

Nov. 16, 2020

Bureau Again Extends Lifeline Enrollment, Certification Waivers

Acting on its own motion, the FCC's Wireline Competition Bureau today extended waivers it previously granted with respect to various Lifeline rules in light of the COVID-19 pandemic. The waivers, which had been extended in August (*TR Daily*, Aug. 17), were due to expire Nov. 30.

In an order adopted today in WC docket 11-42, the bureau extended through Feb. 28, 2021, waivers of Lifeline program rules "governing documentation requirements for subscribers residing in rural areas on Tribal lands, recertification, reverification, general de-enrollment, subscriber usage, and income documentation."

"We direct [the Universal Service Administrative Co.] to not de-enroll any Lifeline subscriber for failure to successfully respond to a reverification documentation request for those subscribers with documentation deadlines falling on or before February 28, 2021. We also direct USAC to not open any new reverification documentation requests on or before February 28, 2021 and to provide impacted subscribers a new opportunity to provide any necessary eligibility documentation after the end of the waiver period," the bureau said.

It extended through Feb. 28, 2021, its direction to USAC "to pause its periodic, targeted reviews to identify and de-enroll ineligible subscribers. USAC should not involuntarily de-enroll any subscriber nor seek additional documentation from an eligible telecommunications carrier or subscriber as part of those reviews until that date."

With respect to the waiver of documentation requirements at the time of enrollment for subscribers residing in rural areas on tribal lands, the bureau said that such subscribers "will have 45 days from the time of application to provide such documentation, but if the consumer does not submit the necessary documentation, USAC will de-enroll the consumer from the Lifeline program."

With regard to the waiver of the bar on Lifeline support for subscribers who do not use their service in a 30-day period, the bureau noted that the Oregon Public Utility Commission "submitted an ex parte letter recommending that instead of extending the non-usage waiver, we reinstate the non-usage requirement and temporarily extend the non-usage period by increasing the number of days to cure any non-usage [*TR Daily*, Nov. 5]. ... We find, however, that the public interest in ensuring that subscribers have the Lifeline service active if they need it during this pandemic outweighs the cost of extending the non-usage waiver, and we therefore extend the non-usage waiver and decline the request of the Public Utility Commission of Oregon."

The bureau also clarified the Lifeline subscriber eligibility recertification requirements for 2021.

“As we noted in our last extension of these waivers, the Lifeline rule waivers necessitated by the pandemic have resulted or will result in recertification delays for a majority of Lifeline program subscribers and re-starting the recertification process for most of the Lifeline population simultaneously at the end of the waiver period would present an unreasonable administrative challenge for USAC and the three state administrators. We also note that, on October 13, 2020, an amendment to the Lifeline recertification rule took effect, requiring that Lifeline subscribers’ annual recertifications be completed by the end of each calendar year instead of by each subscriber’s anniversary date. To provide USAC and the state administrators with enough time to reasonably stagger the beginning of recertifications again after the expiration of the waiver granted in this Order, and consistent with the amended rules’ requirement that Lifeline subscribers undergo one recertification per calendar year, we clarify that subscribers’ eligibility need only be recertified once in calendar year 2021. Any subscribers with anniversary dates falling on or between January 1, 2021 and May 29, 2021 may have their recertification process delayed under this Order but must have their eligibility recertified after the waiver has expired,” the bureau said. —Lynn Stanton, lynn.stanton@wolterskluwer.com

Copyright © 2020 CCH Incorporated, All Rights Reserved