

Resolution on The Joint Board Recommended Lifeline/Linkup
Decision

WHEREAS, On April 2, 2003 the Federal-State Joint Board on Universal Service (Joint Board) presented the Federal Communications Commission (FCC) with a series of recommendations to improve the Lifeline and Link-Up programs; and (Joint Board) regarding modifications to the Lifeline and Link-Up programs; and

WHEREAS, In its Recommended Decision, the Joint Board recommended (1) the FCC expand the default federal eligibility criteria to include an income-based criterion and additional means-tested programs, (2) the FCC to require States, under certain circumstances, to adopt verification procedures within one year, and (3) the FCC provide outreach guidelines for the Lifeline/ Link-Up program; and

WHEREAS, The Federal-State Joint Board states that data suggests that there may be a strong connection between Lifeline/Link-Up assistance and telephone penetration; and

WHEREAS, On June 9, 2003, the FCC released a Notice of Proposed Rulemaking seeking comment on the Recommended Decision of the Federal-State Joint Board on Universal Service; and

WHEREAS, The Joint Board estimated that the expansion of federal eligibility criteria to include an income-based criterion alone could add up to one million new Lifeline subscribers and of those about one quarter would be new telephone subscribers; and

WHEREAS, The Joint Board also recommended that the FCC seek more information about the reasons for differences in low-income penetration rates over time and among the different States; and

WHEREAS, The Joint Board suggested that the FCC adopt a voluntary information collection from the States regarding their eligibility and verification criteria, whether the FCC's changes to the program have had a positive impact on penetration rates; whether the State has experienced administrative burdens or inefficiencies; whether outstanding unpaid balances for local/toll services have created barriers; and to obtain more information about how an appeals process for the termination of Lifeline benefits would work; now therefore be it

RESOLVED, That the Board of Directors of the National Association of Regulatory Utility Commissioners (NARUC), convened in its July 2003 Summer Meetings in Denver, Colorado, commends both the Joint Board and the FCC for undertaking this review; and be it further

RESOLVED, That NARUC agrees with the Joint Board that the FCC's Lifeline/ Link-Up programs are a key element in ensuring the goals of Universal Service; and be it further

RESOLVED, That NARUC applauds the Joint Board's statements in support of the State efforts to establish unique rules, guidelines and eligibility criteria for their State Lifeline/Link-Up programs; and be it further

RESOLVED, That NARUC agrees with the Joint Board that the current program-based default federal eligibility criteria be

expanded to an income-based standard of 135% of the Federal Poverty Guidelines, the Temporary Aid to Needy Families program, and the National School Lunch free lunch program; and be it further

RESOLVED, That NARUC supports the Joint Board's recommendation to encourage States to adopt federal eligibility standards and verification procedures, but not to impose these standards and procedures on States that currently provide Lifeline/Link-Up support; and be it further

RESOLVED, That NARUC agrees that the FCC should encourage all States to require carriers to notify current program beneficiaries of a decision to terminate their participation in the program and to implement termination and appeal procedures and supports proposed adoption of a federal appeals time period of 60 days; and be it further

RESOLVED, That NARUC supports the creation of automatic enrollment programs to expand the base of beneficiaries in the Lifeline/Link-Up program; and be it further

RESOLVED, That NARUC supports the Joint Board's recommendation asking the FCC not to impose specific outreach procedures and agrees that the creation of further specific outreach programs should be established by the States following general guidelines set out by the FCC; and be it further

RESOLVED, NARUC respectfully requests the FCC convene a workshop via conference call to discuss in further detail the proposed voluntary State reporting program and other relevant

implementation issues that arise or are related to the final
Order on this issue; and be it further

RESOLVED, That the NARUC General Counsel be directed to
file and take any appropriate actions to further the intent of this
resolution.

Sponsored by the Committee on Consumer Affairs and the
Committee on Telecommunications

Adopted by the NARUC Board of Directors July 30, 2003