

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-4.0665,
F.A.C., Lifeline Service.

DOCKET NO. 070572-TL
ORDER NO. PSC-07-0805-NOR-TL
ISSUED: October 4, 2007

The following Commissioners participated in the disposition of this matter:

LISA POLAK EDGAR, Chairman
MATTHEW M. CARTER II
KATRINA J. McMURRIAN
NANCY ARGENZIANO
NATHAN A. SKOP

NOTICE OF RULEMAKING

BY THE COMMISSION:

NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule 25-4.0665, Florida Administrative Code, relating to Lifeline service.

The attached Notice of Rulemaking will appear in the October 12, 2007 edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rule must be received by the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than November 2, 2007.

DOCUMENT NUMBER-DATE

09121 OCT-4 5

FPSC-COMMISSION CLERK

By ORDER of the Florida Public Service Commission this 4th day of October, 2007.

ANN COLE
Commission Clerk

By: Hong Wang
Hong Wang
Office of Commission Clerk

(SEAL)

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Notice of Proposed Rule

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE

25-4.0665: Lifeline Service

PURPOSE AND EFFECT: To implement a procedure to ensure the automatic enrollment of subscribers in Lifeline with the appropriate Eligible Telecommunications Carrier (ETC) and to require ETCs to maintain current information on the Universal Service Administrative Company website. Docket No. 070572-TL.

SUMMARY: The amendment of Rule 25-4.0665, Lifeline Service, F.A.C., creates and implements procedures to automatically enroll eligible customers in Lifeline service. Section 364.10(3)(h)2, F.S., requires the Commission to adopt such procedures by December 31, 2007.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The SERC shows that the proposed rule will benefit customers eligible for Lifeline service by expediting the enrollment process. There will be an incremental cost to the Commission in terms of time and resources. ETCs will experience some transactional costs in complying with the proposed rule. There should be no negative impact on local governments.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 350.127(2), 364.10(3)(j), FS

LAW IMPLEMENTED: 364.10, 364.105, FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN FAW.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kira Scott, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6216.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.0665 Lifeline Service

(1) No change.

(2) No change.

(3) All eligible telecommunications carriers shall participate in the Lifeline service Automatic

Enrollment Process. For purposes of this rule, the Lifeline service Automatic Enrollment Process is an electronic interface between the Department of Children and Families, the Commission, and the eligible telecommunications carrier that allows low-income individuals to automatically enroll in Lifeline following enrollment in a qualifying public assistance program.

(a) The Commission shall send an e-mail to the eligible telecommunications carrier informing the eligible telecommunications carrier that Lifeline service applications are available for retrieval for processing.

(b) The eligible telecommunications carrier shall enroll the subscriber in the Lifeline service program as soon as practicable, but no later than 60 days from the receipt of the e-mail notification. Upon completion of initial enrollment, the eligible telecommunications carrier shall credit the subscriber's bill for Lifeline service as of the date the eligible telecommunications carrier received the e-mail notification from the Commission.

(c) The eligible telecommunications carrier shall maintain a current e-mail address with the Commission, which the Commission will use to inform the eligible telecommunications carrier that new Lifeline service applications are available for retrieval for processing.

(d) The eligible telecommunications carrier shall maintain with the Commission the names, e-mail addresses and telephone numbers of one primary and one secondary company representative who will manage the user accounts on the Commission's secure website.

(e) Within 20 calendar days of receiving the Commission's e-mail notification that the Lifeline service application is available for retrieval, the eligible telecommunications carrier shall provide a facsimile response to the Commission via the Commission's dedicated Lifeline service facsimile telephone line at (850) 413-7142, identifying the customer name, address, telephone number, and date of the application for:

1. misdirected Lifeline service applications;
2. applications for customers currently receiving Lifeline service; and
3. rejected applicants, which shall include the reason(s) why the applicants were rejected.

In lieu of a facsimile, the eligible telecommunications carrier may file the information with the Office of Commission Clerk.

(f) Pursuant to Section 364.107(1), F.S., information filed by the eligible telecommunications carrier in accordance with subsection (3)(e) of this rule is confidential and exempt from Section 119.07(1), F.S. However, the eligible telecommunications carrier may disclose such information consistent with the criteria in Section 364.107(3)(a), F.S. For purposes of this rule, the information filed by the eligible telecommunications carrier will be presumed necessary for disclosure to the Commission pursuant to the criteria in Section 364.107(3)(a)4, F.S.

(4) All eligible telecommunications carriers shall provide current Lifeline service company information to the Universal Service Administrative Company (USAC) at www.lifelinesupport.org so that the information can be posted on the USAC's consumer website.

Specific Authority 350.127(2), 364.10(3)(j), F.S.

Law Implemented 364.10, 364.105, FS

History New 1-2-07, Amended XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE: Curtis Williams, Division of Economic Regulation, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850) 413-6924.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 33, Number 27, July 6, 2007