

September 26, 2013

VIA ELECTRONIC FILING

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

Re: WC Docket No. 11-42 – Lifeline and Link Up Reform and Modernization
WC Docket No. 03-109 – Lifeline and Link Up
CC Docket No. 96-45 – Federal-State Joint Board on Universal Service
NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

By letter dated September 24, 2103, Mr. Jon Cray, Residential Service Protection Fund Program Manager, Oregon Public Utility Commission (“OPUC”), notified the Commission of certain information contained in ex parte letters submitted by TracFone Wireless, Inc. (“TracFone”) on September 13, 2013 and September 19, 2013 regarding the Lifeline enrollment processes in Oregon which he believed to be incorrect. Following receipt of Mr. Cray’s letter, TracFone reviewed its contents and reviewed its own letters. Based upon that review, TracFone agrees with Mr. Cray that certain statements in TracFone’s prior letters are not accurate and require correction and/or clarification. A more detailed explanation is provided below.

First, Mr. Cray is correct that TracFone does not have direct access to a program-based eligibility database in Oregon. As Mr. Cray explains in his letter, verification of Lifeline applicants’ program-based eligibility is done by the OPUC. When an Oregon consumer applies for enrollment in TracFone’s SafeLink Wireless[®] Lifeline program, TracFone reviews the information provided by the applicant, including any documentation of program-based eligibility upon which the applicant relies. Once TracFone has verified the accuracy of the information provided by the applicant, it submits the information to the OPUC using a batch process consisting of a plain text file exchange via Secure Transfer Protocol. The OPUC then verifies the applicant’s program-based Lifeline eligibility in the manner described in Mr. Cray’s letter, i.e., by accessing a database maintained by the Oregon Department of Human Services. At no time does TracFone have direct access to any state database in Oregon. The important point is that the applicants’ Lifeline eligibility is verified using an Oregon state database.

Also, Mr. Cray notes that TracFone’s letter incorrectly reported that only seven Eligible Telecommunications Carriers (“ETCs”) out of 39 were using the state database to verify Lifeline eligibility in Oregon. His letter points out that all Oregon ETCs have their Lifeline applicants’ eligibility verified by the OPUC using the process he describes. That is correct. In counting the number of ETCs whose customers’ Lifeline eligibility are determined using the state database, TracFone erroneously included only wireless ETCs. It should have included all ETCs – wireless and wireline – which provide Lifeline service in Oregon. There are thirty-nine ETCs providing

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Lifeline service in Oregon – 7 wireless ETCs and 32 wireline ETCs (mostly incumbent local exchange carriers). All of those thirty-nine Oregon ETCs have their Lifeline applicants' eligibility verified through the state database using the procedures described by Mr. Cray.

TracFone apologizes for any inconvenience or confusion caused by its prior letters on this matter.

Pursuant to Section 1.1206(b) of the Commission's rules, this letter is being filed electronically. If further information is requested, please communicate directly with undersigned counsel for TracFone.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Brecher', with a long horizontal flourish extending to the right.

Mitchell F. Brecher

Cc: Mr. Jon Cray
Ms. Radhika Karmarkar
Mr. Jonathan Lechter
Mr. Christopher Cook