name: Middle Name: Last Name:
Date of Birth: Month: Day: Year: Last Four Digits of Social Security Number (or Tribal ID Number):
If Qualifying for Lifeline by Income, number of Individuals in Household:
Home Telephone Number (if available):

Residential Address (P.O. Box NOT sufficient)

Number: Apt: Street City
State: Zip Code:
Address is (choose one): Permanent Temporary

Billing Address (if different from Residential Address) (P.O. Box IS sufficient)

Number: Apt: Street City
State: Zip Code:

Multiple households sharing and address:

I hereby certify that I reside at an address occupied by multiple households, including adults who do not contribute income to my household and/or share in my household's expenses, and I will complete a separate additional form.

Activation and usage requirement disclosures: This service is a prepaid service and you must personally activate it by calling [IVR 800 Number]. To keep your account active, you must use your Lifeline service at least once during any 60 day period by completing an outbound call, purchasing additional minutes from Company, answering an in-bound call from someone other than Company, or by

responding to a direct contact from Company confirming that you want to continue receiving Lifeline service from Company. If your service goes unused for 60 days, you will no longer be eligible for Lifeline benefits and your service will be suspended (allowing only 911 calls and calls to the Company's customer care center) subject to a 30 day cure period during which you may use the service (as described above) or contact the Company to confirm that you want to continue receiving Lifeline service from Company.

I hereby certify that I have read and understood the disclosures listed above regarding activation and usage requirements.

Authorizations:

I hereby authorize the Company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program. I also authorize the Company to release any records required for the administration of the Lifeline program (e.g., name, telephone number and address), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline Program. Failure to consent will result in denial of service.

Additional certifications: I hereby certify, under penalty of perjury, that (check each box):

- I meet the income-based or program-based eligibility criteria for receiving Lifeline service and have provided documentation of eligibility if required
- I will notify the Company within 30 days if for any reason I no longer satisfy the criteria for receiving Lifeline including, as relevant, if I no longer meet the income-based or program-based eligibility criteria, I begin receiving more than one Lifeline benefit, or another member of my household is receiving a Lifeline benefit. I understand that I may be subject to penalties if I fail to follow this requirement
- I am not listed as a dependent on another person's tax return (unless over the age of 60)
- The address listed below is my primary residence, not a second home or business
- If I move to a new address, I will provide that new address to the Company within 30 days
- If I provided a temporary residential address to the Company, I will verify my temporary residential address every 90 days
- I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law
- I acknowledge that I may be required to re-certify my continued eligibility for Lifeline at any time, and my failure to re-certify as to my continued eligibility within 30 days will result in de-enrollment and the termination of my Lifeline benefits
- The information contained in this certification form is true and correct to the best of my knowledge

Applicant's Signature: _____ **Date:** _____

For Agent Use Only (check the appropriate boxes for the proof of eligibility viewed and provide information requested; do not copy or retain documentation):

Documents Acceptable Proof for Income-Eligibility (check 1):

- 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.

List B - Choose 1:

- Program participation card/document
- Prior year's statement of benefits
- Notice letter of participation
- Other official document evidencing participation _____

Last 4 digits of Document from List B _____

Date of Proof Document: ____/____/____

Expiration Date of Proof Document: ____/____/____

Documents Acceptable Proof for Program-Eligibility (choose 1 from each list A and B below):

List A - Choose 1

- Supplemental Nutrition Assistance Program (SNAP)
- Medicaid
- Section 8 Federal Public Housing Assistance (FPHA)
- Supplemental Security Income (SSI)
- Temporary Assistance for Needy Families (TANF)
- Low Income Home Energy Assistance Program (LIHEAP)
- National School Lunch Program's free lunch program
- Food Distribution Program on Indian Reservations (FDPIR)
- Bureau of Indian Affairs General Assistance (BIA)
- Tribally Administered TANF (TATNF)
- Head Start (meeting income qualifying standards)
- State Program 1
- State Program 2

Applicant Account Number	Rep/Agent Signature

EXHIBIT B - INCOME WORKSHEET

NHLT Lifeline Service Application Income Eligibility Worksheet

Individuals in all states are able to enroll in the Lifeline program by demonstrating that their household's annual income is at or below 135% of the Federal Poverty Guidelines. This table should be used to determine whether a Lifeline applicant is eligible for Lifeline service based on the number of individuals in the applicant's household and the applicant's household annual income:

HOUSEHOLD SIZE	INCOME LEVEL
1	\$15,080
2	\$20,426
3	\$25,772
4	\$31,118
5	\$36,464
6	\$41,810
7	\$47,156
8	\$52,502
For each additional person	Add \$5,346

Applicants must list the number of individuals in the applicant's household on the Lifeline application form. Applicants seeking to qualify for Lifeline service based on their household income must present one of the following documents in order to prove eligibility:

- 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
- a divorce decree, child support award, or other official document containing income information for at least three months time

This is a Lifeline service provided by NHLT, LLC. Lifeline is a government assistance program. Only one Lifeline service is available per household. Households are not permitted to receive multiple Lifeline benefits whether they are from one or multiple companies, wireless or wireline. Proof of eligibility is required for enrollment and only eligible customers may enroll in Lifeline service. Consumers who willingly make false statements to obtain the benefit can be punished by fine or imprisonment or can be barred from the program. Lifeline is a non-transferable benefit. Lifeline customers may not transfer their benefits to any other person.

EXHIBIT C - MARKETING MATERIALS

Wireless Phone Service

Pay Nothing to Start Service

**250 Free Minutes every month for local
and national long distance calls,
Texting, and More!**

TALK FOR GOOD WIRELESS
NHLT, Inc

**If you or any other member of your household
receive:**

**Medicaid - Food Stamps - TANF - SSI -
Federal Housing Assistance - Low Income Energy –
Head Start - School Lunch Program**

Lifeline is a government benefit program. Only eligible customers may participate in the Lifeline program and participation is limited to one benefit per household consisting of either wireline or wireless service. Documented proof of participation in a government assisted program or income qualification is required for enrollment. Lifeline service is non-transferable.

1-888-649-1713