

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Into  
Implementation of Federal Communications  
Commission Report and Order 04-87, as it  
Affects the Universal Lifeline Telephone  
Service Program.

Rulemaking No. 04-12-001  
(Filed Dec. 2, 2004)

**REPLY COMMENTS OF AT&T ON DRAFT RESOLUTION T-17202 REVISING  
GENERAL ORDER 153 TO REFLECT ADMINISTRATIVE REVISIONS  
TO THE CALIFORNIA LIFELINE TELEPHONE PROGRAM**

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Pursuant to the Notice of Availability accompanying Draft Resolution T-17202, AT&T<sup>1</sup> submits these Reply Comments on Resolution T-17202's revisions of General Order 153 to reflect administrative revisions to the California Lifeline Telephone Program ("Draft Resolution").

## **I. INTRODUCTION**

The Draft Resolution effectively revises General Order 153 to transition Lifeline's enrollment process to pre-qualification. As discussed in our Opening Comments, AT&T supports adoption of proposed revisions, with the exception of (a) handling enrollment processes during the "transition period," and (b) modifying Section 4.2.1.1. Proposals that attempt to add new system requirements or increase implementation costs while offering no additional protections to Lifeline consumers should be rejected.

## **II. REPLY COMMENTS**

### **A. AT&T Supports Cox's Modification to Section 9.11.3.**

AT&T agrees with Cox's proposal to allow carriers additional time to comply with Section 9.11.3 document requests from Commission staff on a case-specific basis. Certain document requests can be relatively complex and require more than 5 business days for carriers to comply. Considering that denial of a carrier's claim is the potential repercussion should carriers fail to comply within 5 days, permitting carriers additional time, if reasonable, seems appropriate and fair.

### **B. The Commission Should Adopt Cox's Modifications to Sections 4.2.5 and 5.4.6.**

Cox's proposed modifications to Sections 4.2.5 and 5.4.6 appropriately clarify D.08-08-029's order governing issuance of reimbursement checks. Ordering Paragraph 3 expressly states that customers may request a refund check if they have a net credit balance of at least \$10.00 on their next bill. The current text of Sections 4.2.5 and 5.4.6 can be incorrectly interpreted to suggest that customers with a credit balance of at least \$10 may request a refund check, regardless of the net balance on their bill. This is not the intent of D.08-08-029. As such, the Commission should adopt Cox's proposed modifications to these rules.

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<sup>1</sup> Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C); AT&T Communications of California, Inc. (U 5002 C).

**C. The Commission Should Reject the Draft Resolution's Proposed Changes to Section 4.2.1.1.**

All carriers agree that the Draft Resolutions' proposed changes to Section 4.2.1.1 should be rejected.<sup>2</sup> The record does not establish how many Lifeline participants are unable to transfer service to a new carrier under Section 4.2.1.1. As such, the Draft Resolution fails to show the magnitude of this problem. Further, there is no indication that collecting this additional information will resolve the obstacles faced by Lifeline participants. Accordingly, the revisions proposed in the Draft Resolution are not justified.

Rather than endorse a new Section that will require costly system modifications and additional verbal disclosures at time of enrollment, with no likelihood of resolving this persistent predicament, the Commission should have Solix obtain this information directly from the participant. As AT&T recommended in our opening comments,<sup>3</sup> the Certification Form should be modified to capture the additional information directly from the customer; *i.e.*, the customer's name as it appeared on their prior bill, the exact address where they received prior service, and the prior phone number. This approach is a significantly less costly modification to the program and will likely have a greater success in transferring more Lifeline participants under Section 4.2 who may not be able to transfer under the current rule.

**D. AT&T Opposes TURN's Proposed Revisions to Section 8.1.**

TURN's revisions to Section 8.1 create duplicative and unclear Sections and should be rejected. For instance, new Section 8.1.1.4, which outlines the credit process on customer bills, is already addressed in Sections 4.2.5, 5.4.6, and 8.1.1.1. In accordance with these existing sections, the Lifeline participant receives all applicable benefits under the GO as a credit to their account immediately upon certification. Augmenting the GO to repeat this rule is unnecessary.

TURN's revisions to Section 8.1.2.1 go beyond the scope of D.08-08-029. Ordering Paragraph 6 of D.08-08-029 orders carriers to offer a payment plan to Lifeline applicants installing new service. It does not dictate the type of payment plan carriers must offer. Although three-month installment plans

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<sup>2</sup> See AT&T Comments, pp. 4-5; Cox Comments, pp. 2-3, Frontier Comments, p. 1; Small LECs Comments, p. 2; Verizon Comments, p. 1.

<sup>3</sup> See AT&T Comments, p. 5; *see also id.* at Appendix A..

may be popular, the final Resolution cannot endorse this policy decision without it having been ordered previously in D.08-08-029.

TURN's proposed revisions to Section 8.1.3.3 should be rejected on grounds that they conflict with Section 8.1.3.2. TURN specifically seeks to add the following text:

A conversion charge is not applicable when an applicant has paid a service connection fee pursuant to Section 8.1.1.

Pursuant to Section 8.1.3.2, carriers may charge a conversion charge to Lifeline participants who change their class, grade, or type of service. For example, if a Lifeline participant has measured Lifeline service and decides at some future date to change to flat-rate Lifeline service, carriers may charge the customer a conversion fee. Presumably, all Lifeline participants have paid an installation fee pursuant to Section 8.1.1. As such, TURN's proposed language restricts carriers from applying any conversion fees any time a Lifeline participant changes his/her service from measured to flat-rate, contrary to Section 8.1.3.2. DRA's proposed revisions to Section 8.1.3.3 appear clear as to when conversion charges are assessed to Lifeline customers.

Finally, AT&T does not oppose TURN's revision to Section 4.2.4, but recommends augmenting the Section as follows to ensure clarity (AT&T's proposed augmentation language is underscored):

4.2.4 Utilities shall inform Lifeline applicants that they will incur regular tariff rates and charges until completion of the certification process. "Utilities shall offer Lifeline applicants a payment plan for the regular tariff non recurring charges and deposits for basic service, and shall inform applicants of the existence of such plans."

### III. CONCLUSION

AT&T California urges the Commission to reject all proposed modifications to Draft Resolution T-17202, as well as any provisions of the Draft Resolution itself, that do not comport with D.08-08-029.

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Respectfully submitted,

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