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March 26, 2014

EX PARTE NOTICE

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: In the Matter of Petition for Waiver of Lifeline Rules
Prohibiting Retention of Income-Based and Program-Based
Eligibility Documentation, WC Docket 11-42

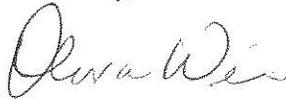
Dear Ms. Dortch:

On March 24, 2014 Olivia Wein, National Consumer Law Center and Michael Scurato, National Hispanic Media Coalition met with Radhika Karmarkar, Deputy Division Chief in the Telecommunications Access Policy Division and Michelle Schaeffer, Attorney Advisor in the Wireline Competition Bureau. Ms. Wein and Mr. Scurato discussed how the recent Lifeline reform appropriately recognized the importance of safeguarding sensitive Lifeline customer data. Should the Commission decide to allow document retention, it must only be allowed in very limited and controlled circumstances to protect customer privacy and protect from ID theft. They raised consideration of Fair Information Practices and the need for a multipronged approach that includes strong penalties for non-compliance and data breaches. The consideration of the petition should also extend to what happens if a data breach occurs and whether companies will be required to notify victim and offer monitoring services. They also raised concerns about the inconsistent level of training among sales representatives. Attached is a copy of a letter shared in the meeting from an organization that provides services to homeless women in Boston that has encountered poorly trained sales representatives.

Ms. Wein and Mr. Scurato also raised the impact of the loss of toll-free calling for prepaid wireless Lifeline customers. In particular, other benefits programs have long relied on no-cost/low-cost communications (local or toll-free calls) as part of services delivery. For example, benefits programs provide toll-free numbers for queries, for

aspects of the application process such as an interview, to report a change of status or to appeal. Wait times to reach case workers also tend to be long. Yet, prepaid wireless Lifeline currently has a limited number of minutes (250 or 500 minutes a month) and toll free numbers count against those allotted minutes. In closing Ms. Wein and Mr. Scurato raised the important role Lifeline plays in improving the lives of low-income households in their efforts to become self-sufficient and that they looked forward to continuing to help strengthen the Lifeline program.

Sincerely,

A handwritten signature in cursive script that reads "Olivia Wein".

Olivia Wein

enc. March 19, 2014 letter from Rosie's Place (Boston, MA) to Commissioner Stacey Monahan, Massachusetts Department of Transitional Assistance

cc: Radhika Karmarkar
Michelle Schaeffer



ROSIE'S PLACE

March 19, 2014

Commissioner Stacey Monahan
Department of Transitional Assistance
600 Washington Street
Boston, MA 02111

Dear Commissioner Monahan,

Rosie's Place is a sanctuary for poor and homeless women. We serve approximately 10,000 women a year through a variety of programs. We receive no public funds for any of our programs. Most of our guests conduct business in local DTA offices, whether to apply for or maintain SNAP or cash assistance, or to access DHCD Emergency Assistance benefits. We are writing with two related concerns regarding telephone access – Lifeline mobile providers at Transitional Assistance Offices (TAOs) and DTA's move to a phone-based customer service model.

The first is regarding the presence of SafeLink and other Lifeline mobile providers who have stationed themselves directly outside of DTA offices. Lifeline is a federal benefit program that provides free or low cost phone service (either landline or cellphone, but not both) for financially eligible households. Lifeline benefits are accessed by consumers through private telephone companies. The Lifeline program is a valuable asset to our guests who need access to a telephone.

However, we are concerned about the aggressive nature of cellphone company sales representatives and the lack of clear information given to consumers regarding the Lifeline benefit. From firsthand experience, we know that sales representatives accost people as they enter and exit DTA offices in the Dudley TAO, and we are apprehensive that they will seek more direct access to DTA clients. I am writing to share with you our experience of having invited two Lifeline cell phone providers, SafeLink and Assurance Wireless, to set up information tables inside Rosie's Place and our subsequent decision ordering them to leave. We found that their practices created more harm to our guests than benefit. Based on our experiences, we strongly advise against DTA allowing SafeLink or other sales representatives inside your local offices:

1. In our experience, guests who are housed and have a Lifeline benefit for a landline are not given appropriate information explaining that the promise of a "free cell phone" would result in her losing Lifeline benefits to her landline. She is only made aware of it when she receives two or three months worth of telephone bills from her telephone company charging \$45 to \$50 per month. When we worked with guests to have them re-instate Lifeline on their landlines and receive credit, the telephone companies refused to credit previous months' telephone charges. This is particularly problematic for our elderly and limited English speaking guests.
2. The sales representatives are aggressive. Even in cases where guests said they weren't interested in the cellphone service because they are already enrolled in Lifeline through a different carrier, we witnessed the sales representative actively misleading guests telling them that they can get a second "free" phone.
3. After ordering them out of our building, their sales representatives harassed our guests as they entered and exited Rosie's Place. We had to intervene again to have them leave the premises.



ROSIE'S PLACE

4. In addition to their aggressive selling of the SafeLink program, we had one sales representative ask our staff to send a guest's information (including SSN and DOB) to his personal Hotmail e-mail account. The representative told our staff person that this would be preferable to signing up online. Though we refused to provide private information, this incident speaks to the potential for privacy violations if a private carrier were to connect more closely with DTA.
5. The administration of this program is left to for-profit cellphone carriers. In our experience, there is absolutely no meaningful consumer education and informed decision making. Instead of providing access to cellphone carriers, we suggest that DTA consider distributing consumer awareness materials to clients who come into local offices. This could help dispel misinformation about the nature of the Lifeline program and the extent of the "free" services provided (without favoring one carrier over another). We would be happy to provide DTA with such a fact sheet to be placed in TAO waiting rooms.

Based on our experiences at Rosie's Place, it is our hope that DTA refuses any future requests from SafeLink or other cellphone carriers to set up shop in local Transitional Assistance Offices.

Secondly, we understand from members of the Boston DTA advisory board that DTA is considering instituting a customer service model at DTA offices in Boston (currently in place in southeastern MA DTA offices) that would limit walk-in access to a case manager and require clients to leave call-back information. This is worrisome and we are concerned that relying on Lifeline phones as a way for DTA case managers to contact clients will result in phone tag or, for phones that have no remaining minutes, a delay in resolving case issues raised by the client (potentially delaying access to SNAP or cash benefits).

Due to the small allotment of free minutes--usually 250 per month-- our guests often run out of minutes and either lose the ability to use the phone until the following month or must pay for additional minutes (at a cost of 10 cents per minute). As a result of the challenges faced in maintaining consistent phone access, many of our clients do not have reliable phones. We appreciate that case managers are very busy but we urge the Department not to embrace a model that reduces access for phoneless/phone limited customers.

Therefore, we strongly urge DTA to maintain an in-person model for walk-in clients who can be seen either by their case manager or by a duty worker who has access to BEACON and can pull up case specific information.

If you have any questions or would like to discuss this further, please feel to contact me.

Thank you,

Sana Fadel
Director of Public Policy
sfadel@rosiesplace.org
617-318-0201

cc: Roxanne Reddington-Wilde, Boston DTA Advisory Board
Commissioner Geoffrey Why, Department of Telecommunications and Cable