

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

_____)	
In the Matter of)	
)	
Federal-State Joint Board on)	WC Docket No. 09-197
Universal Service)	
)	
Lifeline and Link Up Reform Modernization))	WC Docket No. 11-42
)	
Petition for Forbearance)	
_____)	

**AMERICAN BROADBAND & TELECOMMUNICATIONS
REVISED COMPLIANCE PLAN**

Background

On February 25, 2011, American Broadband & Telecommunications (“American Broadband” or “Company”) filed a Petition for Forbearance (“Petition”) requesting that the Federal Communications Commission (“FCC” or “Commission”) forbear from enforcement of section 214(e)(1)(A) of the Act, which requires eligible telecommunications carriers (“ETC”) to use their own facilities to provide services supported by the Universal Service Fund (“USF”). The Commission issued a Public Notice seeking comment on American Broadband & Telecommunications’ Petition and no comments opposing the Petition were filed.¹ On June 30, 2011, the Company filed its initial draft Compliance Plan outlining its proposed compliance with the usual Commission conditions for ETCs. The Commission sought comment on the Plan and the Company subsequently filed an updated draft Plan on December 2, 2011.

¹ *Wireline Competition Bureau Seeks Comments on American Broadband & Telecommunications Petition for Forbearance from Eligible Telecommunications Carrier Facilities Requirement*, Public Notice, DA 11-641 (rel April 7, 2011).

On January 31, 2012, the Commission approved several modifications to its Lifeline rules and provided blanket forbearance for non-facilities-based carriers wishing to provide Lifeline only services. In the *Lifeline Reform Order*,² the Commission noted that a carrier must comply with 911 requirements (which American Broadband already does) and file a Compliance Plan that provides specific information on the low income offerings of the carrier as well as outlining the steps the carrier will take to comply with the order, specifically with regards to the prevention of waste, fraud and abuse.³ On March 13, 2012, American Broadband filed a revised compliance plan pursuant to the *Lifeline Reform Order*. With this filing, American Broadband makes several minor revisions to the March 13 filing. Through this revision, American Broadband demonstrates its current compliance with the *Lifeline Reform Order*, and willingness to comply with forthcoming procedures outlined in the order (such as use of the National Lifeline database), when such procedures become effective.

The *Lifeline Reform Order* also states that carriers like American Broadband who have pending Compliance Plans at the Commission should revise them to comply with the *Lifeline Reform Order*.⁴ As such, American Broadband files this revised Compliance Plan, which complies with the requirements of the *Lifeline Reform Order*. American Broadband respectfully requests expeditious approval of its proposed Compliance Plan.

² *Lifeline and Link Up Reform and Modernization, et al*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket 11-42, *et al*, FCC 12-11, (rel. February 6, 2012) (“*Lifeline Reform Order*”).

³ *Lifeline Reform Order*, ¶ 368.

⁴ *Id.*, at n. 983.

COMPLIANCE PLAN

American Broadband commends the Commission's commitment to a nationwide communications system that promotes the safety and welfare of all Americans, including Lifeline customers. American Broadband will comply with all conditions set forth in any Commission order, the provisions of this Compliance Plan, and all laws and regulations governing its provision of Lifeline-supported wireless service (both non-facilities-based and facilities-based) to customers throughout our service territories and in addition take the steps set forth herein.

I. Access to 911 and E911 Services

American Broadband will provide its Lifeline customers with access to 911 and E911 services immediately upon activation of service. The Commission removed the requirement to obtain PSAP certifications from Low Income only ETCs in the *Lifeline Reform Order*, but reaffirmed the obligation to provide consumer access to 911 and E911 regardless of activation status and to provide E911-compliant handsets.⁵ American Broadband can comply with both requirements immediately.

The Commission and consumers are hereby assured that all American Broadband customers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911 and E911 access will be available from American Broadband handsets, even if the account associated with the handset has no minutes remaining. All Lifeline customers will have meaningful access to emergency calling services at the time the

⁵ *Lifeline Reform Order*, ¶¶ 373-75.

customer activates Lifeline service, and that such access will continue regardless of the customer's account status or the availability of prepaid minutes.

The Company's existing practices currently provide access to 911 and E911 services to the extent that these services have been deployed by its underlying carriers, such as Sprint and Verizon. American Broadband also currently enables 911 emergency calling services for all properly activated handsets regardless of whether the account associated with the handset is active, suspended or terminated. Finally, the Company transmits all 911 calls initiated from any of its handsets even if the account associated with the handset has no remaining minutes.

II. E911-Compliant Handsets

American Broadband & Telecommunications will ensure that all handsets used in connection with the Lifeline service offering will be E911-compliant. In fact, American Broadband's phones have always been and will continue to be 911 and E911-compliant. American Broadband uses phones from Sprint and Verizon that have been through a stringent certification process in either Sprint's or Verizon's handset certification lab, which ensures that the handset models used meet all 911 and E911 requirements. As a result, any customer that qualifies for and elects Lifeline service will already have a 911/E911-compliant handset, which will be confirmed at the time of enrollment in the Lifeline program. In the event that an existing customer does not have an E911-compliant handset, American Broadband will replace it with a new 911/E911-compliant handset at no charge to the customer. Any new customer that qualifies for and enrolls in the Lifeline program is assured of receiving a 911/E911-compliant handset as well, free of charge.

III. Certification of Lifeline Customers' Eligibility

To safeguard against misuse of the Lifeline service plan, American Broadband will deal directly with the customer and collect initial and annual certifications required by the *Lifeline Reform Order*. As required by the Order, American Broadband will establish safeguards to prohibit more than one supported service for each household. American Broadband proposes the following plan to implement these certification and verification conditions and will modify the plan to conform to any new rules and orders, once issued and effective:

A. Policy

American Broadband will comply with the minimum federal certification and verification requirements for Lifeline eligibility and any additional requirements established by the states where it is designated as an ETC.

In addition to any state-imposed requirements, American Broadband will certify at the outset and will verify annually consumers' Lifeline eligibility in accordance with the Commission's requirements. American Broadband will enact the same stringent requirements of annual re-certification that it currently uses with its wireline Lifeline service offering. This process requires a customer signed, annual certification form to be entered into our systems prior to any benefits being extended for the next year.

B. Certification Procedures

American Broadband will implement certification procedures that enable consumers to demonstrate their eligibility for Lifeline assistance by contacting American Broadband via telephone, facsimile, or the Internet. At the point of sale, consumers will be provided with printed information describing American Broadband's Lifeline program, including eligibility requirements, and instructions for enrolling. Materials from USAC, that will be developed

pursuant to the *Lifeline Reform Order*, may also be provided at the point of sale. Specific information will be provided to educate consumers about the one per household rules. Consumers will be signed up in person or directed via Company literature or advertising to a toll-free telephone number and to American Broadband's website, which will contain a link to information regarding the Company's Lifeline service plan, including a detailed description of the program and state-specific eligibility criteria. American Broadband's application form for its wireless service will identify that it is a "Lifeline" application. A sample application form is attached hereto as Exhibit A. In addition to this document, applicants will be required to complete USAC's application form that will be developed pursuant to the *Lifeline Reform Order*, when that form is available.⁶

American Broadband understands and accepts the Commission's requirement that the Company have direct contact with all customers applying for participation in the Lifeline program. American Broadband enrolls individuals through two methods: person-to-person sign-up at areas set up at state government agencies or by application submitted by the individual. First, American Broadband has an employee or agent located in state government offices where members of the public come to meet with their case workers and sign up for various state programs. The agent will explain the eligibility requirements for the program, including participation in a qualifying program or earning income below 135% of the Federal Poverty Guidelines and will verify the individual's eligibility based on a meeting with the person's case worker and verifying documentation obtained from the case workers. The agent will also explain the program limitation of only one Lifeline service per household. Before the service is

⁶ *Lifeline Reform Order*, ¶ 78.

authorized, the individuals eligibility is also verified through the relevant databases as described in further detail below.

Alternatively, individuals may obtain a copy of the application at these state government offices, fill out the necessary information, sign the form and fax them to American Broadband for processing. These applications are also verified through the state case workers and review of the necessary documentation from the case worker. If an individual contacts American Broadband for service via phone, they are instructed to visit an agent (located in governments offices) to receive an application, complete it and fax it to the company. American Broadband does not undertake any outbound telemarketing nor do they accept applications online or over the phone. American Broadband will provide Lifeline-specific training to all personnel, whether employees or agents, that interact with actual or prospective consumers with respect to obtaining, changing or terminating its Lifeline services.

Consumers who do not complete the application process in person must return the signed application and support documentation to the Company, normally by fax. In the future, should the Company use an electronic application process, consistent with Commission regulations, the Company will develop a system to accept electronic signatures that meet the requirements of the Electronic Signatures in Global and National Commerce Act, 15 USC § 7001-7006, and any applicable state laws. Processing of consumers' applications, including review of all application forms and relevant documentation will be performed under American Broadband's supervision by managers experienced in the administration of the Lifeline program. American Broadband will ensure that all required documentation is taken care of properly by using state-specific compliance checklists.

In addition to the Commission’s requirements, in states with program-based eligibility criteria, the form will list each of the qualifying programs, and the applicant will be required to identify the program(s) in which they participate, and to furnish proof that they currently participate in such program(s). For states with income-based eligibility criteria, the applicant will be required to certify under penalty of perjury that their household income does not exceed the relevant threshold (*e.g.*, 135% of the Federal Poverty Guidelines for federal default states) and will be required to provide proof of income-based eligibility. American Broadband will not retain copies of this information, but rather will maintain a database that records what information was provided.⁷ Notwithstanding the foregoing with respect to program or income eligibility, for states that require American Broadband to enroll subscribers identified by the state or as eligible in a state database, American Broadband may continue to rely on the state identification or database. In addition, the Lifeline application form will include a certification section where the applicant must attest and sign under penalty of perjury that the applicant’s representations are true and correct. Applicants will also be required to certify under penalty of perjury that they are head of their household and receive Lifeline-supported service only from American Broadband. Penalties for perjury will be clearly stated on the certification form. American Broadband will use substantially the following form of its certification both in the initial application and annually:

By signing below, I certify under penalty of perjury – (additionally, please initial each of the 11 statements below)

1. The information contained within this application is true and correct. I acknowledge that providing false or fraudulent documentation in order to receive assistance is punishable by fines, imprisonment, de-enrollment or being barred from the program

⁷ *Lifeline Reform Order*, ¶ 101.

2. I understand that Lifeline is a federal benefit and is only available for one phone line per household, whether landline or wireless. For purposes of the Lifeline program, a household is any individual or group of individuals who live together at the same address and share income and expenses. Violation of the one-per-household requirement is a violation of FCC rules, will result in de-enrollment from the Lifeline program and potentially prosecution by the federal government. _____

3. I understand that households are not permitted to receive Lifeline benefits from multiple providers. (Some Lifeline services are not marketed under a "Lifeline" name; these include Lifeline services sold under the names AT&T Lifeline, Assurance Wireless, and Safelink.) I certify that to the best of my knowledge, I, and any members of my household, will only receive Lifeline from American Broadband & Telecommunications (AB&T). _____

4. I understand that I must notify AB&T within 30 days if I cease to participate in a qualifying federal program or my annual household income exceed this threshold. _____

5. I understand that I must cancel any Lifeline service or port my number to AB&T prior to establishing my service with AB&T. _____

6. I understand that Lifeline is a non-transferrable benefit and certify that I will only use this phone for my household's own use and will not resell or transfer it. _____

7. I will notify AB&T within 30 days if I, or any member of my household, no longer qualify for Lifeline, I or any members of my household move, or if I, or any member of my household, are receiving more than one Lifeline-supported service. _____

8. I understand that I may be required to re-certify my continued eligibility at any time, and at least annually, and failure to so will result in the termination of my Lifeline benefits _____

9. I certify that I meet the income-based or program-based eligibility criteria for receiving Lifeline service as described by FCC rules _____

10. I understand that my name, telephone number, and address will be divulged to the Universal Service Administrative Company (USAC) (the administrator of the program) and/or its agents for the purpose of verifying that I, or my household, do not receive more than one Lifeline benefit. I consent to inclusion of this information in the support database. _____

11. I understand that if I have listed a temporary residential address, I will be required to verify my temporary residential address every 90 days. _____

Perjury and false statements are punishable by fines and/or imprisonment.

Signature (required)_____ Date_____

To the extent that USAC’s disclosure and application form that is to be developed pursuant to the *Lifeline Reform Order* duplicates these disclosures, this form may be modified to eliminate duplication or eliminated outright if fully covered by the USAC certification form. In such event, American Broadband will use the USAC-developed certification form. Customers will also be provided a verification form consistent with parameters described in the annual Verification section described below. The application forms will require each applicant to provide their name and permanent residential address, and a billing address if different. American Broadband will incorporate this information into its customer information database. These forms will also collect a customer’s date of birth and last four digits of the customer’s Social Security Number as required by the *Lifeline Reform Order*.⁸ Prior to initiating service for a customer, the Company will check the name and address of each Lifeline applicant (and the personal information required for verification) against its database to determine whether or not it is associated with a customer that already receives Lifeline-supported service, and will then review the application to ascertain whether the applicant is attempting to receive Lifeline-supported service for more than one handset or wireline phone associated with the address. American Broadband will also check the name and address against the national Lifeline database prior to initiating service, once such database is operational. If the Lifeline applicant or address is listed as a duplicate, the applicant will be required to complete the certification developed by USAC, that they live at a multiple household address. American Broadband will also verify a customer’s eligibility using the database by collecting the customer’s data of birth and last four digits of the customer’s social security number and using this information to complete the

⁸ *Lifeline Reform Order*, ¶ 184.

verification process established by the *Lifeline Reform Order*. In addition, prior to requesting a subsidy, American Broadband will process and validate American Broadband's subsidy data, consistent with the standard procedures to be established by USAC and the forthcoming Lifeline database to automatically prevent any household that is already receiving a Lifeline subsidy for services provided by American Broadband from receiving a second Lifeline subsidy in that same month. Further, any prepaid customers who do not use the service in the first instance or who have not used the service within the past 60 days will not be considered active customers for the purposes of requesting subsidies.⁹ For customers who are de-activated for non-usage, American Broadband will update USAC's Lifeline database (when it becomes operational) within one business day of the de-enrollment of the customer from the Lifeline service. American Broadband will provide Lifeline-specific training to all personnel, whether employees or agents, that interact with actual or prospective consumers with respect to obtaining, changing or terminating its Lifeline services.

American Broadband shares the Commission's concern about abuse of the Lifeline program and is thus committed to the safeguards stated herein, with the belief that the procedures it will implement will prevent American Broadband customers from engaging in such abuse of the program. American Broadband will make full use of the national Lifeline database when it is operational. In the interim, because of American Broadband's relationship with multiple government agencies throughout our service territory, we are also able to certify eligibility directly with the state agency that provides benefits which qualify customers for Lifeline eligibility.

⁹ See Usage Policy, below.

C. Verification Procedures

American Broadband will require every consumer enrolled in the Lifeline program to verify on an annual basis that they are the head of their household and only receive Lifeline service from one ETC.¹⁰ American Broadband will notify each participating Lifeline consumer prior to their service anniversary date that they must confirm their continued eligibility in accordance with the applicable requirements. This notification will be mailed via the U.S. Postal Service to the address the subscriber has on record with American Broadband. The notice will explain the actions the customer must take to retain Lifeline benefits, when Lifeline benefits may be terminated, and how to contact American Broadband. Customers will have 60 days to complete the form, certify under penalty of perjury that they are the head of household and receive Lifeline service only from American Broadband, and return the form to American Broadband by mail or other means that may be developed in the future. The form will remind customers that Lifeline is a federal benefit, that it is only available for one line per household, that “household” in the context of the certification means any individual or group thereof who live together at the same address and share income and expenses, and that a household may not have service from multiple providers. The form will include a statement that violation of these rules constitutes a violation of the program’s rules that will result in immediate de-enrollment from the program and could be the basis for federal criminal prosecution.¹¹ Anyone who does not respond to the mailing and certify their continued eligibility will be de-enrolled from the Lifeline program.

¹⁰ *Lifeline Reform Order*, ¶ 92. Note that in the future, American Broadband may elect to have USAC administer the self-certification process on its behalf, to the extent that option is available in a given state.

¹¹ *Lifeline Reform Order*, ¶ 121.

Currently, customers will be required to complete the verification process by mail; however, American Broadband will offer additional options, such as web-based methods, in the future. Such verification will be required in order for the consumer to continue to receive free Lifeline service or to purchase prepaid airtime from American Broadband at the discounted rate only available to those customers who are enrolled in its Lifeline program. American Broadband will report annually on its verification and re-verification procedures as required by the recently amended section 54.416 of the Commission's Rules.¹²

American Broadband submits that its Compliance Plan fully satisfies the conditions of the *Lifeline Reform Order*. Implementation of the procedures, outlined in this plan, will promote public safety and ensure that Lifeline customers have access to 911 and E911 services while safeguarding against misuse of the company's Lifeline service benefits.

IV. Additional Measures to Prevent Waste, Fraud, and Abuse

A. Non-usage Policy

American Broadband will implement a non-usage policy whereby we will identify pre-paid Lifeline customers that have not used the Company's Lifeline service for 60 days. Specifically, if no usage appears on an activated American Broadband pre-paid Lifeline customer's account during any continuous 60-day period, American Broadband will promptly notify the customer that the customer is no longer eligible for American Broadband Lifeline service subject to a 30-day grace period. During the 30-day grace period, American Broadband will engage in outreach efforts to determine whether the customer desires to remain on the Company's Lifeline service. If the customer's account does not show any customer-specific activity during the 30-day grace period (such as making or receiving a voice call to/from anyone

¹² *Lifeline Reform Order*, ¶ 120.

other than American Broadband or its agent, sending a text message, downloading data or adding money to the account), American Broadband will deactivate Lifeline services for that customer unless the customer affirmatively responds confirming that the customer wants to continue receiving Lifeline. In addition, American Broadband will not seek to recover a federal Universal Service Fund subsidy for the minutes provided to the customer during the grace period or thereafter report that customer on its USAC Form 497 unless the customer reinitiates service. Customers will be informed at the time service is initiated of the deactivation and de-enrollment process that will occur as a result of non-usage.¹³

Customers that receive phones via mail rather than in person must activate their service before they can place calls. American Broadband ensures that phones shipped to customers are only capable of calling 911 and the Company's interactive voice response ("IVR") system. A customer must call the IVR in order to complete the activation process. The Company does not submit a customer who received a shipped phone for Lifeline reimbursement until the customer completes this IVR activation process. American Broadband will apply this activation policy for shipped wireless handsets.

American Broadband will consult with the state commissions (PUCs) in the states where it provides Lifeline services regarding implementation of the policy described above. American Broadband expects that certain state PUCs or similar agencies may seek to incorporate state-specific variations to the policy. Consequently, American Broadband may modify the parameters of the inactivity policy described herein after consultation with the respective state PUCs.

¹³ *Lifeline Reform Order*, ¶ 257.

B. Customer Education with Respect to Duplicates

To supplement its verification and certification procedures, and to better ensure that customers understand the Lifeline service restrictions with respect to duplicates, American Broadband will implement measures and procedures to prevent duplicate Lifeline benefits being awarded to the same household. Customers shall also be informed that the service is non-transferable. These measures entail additional emphasis in written disclosures as well as live due diligence.

- a) Call Center and Sales Script – American Broadband will emphasize the “one Lifeline phone per household” restriction through its interaction with the potential customer at the call center. American Broadband will also emphasize the “one Lifeline phone per household” restriction through its direct sales contact with the potential customer. The sales training materials will include a discussion of the limitation to one Lifeline phone per household, and the need to ensure that the customer is informed of this restriction. Attached as Exhibit B is a sample of training material that is used to educate sales personnel of the FCC’s regulations regarding the definition of household and the prohibition on multiple lines.
- b) Marketing, Advertising and Website Content – American Broadband, in its marketing materials, will reinforce the limitation of one Lifeline phone per household. Attached as Exhibit C is a copy, to scale, of a two by three foot advertisement display, and description of wireless offerings.
- c) In addition to reminding consumers of the one-per-household rule, American Broadband will comply with the other marketing requirements in the *Lifeline Reform Order* and will explain in all marketing materials that the service offering is a Lifeline-supported service, only eligible consumers may enroll, what documentation is necessary for enrollment, Lifeline is a government benefit program, and consumers who willfully make false statements to obtain Lifeline can be punished by fine or imprisonment or barred from the program.

These statements will also appear on the company’s website (www.ambt.net) during the customer information/education cycle. At the point on its website when a customer inputs his/her zip code to verify that American Broadband offers service in their area, American Broadband will display the required marketing language in the section where the website explains the service and rate plan options. The message would flash to draw attention to it. In addition, American Broadband will include in its printed materials and website substantially the following statement “Not all Lifeline supported programs are identified as ‘Lifeline’ and may be marketed under other brand names.”

C. Cooperation with state and federal regulators

American Broadband has and will continue to cooperate with federal and state regulators to prevent waste, fraud and abuse, including:

- Sharing with state commissions (PUC), the FCC or USAC data that will enable that state, the FCC or USAC to determine whether some consumers are enrolled in more than one Lifeline program. Specifically, American Broadband agrees to make available state-specific customer data, including name and address, to each state PUC where it operates, the FCC or USAC for the purpose of permitting the PUC, FCC or USAC to determine whether an existing Lifeline customer receives Lifeline service from another carrier, and will participate in such a duplicate resolution process, provided that costs for participation are reasonable or defrayed through the universal service contribution mechanisms;
- Promptly investigate any notification that it receives from a state PUC, the FCC or USAC that one of its customers already receives Lifeline service from another carrier;
- Immediately deactivate a customer's Lifeline service and no longer report that customer on USAC Form 497 if American Broadband's investigation, a state, the FCC or USAC concludes that the customer receives Lifeline services from another carrier in violation of the Commission's regulations and that American Broadband's Lifeline service should be discontinued such as a de-enrollment notification pursuant to the FCC's June 17, 2011 Report and Order (Section III, B.).

V. Included Usage

American Broadband will offer at least one Lifeline plan that provides consumers with at least 250 included minutes-of-use per month at the lowest end user rate permitted under FCC rules. This provision will expire 36 months from the date of approval of this Compliance Plan.

VI. Service Areas

American Broadband operates as a wireline and wireless carrier in the states of Michigan, Ohio and Indiana. In Michigan, American Broadband is an ETC serving wireline Lifeline customers and has an application pending to provide Lifeline-only wireless services. American Broadband's service territory in Michigan includes the non-rural wire centers and study areas of AT&T Michigan, Frontier North, Inc., Frontier Midstates, Inc., CenturyTel Midwest - Michigan,

Inc., CenturyTel of Michigan, Inc., CenturyTel of Northern Michigan, Inc., CenturyTel of Upper Michigan, Inc., Frontier Communications of Michigan, Inc., Deerfield Farmer's Telephone Company, Ogden Telephone Company, and Sand Creek Telephone Company. In Ohio, the Company is designated as an ETC for wireline services and has an application pending to provide Lifeline-only wireless services in certain exchanges of Verizon North Inc. and AT&T Ohio. In Indiana, the company is licensed as a CLEC in the territories of Frontier and AT&T (fka Indiana Bell). The company serves approximately 1,000 customers in Indiana. The company currently has an application to become a ETC in Indiana pending before the Indiana Utility Regulatory Commission.

Note that American Broadband does not provide service to any Tribal areas, nor do its current business plans anticipate serving Tribal areas in the future. If and when American Broadband plans to expand its service to Tribal areas, American Broadband will amend its application and certification forms to reflect requirements specific to the service of Tribal areas.

VII. Statements required under Section 54.2002 of the Commission's Rules

A. Compliance with Service Requirements

American Broadband certifies that it does now, and will in the future comply with all applicable state and federal requirements applicable to the receipt of Lifeline support.

B. Emergency Functionality

American Broadband is technically qualified to remain functional during emergency situations. In particular, American Broadband's critical infrastructure, its Class 5 switch, is located in a facility that provides redundant and battery back-up power to minimize the risk of service outages during emergency situations. In addition, as a reseller of wireline and wireless

services, American Broadband relies on the network redundancy and disaster preparedness of its network suppliers.

C. *Consumer Protection*

American Broadband is committed to provide service consistent with appropriate standards for customer protection as established by the FCC and the applicable state Commissions (Ohio, Michigan and Indiana). For the Company's wireless services, American Broadband is committed to providing service in accordance with CTIA's Consumer Code for Wireless Service.

D. *Technical and Financial Qualifications*

In accordance with the *Lifeline Reform Order*,¹⁴ American Broadband submits that it is technically and financially qualified to operate as a Lifeline-only ETC. As noted above, American Broadband already operates as a wireline Lifeline ETC in the states of Michigan and Ohio, and is licensed as a telecommunications carrier in Ohio, Michigan and Indiana. American Broadband serves more than 30,000 customers in these three states, including more than 10,000 Lifeline-qualified wireline customers in Ohio and Michigan.

The Company's management has more than 50 years experience in the telecommunications industry. The Company owns and operates a partially facilities-based network, including a class 5 switch located in Toledo, Ohio. The Company's financial qualifications are well established, after having been deemed financially qualified to be both a licensed telecommunications carrier and an ETC by two state commissions. Lifeline customers are a relatively small part of the Company's overall revenue, and the Company is not dependent upon Lifeline support revenue as its primary source of income. The Company operates

¹⁴ *Lifeline Reform Order*, at ¶ 387.

profitably and has never filed for bankruptcy protection and plans measured expansion into neighboring states as business conditions allow.

American Broadband is a privately-held company and has no parent company and no affiliated companies. American Broadband has never been the subject of a state enforcement action or ETC revocation proceedings in any state.

E. Lifeline Service Offerings

The required information regarding the Company's Lifeline offerings is included in section V., above, as well as Exhibit C to this filing.

Conclusion

American Broadband respectfully requests that the Commission expeditiously approve its Compliance Plan so that the company may begin providing the benefits of Lifeline service to qualified low-income customers as soon as possible.

Respectfully submitted,

/s/ electronically signed

Tamar E. Finn
Douglas D. Orvis II
Kimberly A. Lacey
Bingham McCutchen LLP
2020 K Street, N.W.
Washington, DC 20006

Dated: April 27, 2012

Exhibit A

Sample Application Form

Wireless Lifeline Assistance Application

PLEASE MAIL OR FAX SIGNED APPLICATION TO:

ABT Wireless Lifeline— PO Box 577 Toledo, OH 43697

Toll free: 877-777-7922

Fax: 877-211-3705



PLEASE READ, INITIAL AFTER EACH STATEMENT AND SIGN THE FOLLOWING STATEMENT

By signing below, I certify under penalty of perjury – (additionally, please initial each of the 11 statements below)

1. The information contained within this application is true and correct. I acknowledge that providing false or fraudulent documentation in order to receive assistance is punishable by fines, imprisonment, de-enrollment or being barred from the program _____
2. I understand that Lifeline is a federal benefit and is only available for one phone line per household, whether landline or wireless. For purposes of the Lifeline program, a household is any individual or group of individuals who live together at the same address and share income and expenses. Violation of the one-per-household requirement is a violation of FCC rules, will result in de-enrollment from the Lifeline program and potentially prosecution by the federal government. _____
3. I understand that households are not permitted to receive Lifeline benefits from multiple providers. (Some Lifeline services are not marketed under a "Lifeline" name; these include Lifeline services sold under the names AT&T Lifeline, Assurance Wireless, and Safelink.) I certify that to the best of my knowledge, I, and any members of my household, will only receive Lifeline from American Broadband & Telecommunications (AB&T). _____
4. I understand that I must notify AB&T within 30 days if I cease to participate in a qualifying federal program or my annual household income exceed this threshold. _____
5. I understand that I must cancel any Lifeline service or port my number to AB&T prior to establishing my service with AB&T. _____
6. I understand that Lifeline is a non-transferrable benefit and certify that I will only use this phone for my household's own use and will not resell or transfer it. _____
7. I will notify AB&T within 30 days if I, or any member of my household, no longer qualify for Lifeline, I or any members of my household move, or if I, or any member of my household, are receiving more than one Lifeline-supported service. _____
8. I understand that I may be required to re-certify my continued eligibility at any time, and at least annually, and failure to so will result in the termination of my Lifeline benefits _____
9. I certify that I meet the income-based or program-based eligibility criteria for receiving Lifeline service as described by FCC rules _____
10. I understand that my name, telephone number, and address will be divulged to the Universal Service Administrative Company (USAC) (the administrator of the program) and/or its agents for the purpose of verifying that I, or my household, do not receive more than one Lifeline benefit. I consent to inclusion of this information in the support database. _____
11. I understand that if I have listed a temporary residential address, I will be required to verify my temporary residential address every 90 days. _____

Perjury and false statements are punishable by fines and/or imprisonment.

Signature _____

Date _____

Wireless Lifeline Assistance Application

PLEASE MAIL OR FAX SIGNED APPLICATION TO:

ABT Wireless Lifeline- PO Box 577 Toledo, OH 43697

Toll free: 877-777-7922

Fax: 877-211-3705



PLEASE COMPLETE BOTH SIDES OF THIS APPLICATION

Your Name: _____
(Last) (First) (Middle Initial)

Current Home Telephone Number: _____ Best Contact or Cell Number: _____

Residential Address: _____
(Number) (Street) (Apartment, Floor)

City/Town: _____ State: _____ Zip Code: _____

Is this a Permanent Address? YES NO Date of Birth ____/____/____ Last 4 Digits of Your Social Security Number _____

Is this a multiple household address? YES NO Billing Address (if different from Residential address)

(Number) (Street) (Apartment, Floor) City/Town State Zip Code

Please Select Your Wireless Plan

Lifeline Wireless Essentials 250 Lifeline Wireless Essentials 500 Lifeline Wireless Unlimited

Program Eligibility

I receive Assistance from one of the following programs (Check all that apply) (NOTE: Social Security and Medicare Alone **DO NOT** qualify for Lifeline):

- | | | |
|--|---|---|
| <input type="checkbox"/> Food Stamps | <input type="checkbox"/> Federal Public Housing and/or Section 8 | <input type="checkbox"/> Disability Assistance |
| <input type="checkbox"/> Medicaid (Not Medicare) | <input type="checkbox"/> Ohio or Michigan Works First /TANF | <input type="checkbox"/> National School Lunch Program |
| <input type="checkbox"/> Supplemental Security Income (SSI) | <input type="checkbox"/> Low Income Home Energy Assistance (LIHEAP) | <input type="checkbox"/> Temporary Assistance for Needy Families (TANF) |
| <input type="checkbox"/> Federal Public Housing Assistance (Section 8) | | |

AMBT USE ONLY – Please identify which Program Documents from the Box above you used for proof of Program Eligibility

- | | | |
|---|---|--|
| <input type="checkbox"/> Proof of Food Stamp Participation | <input type="checkbox"/> Federal Public Housing and/or Section 8 | <input type="checkbox"/> Disability Assistance Participation Certification |
| <input type="checkbox"/> Medicaid (Not Medicare)- Program Documentation | <input type="checkbox"/> Ohio or Michigan Works First /TANF documentation | <input type="checkbox"/> National School Lunch Program Eligibility |
| <input type="checkbox"/> Supplemental Security Income (SSI) Participation | <input type="checkbox"/> Low Income Home Energy Assistance-Documents | <input type="checkbox"/> Temporary Assistance for Needy –TANF Cert |
| | <input type="checkbox"/> Federal Public Housing Assistance (Section 8) | |

Income Based Eligibility – DO NOT COMPLETE THIS SECTION IF YOU COMPLETED THE PROGRAM ELIGIBILITY SECTION ABOVE

Calculate **TOTAL** household income by reporting the income of all adult persons residing in your home in the appropriate category:

Household Size	Maximum Yearly Income
1	\$16,335
2	\$22,065
3	\$27,795
_____	\$ _____

Proof of Income Documentation Examples Include:

- Prior year's State or Federal income tax return **OR**
- Most recent type of current statement from the income source(s) noted below:
- Three consecutive months'** worth of your most current pay stubs
- Social Security benefits statement
- Veterans Administration benefits statement
- Retirement/Pension benefits statement
- Divorce decree or child support document
- Unemployment/Workers Compensation benefits statement

If you have more than 3 people in your household, write the number and add \$5,730 for each additional person on top of the \$27,795

I authorize AB&T to Contact my Case Worker to Verify Eligibility:

Name of Case Worker: _____ Phone Number: _____

Eligibility verified by (initial all that apply) (1) Reviewing Customer Documentation _____; (2) Contacting Caseworker _____; (3) Eligibility Database Verification _____

NOTE: YOU MUST COMPLETE BOTH SIDES OF THIS FORM BEFORE WE CAN PROCESS YOUR APPLICATION

FAX SIGNED APPLICATION TO 877-211-3705

v.ASSISTWRLSv.022712

Exhibit B

Training Materials

American Broadband & Telecommunications Call Center/Sales Training

The following information may be used by sales and calling center staff to respond to inquiries about Lifeline supported services.

(1) Confirm the individual is the head of household and they are not currently receiving a Lifeline subsidized service through the following questions:

- “Do you currently have wireless or home phone service?”
- **If no:** skip remaining questions and complete application process.
- **If yes:** “Is the [wireless or home phone] service a subsidized service or do you pay full price?”
- **If subsidized:** “By law, the Lifeline program is only available for one phone per household. Do you know if your current phone is subsidized under the Lifeline program?”
- **If individual is not sure:** “Who is your provider for that service? What is the name of the service?” (Note that Assurance Wireless and SafeLink are Lifeline services.)
- **If it is a Lifeline service:** “We cannot provide you with a second Lifeline phone. If there is a problem with your current service, and you would like to switch to our service, you must authorize ABT to port your telephone number to our service.”

(2) If it appears that the individual does not currently have Lifeline service, proceed with the following steps:

- Using ABT’s database, verify the individual (name, date of birth, last four digits of social security number) is not currently in the ABT system as a registered recipient of Lifeline services. Repeat with state/USAC database if and when available.
 - If there is an active Lifeline account for that individual, explain that “by law, the Lifeline program is only available for one phone per household.” For example, if the customer is in ABT’s database, inform the customer that they must choose ABT wireline Lifeline OR wireless Lifeline service.
 - If there is no active account for that individual, proceed with the application process.
- Using ABT’s database, verify the individual’s address is not currently in the ABT system as a registered recipient of Lifeline services. Repeat with state/USAC database if and when available.

- If there is an active Lifeline account for that address, explain that “by law, the Lifeline program is only available for one phone per household.”
- Explain that, for purposes of the Lifeline program, a household is any individual or group of individuals who live together at the same address and share income and expenses.
- If customer states address is multifamily or group housing, use USAC form (when developed) to determine if customer qualifies for Lifeline as multiple household.
- If there is no active account for the applicant’s address or household, proceed with the application process.

(3) If check of database(s) verifies individual is not current Lifeline recipient, assist customer in completing application.

- Customer must complete both sides of form.
- Confirm residential address is billing address. If not, collect billing address IN ADDITION TO residential address.
- If address is not permanent, explain that American Broadband must verify address every 90 days. If customer does not respond, Lifeline service will be deactivated.
- Explain service plan options (refer to service description sheet). For customers that elect pre-paid Lifeline Wireless Essentials 250, explain non-usage policy.
 - If no usage appears on an activated American Broadband pre-paid Lifeline customer’s account during any continuous 60-day period, American Broadband will promptly notify the customer that the customer is no longer eligible for American Broadband Lifeline service subject to a 30-day grace period.
 - During the 30-day grace period, American Broadband will attempt to reach customer to determine whether the customer desires to remain on the Company’s Lifeline service.
 - If the customer’s account does not show any customer-specific activity during the 30-day grace period (such as making or receiving a voice call to/from anyone other than American Broadband or its agent, sending a text message, downloading data or adding money to the account), American Broadband will deactivate Lifeline services for that customer unless the customer affirmatively responds confirming that the customer wants to continue receiving Lifeline.
- With the exception of program eligibility/income eligibility, all sections must be completed.

- Customer should complete EITHER program eligibility OR income eligibility section.
 - Review customer documentation supporting eligibility carefully, note which documents reviewed in ABT database.
- Ensure customer reads and initials statements 1-8 on certification section.

Exhibit C

Sample Advertisement and Description of Wireless Offerings

GET CONNECTED... STAY CONNECTED.

GET WIRELESS LIFELINE.



AMERICAN
BROADBAND + TELECOMMUNICATIONS



Wireless Lifeline is a government assisted program that provides qualified low-income consumers with:

- Free cellular phone, provided by American Broadband*
- Includes 250 minutes free monthly airtime, local or long distance
- Free 911 access
- No credit check

Service provided by American Broadband and Telecommunications, a local wireless provider of Lifeline-supported services.

SIGN UP TODAY.

Call **1 (877) 777-7922**
Fax your application to **1 (877) 211-3705**
Visit **www.ambt.net**

You may only have one Lifeline-supported line, either wireless or wireline, per household. Only eligible customers may enroll in the Lifeline program. Proof of eligibility, such as documentation of receipt of benefits (such as Medicaid, TANF or SSI) or proof of income (such as tax returns or pay stubs), is required to enroll. Lifeline is a federal benefit program; persons making false statements in order to obtain Lifeline service can be subject to fines, imprisonment or barred from the Lifeline program.

* Free phone is not supplied or subsidized by any government program.

Stay Connected Wirelessly with:

- Potential or current employers
- Children who are at home while their parents have to go to work
- Healthcare specialists
- Vital emergency responders
- Relatives during a personal emergency

ALL American Broadband & Telecommunications Wireless Lifeline plans come with:

- Superior areas of coverage throughout the entire United States
- Access to 411 with no airtime charges
- Unlimited 911 access
- Call waiting
- Call ID
- Voicemail

3 Great Plans to Choose From!

Lifeline Wireless Essentials 250

Plan Price: Free*

- 250 FREE Voice Minutes added every month, automatically, you do nothing.
- Includes Free Cell Phone*
- Access to 911
- Free Voicemail, Caller ID and Call Waiting
- Access to Operator Service and Directory Listing. OSDA service includes information and connection to publicly listed, domestic, landline telephone numbers and Addresses.
- No annual contract, no monthly Bills

**Assumes initial and continued program eligibility requirements are met - Non-usage for 60 days will result in a notice that service will be deactivated in 30 days; if customer actively uses service during the 30-day grace period, service will remain active.*

Lifeline Wireless Essentials 500

Plan Price: \$9.95 per month

- 500 Voice Minutes added every month, automatically, you only pay \$9.95.
- Includes Free Cell Phone*
- Access to 911
- Free Voicemail, Caller ID and Call Waiting
- Access to Operator Service and Directory Listing. OSDA service includes information and connection to publicly listed, domestic, landline telephone numbers and Addresses.
- No annual contract

**Assumes initial and continued program eligibility requirements are met*

Lifeline Wireless Unlimited

Plan Price: \$39.95 per month

- Unlimited Voice Minutes and Unlimited Texting, you only pay \$39.95.
- Includes Free Cell Phone*
- Access to 911
- Free Voicemail, Caller ID and Call Waiting
- Access to Operator Service and Directory Listing. OSDA service includes information and connection to publicly listed, domestic, landline telephone numbers and Addresses.
- No annual contract

**Assumes initial and continued program eligibility requirements are met*

Need More Minutes? We have 6 Easy Top Up Plans. You can Add Minutes 24 hours per Day, 7 Days Per Week.

<u>Options*</u>	<u>Price</u>	<u>Options*</u>	<u>Price</u>
100 Talk or Text Minutes	\$3.99	240 Talk or Text Minutes	\$ 9.99
180 Talk or Text Minutes	\$5.99	360 Talk or Text Minutes	\$12.99
200 Talk or Text Minutes	\$6.99	500 Talk or Text Minutes	\$19.99

** 1 Text is the equivalent of 1 minute of talk time*