

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Joint petition to implement practices and procedures with Department of Children and Families to automatically enroll eligible customers in Lifeline telephone program, by Citizens of Florida and AARP.

DOCKET NO. 060677-TL
ORDER NO. PSC-08-0130-FOF-TL
ISSUED: March 3, 2008

The following Commissioners participated in the disposition of this matter:

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

ORDER CLOSING DOCKET

I. Case Background

On October 11, 2006, the Office of Public Counsel (OPC) and AARP jointly filed a petition requesting that we order local exchange telecommunications companies in Florida to implement practices and procedures with the Department of Children and Families (DCF) to automatically enroll eligible customers in the Lifeline telephone program.¹

By Order No. PSC-07-0417-PAA-TL, issued May 11, 2007, we placed this docket in abeyance in order to obtain more experience with the existing Lifeline automatic enrollment system established by this Commission and DCF, receive feedback from the parties, and evaluate any relevant statute modifications. We also directed our staff to submit a status report on the automatic enrollment process in six months.

Our staff presented a status report on the Lifeline automatic enrollment process at the October 23, 2007, Internal Affairs meeting. Our staff advised that statutory-required rulemaking regarding the Lifeline automatic enrollment process was completed, and a Memorandum of Understanding (MOU) between this Commission, DCF, and OPC, also required by statute, was signed by the parties on September 27, 2007. The rulemaking established formal procedures to automatically enroll eligible customers in the Lifeline program. The MOU clarified the specific duties of this Commission, DCF, and OPC with respect to implementation of automatic enrollment.

¹ The Lifeline and Link-Up assistance programs help low-income consumers obtain and maintain basic telecommunications service at just, reasonable, and affordable rates by providing a minimum \$13.50 monthly credit to eligible consumers.

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II. Analysis

In April 2007, we implemented with DCF a joint project to develop a Lifeline automatic enrollment process whereby potential Lifeline customers, once certified through a DCF qualifying program, would have their name placed on a spreadsheet to be forwarded to the Commission. In turn, we committed to automatically sort the list by the applicant's telephone company, and then forward an automatic e-mail informing the appropriate eligible telecommunications carrier (ETC) that a Lifeline application is available for retrieval through our secure database.

The automatic enrollment process entails the DCF applicant checking a "yes" box on the DCF application providing a positive affirmation that the applicant would like to receive a discount on his or her telephone service. The "no" box provides an option to the applicant to not subscribe to Lifeline service. If the applicant answers yes, the applicant is directed to provide applicable information needed for Lifeline enrollment, and to then continue completing the DCF application. If the applicant has existing phone service, the application is automatically forwarded to the appropriate ETC by this Commission for enrollment in the Lifeline program. If the applicant answers no, the applicant is directed to continue completing the DCF application to enroll in a DCF program.

House Bill 529, "The Consumer Choice Act of 2007," (Video Franchising Reform) included language addressing automatic enrollment of eligible customers in Lifeline service. Section 364.10(3)(h)(2), Florida Statutes, now provides that:

If any state agency determines that a person is eligible for Lifeline services, the agency shall immediately forward the information to the commission to ensure that the person is automatically enrolled in the program with the appropriate eligible telecommunications carrier. The state agency shall include an option for an eligible customer to choose not to subscribe to the Lifeline service.

In addition, Section 364.107, Florida Statutes, was created to protect the personal identifying information of Lifeline applicants by granting a public records exemption for such information. The information made confidential and exempt may be released to the applicant's telecommunications carrier for eligibility, verification, or auditing of a Lifeline Assistance Plan, and to this Commission for enrollment purposes.

The joint petition filed by the OPC and AARP requests that we order local exchange telecommunications companies in Florida to "implement practices and procedures with the Department of Children and Families to automatically enroll eligible customers in the Lifeline telephone program." As mentioned above, we have been working together with DCF on the Lifeline automatic enrollment process with promising results. DCF's partnership in the successful development and implementation of the automatic enrollment process has been invaluable.

Since April 1, 2007, over 83,000 Lifeline applications have been received through the automatic enrollment process. The number of eligible customers participating in the Lifeline program in Florida grew 13 percent during the October 2006 - September 2007 review period, representing the largest annual increase since inception of the program, and the October 2006 - September 2007 review period only included the first six months of operation for the automatic enrollment process.

The OPC, AARP, DCF, and this Commission continue to have one common goal, to help low-income households in Florida obtain and maintain basic telephone service. The petitioners, OPC and AARP, believe the goal of the petition has been met with the existing Lifeline automatic enrollment process. We direct our staff to continue to work with the parties to make it easier for applicants to enroll in the Lifeline program. Accordingly, we hereby find that this docket shall be closed.

ORDERED by the Florida Public Service Commission that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 3rd day of March, 2008.



ANN COLE
Commission Clerk

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request:
1) reconsideration of the decision by filing a motion for reconsideration with the Office of

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Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Office of Commission Clerk, and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.