

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2016-367-C - ORDER NO. 2016-793

NOVEMBER 17, 2016

IN RE: Petition of BellSouth Telecommunications,) ORDER ADOPTING
LLC d/b/a AT&T South Carolina for An) FEDERAL LIFELINE
Order Adopting Recent Changes to the) RULES FOR STATE
Federal Lifeline Program for the State) LIFELINE PROGRAM
Lifeline Program)

This matter comes before the Public Service Commission of South Carolina (“the Commission”) on the Petition of AT&T South Carolina (“AT&T” or “the Company”). AT&T requests that this Commission adopt recent changes in the federal Lifeline program for the state Lifeline program, and provide that the effective date of these changes will coincide with the effective date of the relevant changes to the federal Lifeline program, which could become effective as soon as December 2, 2016. The changes involve streamlined eligibility requirements, a rolling re-certification process, and new de-enrollment timeframes.

With regard to streamlined eligibility requirements, the Federal Communications Commission (“FCC”) trimmed the list of programs for Lifeline eligibility to SNAP, Medicaid, SSI, and FPHA, and added Veterans Pension Benefits. The FCC explained that it took these steps “to streamline the eligibility for Lifeline support to increase efficiency and improve the program for consumers, Lifeline providers, and other participants.” These eligibility requirements differ from those addressed by this Commission’s prior orders adopting the FCC’s 2012 changes to the federal Lifeline program, but are reasonable.

Also, the FCC adopted a rolling recertification process, finding that it “will result in administrative efficiencies and avoid imposing undue burdens on providers (or the administrator of the federal Lifeline program).” Instead of recertifying all Lifeline customers’ eligibility at one time, which is presently required by State regulation, under the new rule, each Lifeline customer’s eligibility will be recertified every 12 months as measured from the subscriber’s service initiation date. Because this new rolling recertification process arguably differs from the pertinent Commission Regulation, which is 10 S.C. Code Ann. Regs. 103-690.1.E.(a)(4), AT&T South Carolina requests that the Commission adopt the new federal process for the state Lifeline process. A waiver of the Commission regulation would therefore be required to implement the federal change.

Finally, as part of the new rolling recertification process, the FCC adopted new timeframes for de-enrolling non-qualifying customers from the Lifeline program. The present state requirement codified by state regulation is that the ETC shall notify Lifeline subscribers a minimum of 60 days prior to termination of their service if the carrier has a reasonable basis to believe that the subscriber no longer meets the Lifeline qualifying criteria. Because these new timeframes based on rolling recertification arguably differ from the pertinent Commission Regulation, which is 10 S.C. Code Ann. Regs. 103-690.1.E. (a)(5), AT&T again requests that the Commission adopt the new federal de-enrollment timeframes for the state Lifeline process. A waiver of the Commission regulation would again be required to implement the requested modification.

AT&T states that the Office of Regulatory Staff, the South Carolina Cable Television Association, the South Carolina Telephone Coalition, and United Telephone

Company of the Carolinas, LLC d/b/a CenturyLink by respective counsel, have confirmed that they have no objection this Petition.

S.C. Code Ann. Regs. 103-601.3 states that where circumstances indicate that a waiver of one or more regulations is appropriate, the Commission may grant waiver upon a finding that such waiver is not contrary to the public interest. Clearly, the waivers required herein are not contrary to the public interest. Indeed, the waivers of the regulations above would allow us to adopt the new federal rules for rolling recertification and new timeframes for de-enrolling non-qualifying customers from the Lifeline program, which are better for the public than the all-at-once annual recertification and the present timeframe for de-enrolling the non-qualifying customers. Accordingly, waivers of 10 S.C. Code Ann. Regs. 103-690.1.E.(a)(4) and (a)(5) are hereby granted, and all three new federal Lifeline changes as outlined above are hereby adopted for the state Lifeline program as being in the public interest. We note that several entities have stated that they have no objection to adoption of the federal Lifeline changes. The effective date of these changes to the state Lifeline program will coincide with the effective date of the relevant changes to the federal Lifeline program.

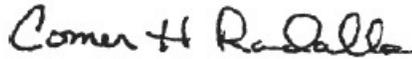
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Swain E. Whitfield, Chairman

ATTEST:



Comer H. Randall, Vice Chairman