

**VIA ECFS**

May 1, 2013

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: WC Dockets 09-197 and 11-42  
Amended Compliance Plan of Capital Communications Consultants, Inc.**

Dear Secretary Dortch:

Pursuant to the Commission's recent Lifeline Reform Order and Public Notice, attached please find the amended compliance plan of Capital Communications Consultants, Inc. ("Capital Communications").<sup>1</sup> Capital Communications requests expedited approval of its amended compliance plan so that its pending state applications for eligible telecommunications carrier designation may be approved.

Respectfully submitted,



Danielle Frappier

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<sup>1</sup> *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 et al., Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (FCC rel. Feb. 6, 2012); *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, 27 FCC Rcd 2186 (WCB rel. Feb. 29, 2012).

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

Lifeline and Link Up Reform and  
Modernization

Telecommunications Carriers Eligible to  
Receive Universal Service Support

WC Docket No. 11-42

WC Docket No. 09-197

**AMENDED COMPLIANCE PLAN OF  
CAPITAL COMMUNICATIONS CONSULTANTS, INC.**

Capital Communications Consultants, Inc. (“Capital Communications”) through its undersigned counsel, hereby seeks to avail itself of the Federal Communications Commission’s (“Commission”) grant of forbearance from the “own facilities” requirement set forth in 47 U.S.C. § 214(e)(1)(A) by submission of this Compliance Plan. Capital Communication’s Compliance Plan is filed in accordance with the procedures established in the *Lifeline Reform Order*<sup>1</sup> and clarified the *Public Notice* issued by the Wireline Competition Bureau on February 29, 2012.<sup>2</sup>

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<sup>1</sup> *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (FCC rel. Feb. 6, 2012) (“*Lifeline Reform Order*”).

<sup>2</sup> *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, 27 FCC Rcd 2186 (WCB rel. Feb. 29, 2012) (“*Public Notice*”).

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## INTRODUCTION AND SUMMARY

Capital Communications respectfully requests expeditious approval its Compliance Plan so that it may provide essential Lifeline service to eligible low-income customers in the state in which it has previously been designated as an ETC and may provide service to additional eligible low income consumers in the various states in which it has pending applications or plans to file ETC petitions. Capital Communications has been designated an ETC in Alabama.<sup>3</sup> It also has pending ETC applications in Louisiana, North Carolina and South Carolina, and plans to apply in additional states.

As set forth below, Capital Communications fully complies with all conditions set forth in the Commission's recently amended Lifeline rules and with all pertinent conditions set forth in the Lifeline Reform Order, and Capital Communications commits to continue these practices going forward. For the convenience of the Commission, this Compliance Plan follows the format established by the Wireline Competition Bureau in the *Public Notice*.

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<sup>3</sup> Capital Communications also provides service to Lifeline-eligible consumers in Alabama, Georgia, Kentucky and South Carolina by reselling the lines of an incumbent local exchange carrier ("ILEC") that incorporate a Lifeline discount. Capital Communications is affiliated with Four Star Marketing, LLC d/b/a Mid-South Home Phone and MSK Communications, LLC, all of which are 100% owned by Mr. Kang. Capital Communications is also affiliated with Benefits Management, LLC, KCS Exotic Cars, LLC, Southeast Equity Alliance, LLC and Dealer Select LLC.

## **I. INFORMATION ABOUT CAPITAL COMMUNICATIONS AND THE LIFELINE PLANS IT OFFERS**

### **A. Company Information**

Capital Communications Consultants, Inc. (“Capital Communications”) is a Georgia corporation with headquarters in Bartlett, Tennessee. The 100% owner of Capital Communications is Min-su Kang, to whom ownership was transferred following the death of the prior owner, Mr. Bryan Michael. Capital Communications has no subsidiaries and operates under the name “Capital Communications” or “CapCom.”

### **B. Capital Communications’ Financial and Technical Capabilities to Provide Lifeline Service**

Capital Communications has been approved to offer Lifeline service in Alabama and has applied for ETC status in Louisiana, North Carolina, and South Carolina. Capital Communications does not seek, and will not accept, High Cost support in any of those states, or in the states in which it is already approved as an ETC.

Capital Communications is financially stable and fully capable of honoring its service obligations to customers, as well as federal and state regulatory obligations. Although Capital Communications will derive the majority of its revenue from the sale of Lifeline services, Capital Communications does not rely exclusively on USF disbursements to operate because its subscribers pay an out-of-pocket charge for the portion of the service not covered by the Lifeline subsidy. Its subscribers also pay out-of-pocket charges associated with long distance traffic. Capital Communications also provides service as a competitive local exchange carrier to non-Lifeline subscribers.

Mr. Kang, owner and president of Capital Communications, brings extensive business management experience to the company. His career has been centered on improving the sales,

management practices, and controls of small businesses so that they can grow both in size and customer satisfaction. Mr. Kang has over a decade's worth of experience running and building businesses, including as the managing member, operations manager, and general sales manager of several companies. James Joseph Black, Jr., the Chief Executive Officer of Capital Communications, has worked in the telecommunications industry for over ten years, and has managed all aspects of two different competitive local exchange carriers operating in multiple states. In addition, Mr. Black has 35 years of business management experience in several different industries.

Finally, Capital Communications has not been subject to any enforcement action or ETC revocation proceeding in any state.

#### **C. Geographic Area of Capital Communications' Service Offerings**

Capital Communications offers Lifeline service in Alabama and will pursue ETC designation in additional states upon approval of its ETC applications. The company is poised to expand its operations once its pending ETC applications are approved by various state regulatory commissions.

#### **D. Capital Communications' Lifeline Service Plans**

Capital Communications offers the following wireline service plan under the Lifeline program: unlimited local calling, caller ID, call waiting and three-way calling for a monthly charge of \$29.24 for non-Lifeline subscribers, and a monthly charge of \$19.99 for Lifeline subscribers after application of the standard \$9.25 discount, with certain discount plans being

offered periodically. Toll blocking is provided without charge to Lifeline subscribers. Capital Communications offers services on a postpaid basis.<sup>4</sup>

## **II. CAPITAL COMMUNICATIONS' PLANS FOR COMPLIANCE WITH NEW COMMISSION RULES RELATING TO DETERMINATIONS OF SUBSCRIBER ELIGIBILITY FOR LIFELINE SERVICES**

Capital Communications complies with the requirements pertaining to consumer qualifications for Lifeline set forth in new section 54.409 of the Commission's rules<sup>5</sup> and any state-specific requirements in the various states in which Capital Communications has been (or will be) designated an ETC. More specifically, Capital Communications requires all subscribers to demonstrate eligibility based at least on: (1) household income at or below 135% of the Federal Poverty Guidelines; or (2) the household's participation in one of the federal assistance programs listed in 47 C.F.R. § 54.409(a)(2) or 47 C.F.R. § 54.409(a)(3). Capital Communications also confirms that the subscriber is not already receiving a Lifeline service and that no one else in the subscriber's household is subscribed to a Lifeline service.<sup>6</sup>

Capital Communications uses a variety of outreach programs for its Lifeline supported services, which include direct mail, Internet advertising, and radio and television advertising. Capital Communications also reaches potential subscribers through retail marketing, including point-of-sale promotional materials located in third-party retail establishments. Each channel is intended to induce potential subscribers to contact Capital Communications either in person, over the Internet, or by telephone. Although the logistics of the enrollment process varies somewhat for each channel as is further described below, in all cases, Lifeline applicants are thoroughly screened to ensure that they are qualified before the applicant is enrolled.

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<sup>4</sup> Capital Communications shifted from a prepaid payment model to a postpaid model with the exception of prepaid customers who initiated service before June 2012, who were grandfathered and continue to pay on a prepaid basis. Beginning in June 2012, all new customers have been billed on a postpaid basis.

<sup>5</sup> 47 C.F.R. § 54.509.

<sup>6</sup> 47 C.F.R. § 54.409(c).

### **A. Capital Communications' Procedures to Determine Consumer Eligibility for the Lifeline Program**

If Capital Communications cannot determine an applicant's eligibility for Lifeline by accessing income or program eligibility databases, Capital Communications personnel (either employees or third party customer service representatives) or its marketing agents review documents to establish eligibility in accordance with the criteria set forth in 47 C.F.R. § 54.409. All Capital Communications personnel and agents who interact with existing Lifeline customers or Lifeline applicants are fully trained on the Commission's revised Lifeline eligibility rules and Capital Communications' practices and policies designed to implement these new rules. The final determination as to the sufficiency of eligibility documentation will be made by Capital Communications employees or third-party representatives trained by Capital Communications employees.

Capital Communications follows the Commission's requirements pertaining to acceptable documentation to establish eligibility based either on income level or participation in a qualified government assistance program, unless otherwise established by a state Lifeline administrator or other state agency. Specifically, acceptable documentation of program eligibility includes: (1) the current or prior year's statement of benefits from a qualifying state, federal or Tribal program; (2) a notice letter of participation in a qualifying state, federal or Tribal program; (3) program participation documents (*e.g.*, the consumer's Supplemental Nutrition Assistance Program ("SNAP") electronic benefit transfer card or Medicaid participation card (or copy thereof)); or (4) another official document evidencing the consumer's participation in a qualifying state, federal or Tribal program.<sup>7</sup> Acceptable documentation of income eligibility includes: (1) the prior year's state, federal, or Tribal tax return; (2) current income statement

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<sup>7</sup> *Lifeline Reform Order* at ¶ 101.



from an employer or paycheck stub; (3) a Social Security statement of benefits; (4) a Veterans Administration statement of benefits; (5) a retirement/pension statement of benefits; (6) an Unemployment/Workers' Compensation statement of benefit; (7) federal or Tribal notice letter of participation in General Assistance; (8) or a divorce decree, child support award, or other official document containing income information. If the prospective subscriber presents Capital Communications with documentation of income that does not cover a full year, the prospective subscriber must present the same type of documentation covering three consecutive months within the previous twelve months.<sup>8</sup>

Subscribers may provide the documentation in person, by phone, by email, or by mailing copies to Capital Communications. Capital Communications personnel and agents examine and record the type of documentation presented by each prospective Lifeline subscriber, but do not retain copies of these documents.<sup>9</sup> The specifically-trained personnel in charge of reviewing all incoming Lifeline applications examine and electronically record in its subscriber service and billing database the type of documentation presented by each prospective Lifeline subscriber,<sup>18</sup> including the date of review, the identity of the documentation, the type of media (*e.g.*, paper, electronic card, etc.), and the issuance and/or expiration date of the documentation. Capital Communications' database includes separate data entry fields for this information, eliciting a response for each type of information, and will reject the order if any such field is not completed. If an applicant is unable to provide documentary proof of eligibility based on either household income level or current participation in a qualified program, Capital Communications will deny that application.

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<sup>8</sup> 47 C.F.R. § 54.410(b)(1)(i)(B).

<sup>9</sup> 47 C.F.R. § 54.410(b)(1)(ii) - (iii); 47 C.F.R. § 54.410(c)(1)(ii)-(iii).

<sup>18</sup> 47 C.F.R. § 54.410(b)(1)(ii) - (iii); 47 C.F.R. § 54.410(c)(1)(ii)-(iii).

## **B. Capital Communications' Procedures for Subscriber Certifications**

In the *Lifeline Reform Order*, the Commission established a path for a transition to a national database that will be used to confirm the initial and continued eligibility of a Lifeline customer.<sup>10</sup> Capital Communications will utilize that database when it becomes operational.<sup>11</sup> Until that time, however, Capital Communications will continue to use any relevant state databases where available, and will otherwise adhere to the following procedures for enrolling prospective customers into the Lifeline program.

Capital Communications' certification procedures enable prospective customers to demonstrate their eligibility by contacting Capital Communications either in person or by telephone, facsimile or over the Internet. Capital Communications has direct contact with all prospective customers applying for Lifeline service, either in person through its personnel or agents, or by telephone, facsimile or over the Internet.<sup>12</sup> Prospective customers who do not complete Capital Communications' Lifeline Application in person must return the signed document and eligibility documentation to Capital Communications by mail, facsimile, electronic mail or other electronic transmission. In any retail locations, Capital Communications' authorized third-party representatives<sup>21</sup> initially examine the qualifying documentation in person (which documentation will be forwarded to Capital Communications personal specifically trained in reviewing Lifeline qualifying documentation for further review) or, if the applicant does not have the documentation at the time, direct the applicant to supply the

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<sup>10</sup> See *Lifeline Reform Order* at ¶ 403.

<sup>11</sup> On its certification forms, Capital Communications obtains consent from each applicant to provide "any records required" for the administration of the Lifeline program including so that such information may be used in a Lifeline database. In order to ensure that it has the same consent from subscribers that applied using prior Capital Communications forms, Capital Communications has included nearly identical language on its annual re-certification forms and scripts.

<sup>12</sup> If, in the future, Capital Communications is designated an ETC in which applicants are enrolled through a state agency, Capital Communications will follow the state-specific process.

<sup>21</sup> All third-party representatives are accountable to Capital Communications for purposes of compliance with state and federal Lifeline rules.

documentation via fax, mail or email. All applicants who do not have the requisite documentation at the time are informed that their Lifeline application will not be processed until the applicant provides the required documentary proof of eligibility.

Capital Communications accepts electronic signatures that meet the requirements of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001-7006 and any applicable state laws.<sup>13</sup>

Every prospective subscriber is required to complete Capital Communications' "Lifeline Application." Capital Communications' Lifeline Applications are attached hereto at **Exhibit 1**. These Lifeline Application forms conform to the requirements of the *Lifeline Reform Order*, 47 C.F.R. § 54.410(d) and 47 C.F.R. § 54.405. Any Lifeline applications taken by recording oral certifications or through an IVR system will contain all requisite subscriber information and certifications.

Capital Communications collects the following information from prospective subscribers in its Lifeline Applications: (1) the subscriber's full name; (2) the subscriber's full residential address (P.O. Boxes are not permitted); (3) whether the residential address is permanent or temporary; (4) the subscriber's billing address, if different; (5) the subscriber's date of birth; (6) the last four digits of the subscriber's Social Security number; (7) if the subscriber is seeking to qualify for Lifeline under the program-based criteria, the name of the qualifying assistance program from which the subscriber, or his or her dependents, or his or her household receives benefits; and (8) if the subscriber is seeking to qualify for Lifeline under the income-based criterion, the number of individuals in his or her household.<sup>14</sup>

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<sup>13</sup> See *Lifeline Reform Order* at ¶ 168; 47 C.F.R. § 54.419.

<sup>14</sup> 47 C.F.R. § 54.410(d)(2).

In accordance with 47 C.F.R. § 54.410(d), in its Lifeline Applications, Capital Communications requires all Lifeline applicants to certify, under penalty of perjury, that: (1) the subscriber meets the income-based or program-based eligibility criteria for receiving Lifeline; (2) the subscriber will notify Capital Communications within 30 days if, for any reason, he or she no longer satisfies the criteria for receiving Lifeline including, as relevant, if the applicant no longer meets the income-based or program-based criteria for receiving Lifeline support, the subscriber is receiving more than one Lifeline benefit, or another member of the subscriber's household is receiving a Lifeline benefit; (3) if the subscriber is seeking to qualify for Lifeline as an eligible resident of Tribal lands, that he or she lives on Tribal lands; (4) if the subscriber moves to a new address, that he or she will provide that new address to Capital Communications within 30 days; (5) if the subscriber provided a temporary residential address to Capital Communications, the subscriber will verify his or her temporary residential address every 90 days; (6) the subscriber's household will receive only one Lifeline service and, to the best of the applicant's knowledge, the subscriber's household is not already receiving a Lifeline service; (7) the information contained in the subscriber's application/certification application is true and correct to the best of the subscriber's knowledge; (8) the subscriber acknowledges that providing false or fraudulent information to receive Lifeline benefits is punishable by law; (9) the subscriber acknowledges that he or she may be required to re-certify his or her continued eligibility for Lifeline at any time, and that his or her failure to re-certify as to continued eligibility will result in de-enrollment and the termination of the subscriber's Lifeline benefits;<sup>15</sup> and (10) that the applicant authorizes Capital Communications to access any state or federal records or database to verify his or her eligibility, and authorizes Capital Communications to release any records required for administration of the program, including to USAC to be used in

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<sup>15</sup> See Exhibit 1.

the national Lifeline database and that failure to so authorize Capital Communications will result in a denial of Lifeline benefits. The Lifeline Application also describes the information that is transmitted, that the information is being transmitted to USAC to ensure the proper administration of the Lifeline program and that failure to provide consent will result in the applicant being denied the Lifeline service. Prospective applicants must affirmatively certify to each of these certifications in order for the application process to move forward, including those applying online. For those applying online, Capital Communications' website does not permit the applicant to submit the application unless all certifications have been completed. Subscribers also may certify via interactive voice response ("IVR"), which is then saved as a recorded file and saved in the subscriber's account in Capital Communications' subscriber care and billing system.

In accordance with 47 C.F.R. § 54.410(d)(1), Capital Communications' Lifeline Application discloses the following information: (1) Lifeline is a federal benefit and willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program; (2) only one Lifeline service is available per household; (3) a household is defined, for purposes of the Lifeline program, as any individual or group of individuals who live together at the same address and share income and expenses; (4) a household is not permitted to receive Lifeline benefits from multiple providers; (5) violation of the one-per-household limitation constitutes a violation of the Commission's rules and will result in the subscriber's de-enrollment from the program; and (6) Lifeline is a non-transferable benefit and the subscriber may not transfer his or her benefit to any other person.<sup>16</sup>

Finally, in accordance with 47 C.F.R. § 54.405(c), Capital Communications' Lifeline Application indicates, using easily understood language, (1) that Capital Communications' low

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<sup>16</sup> *Id.*

income targeted service is a Lifeline service; (2) that Lifeline is a government assistance program; (3) that the service is non-transferrable; (4) that only eligible consumers may enroll in the program; and (5) that the program is limited to one discount per household.<sup>17</sup>

### **C. Capital Communications' Procedures for Annual Re-certification of Lifeline Customers**

In accordance with the requirements of the *Lifeline Reform Order* and 47 C.F.R. § 54.410(f), Capital Communications annually recertifies all of its Lifeline subscribers in accordance with Commission rules and guidance by obtaining a signed certification from the subscriber that meets the certification requirements set forth in 47 C.F.R. § 54.410(d).<sup>18</sup>

For 2012, Capital Communications has re-certified the eligibility of its Lifeline subscriber base as of June 1, 2012 and reported the results to USAC on January 31, 2013.<sup>19</sup> As part of its annual re-certification process, Capital Communications notifies its subscribers in writing that a failure to respond to the recertification request will result in de-enrollment in the Lifeline program.<sup>20</sup> Capital Communications de-enrolls subscribers who do not respond to the annual recertification or fail to provide proof of continued eligibility in accordance with the procedures set forth in 47 C.F.R. § 54.405(e)(4).

### **III. CAPITAL COMMUNICATIONS' PLANS FOR COMPLIANCE WITH THE FORBEARANCE CONDITIONS RELATING TO PUBLIC SAFETY AND 911/E911 ACCESS**

Capital Communications' existing practices comply with the 911/E911 access conditions set forth in paragraph 373 of the *Lifeline Reform Order*. Specifically, Capital Communications currently provides its Lifeline subscribers with 911/E911 access at the time Lifeline service is

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<sup>17</sup> *Id.*

<sup>18</sup> Should Capital Communications be designated an ETC in a state where subscribers are qualified by means of querying a state database, Capital Communications will conduct its annual re-certification of subscribers in that state by querying the appropriate eligibility or income databases, confirming that the subscriber continues to meet the program- or income-based eligibility requirements for Lifeline and documenting the results of that review.

<sup>19</sup> *Lifeline Reform Order* at ¶ 130.

<sup>20</sup> *Id.* at ¶ 142.

initiated, regardless of activation status and availability of minutes. Capital Communications' existing practices currently provide access to 911 and E911 services to the extent that these services have been deployed by its underlying wireline carrier. Capital Communications commits to continue these practices going forward. Capital Communications will provide its Lifeline subscribers with access to 911/E911 services immediately upon activation of service. The Commission and consumers are assured that all Capital Communications subscribers will have available access to emergency calling services at the time that Lifeline service is initiated, and that such 911/E911 access will be available from the subscriber's Capital Communications line even if the subscriber's account has no minutes remaining.

Capital Communications' existing practices currently provide access to 911/E911 services for all subscribers. Capital Communications uses AT&T as its underlying network carrier. AT&T routes 911 calls from Capital Communications' subscribers in the same manner as 911 calls from AT&T' own retail subscribers. To the extent that AT&T is certified in a given PSAP territory, this 911 capability functions in the same manner for Capital Communications and its subscribers. Capital Communications also currently enables 911 emergency calling services regardless of whether the account associated active or suspended.

#### **IV. CAPITAL COMMUNICATIONS' PLANS FOR COMPLIANCE WITH THE COMMISSION'S MARKETING AND DISCLOSURE REQUIREMENTS FOR PARTICIPATION IN THE LIFELINE PROGRAM**

Capital Communications has incorporated into its marketing materials<sup>21</sup> for its Lifeline services, in clear, easily understood language: (1) that the service and supported by Lifeline, a government program; (2) that only eligible consumers may enroll in the program; (3) what documentation is necessary for enrollment; and (4) that the benefit is limited to one per

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<sup>21</sup> "Marketing materials" includes, but is not limited to print, audio, video, Internet (including email, web, and social networking media), and outdoor signage, that describe the Lifeline-supported service offering, including application and certification forms. See *Lifeline Reform Order* at ¶ 275; 47 C.F.R. § 54.405(c).

household and is non-transferrable.<sup>22</sup> Capital Communications also discloses its name (the ETC) on all marketing materials.<sup>23</sup> A sample advertisement incorporating this language is attached hereto at **Exhibit 2**.

**V. CAPITAL COMMUNICATIONS' PROCEDURES AND EFFORTS TO PREVENT WASTE, FRAUD AND ABUSE IN CONNECTION WITH LIFELINE FUNDS**

Capital Communications shares the Commission's commitment to minimize waste, fraud and abuse of Lifeline benefits. Accordingly, Capital Communications has implemented a variety of measures and procedures intended to prevent duplicate Lifeline benefits from being awarded to the same household or individual.

**Prevention of Duplicates within Capital Communications' Subscriber Base.** At the time of initial sign up of a new subscriber, the subscriber's service address is validated for accuracy against the USPS ("United States Postal Service") database and saved in the USPS-approved format, which permits Capital Communications' subscriber database to more accurately prevent duplicates by preventing variations of the same address from appearing multiple times in the database. Once the address is validated for accuracy and format, it is checked against addresses for all Capital Communications subscribers. If an existing Capital Communications subscriber is receiving service at the same address, Capital Communications' system will not permit any order for Lifeline service to proceed. Capital Communications also conducts additional checks to ensure that the same subscriber is not receiving more than one service by checking its database for the same subscriber name, date of birth and the last four digits of the person's social security number. Moreover, all orders for Lifeline service as subjected to a secondary USPS accuracy and format check the following day. Any corrections

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<sup>22</sup> *Lifeline Reform Order* at ¶ 275; 47 C.F.R. § 54.405(c).

<sup>23</sup> *Lifeline Reform Order* at ¶ 275; 47 C.F.R. § 54.405(d).



needed as a result of the secondary check, such as correcting address format, are promptly entered into Capital Communications' system. Capital Communications also conducts real-time scans of its database to flag any duplicate addresses, dates of birth, etc. in addition to conducting manual reviews of its subscriber lists prior to filing its FCC Form 497s in order to ensure that it does not claim subsidies for any duplicate addresses. Finally, Capital Communications notes that because all its subscribers (including the grandfathered prepaid subscribers) must make an out-of-pocket payment, the activation and non-usage rules found in revised 47 C.F.R. § 54.407(c) do not appear to apply to Capital Communications' operations.

**De-Enrollment and Disconnection.** Capital Communications subscribers may easily de-enroll from Lifeline or disconnect their service altogether. There is a link on the home and Lifeline pages of Capital Communications' website, [www.capcomphone.com](http://www.capcomphone.com), for de-enrollments and disconnections. This link permits subscribers to de-enroll from Lifeline and either subscribe to a non-Lifeline service or cancel their service altogether. Subscribers may also de-enroll or disconnect their service by calling Capital Communications' customer service call center.

**One Per Household Rule.** Capital Communications has implemented policies and practices in accordance with the Commission's rules and the *Lifeline Reform Order* to ensure that it provides only one Lifeline service per household. As described above, Capital Communications has implemented procedures to ensure that Capital Communications itself only provides one Lifeline service per household. When the National Lifeline Accountability Database becomes available, Capital Communications will fully comply with the requirements of 47 C.F.R. § 54.404 and will utilize the database to determine if an applicant is currently receiving Lifeline service from another carrier or if another person residing at the applicant's residential address is receiving Lifeline benefits. Capital Communications also will retain the

following data: the date Capital Communications queried the duplicates database; the date and information Capital Communications transmitted to the database; the date of transmission of updated subscriber information to the database; the date of transmission of subscriber de-enrollment to the database; the date and database upon which Capital Communications determined income-based eligibility; state Lifeline administrator documentation of subscriber eligibility, and subscriber's certification of eligibility; the notice of program-certification and subscriber self-certification, when performed by a state agency or state Lifeline administrator.

Capital Communications has also instructed its customer service representatives to explain the one-per-household requirement to prospective and existing subscribers, including explaining that the brands Safelink Wireless, Assurance Wireless, i-wireless and Budget Mobile and are Lifeline services. Finally, if Capital Communications has a reasonable basis to believe that one of its Lifeline subscribers no longer meets the eligibility criteria, for example, due to a violation of the one-per-household rule, Capital Communications will initiate its termination process in accordance with the procedures set forth in 47 C.F.R. § 54.405(e)(1). Capital Communications will also maintain the results of each state administrator's certification efforts for each subscriber in that state where a state administrator or agency is responsible for re-certification and where a state has been unable to re-certify a subscriber, Capital Communications will keep the record and comply with the relevant de-enrollment procedures.

## **VI. CONCLUSION**

Capital Communications submits that the foregoing Compliance Plan fully satisfies the conditions set forth in the *Lifeline Reform Order*, the *Public Notice* and the Commission's rules pertaining to Lifeline. Accordingly, Capital Communications respectfully requests expeditious approval of this Compliance Plan so that Capital Communications may continue to provide

essential Lifeline service to eligible low-income customers in states where it has previously been designated an ETC and may provide service to additional eligible low income consumers in the various states for which it has pending ETC petitions.

Respectfully submitted,



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Danielle Frappier  
James W. Tomlinson  
Davis Wright Tremaine LLP  
1919 Pennsylvania Avenue, N.W., Suite 800  
Washington, D.C. 20006-3401  
(202) 973 - 4200  
*Counsel to Capital Communications Consultants, Inc.*

May 1, 2013

# Exhibit 1

## Lifeline Applications



Monthly Plan \$19.99  
(includes \$9.25 in Lifeline Funding)

# Alabama Lifeline Application Form

Customer Account Number

Today's Date:

## Fill Out Your Information

Last Name		First Name		Middle Initial
Birth Date	Home Phone Number		Last 4 digits of Social Security Number	
Residential Address <small>(No P.O Boxes for res. Address) This is my (check one):</small>		City	State	Zip Code
		<input type="checkbox"/> Permanent Address	<input type="checkbox"/> Temporary Address	
Billing Address (if different)		City	State	Zip Code

**Multiple households sharing an address:**  I hereby certify that I reside at an address occupied by multiple households, including adults who do not contribute income to my household and/or share in my household's expenses, and I will complete a separate Lifeline Household Worksheet.

## Lifeline Application

I certify that I participate in one of the following programs (check one):  
**You must provide documentation demonstrating your current participation in the program checked below.**

- |   |  |
|---|--|
| <input type="checkbox"/> Supplemental Nutrition Assistance Program          | <input type="checkbox"/> Federal Public Housing Assistance (Section 8) |
| <input type="checkbox"/> Medicaid   | <input type="checkbox"/> Supplemental Security Income                  |
| <input type="checkbox"/> Low-Income Home Energy Assistance Program          | <input type="checkbox"/> Temporary Assistance to Needy Families        |
| <input type="checkbox"/> National School Lunch Program's free lunch program |  |

If you wish to qualify based on income, a different form is required.

## Certification Under Penalty of Perjury

I certify under penalty of perjury that (check or initial):

- I acknowledge that Lifeline is a federal government benefit and that willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program.
- I acknowledge that only one Lifeline service is available per household, and that, to the best of my knowledge, no other person in my household is receiving a Lifeline service. (For purposes of Lifeline, a "household" is any individual or group of individuals who live together at the same address and share income and expenses.)
- I acknowledge that a household is not permitted to receive Lifeline benefits from multiple providers and that violation of this limitation constitutes a violation of the rules of the Federal Communications Commission and will result in de-enrollment from the Lifeline program. If I am participating in another Lifeline program at the time I apply for Capital Communications Consultants Lifeline service, I agree to cancel that Lifeline service with any other provider.
- I acknowledge that Lifeline is non-transferable and that I may not transfer my benefit to any other person.
- I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law.
- I acknowledge that only Lifeline eligible consumers may enroll in the Lifeline Program.
- I will notify Capital Communications Consultants within 30 days if for any reason I no longer satisfy the criteria for receiving Lifeline services, such as no longer participating in any of qualifying program, or if I or a member of my household receives another Lifeline benefit. I understand that if I fail to do this I may be subject to penalties.
- I acknowledge that I may be required to re-certify to my continued eligibility for Lifeline at any time, and that my failure to re-certify will result in de-enrollment and termination of my Lifeline benefits.
- If I move to a new address, I will provide the new address to Capital Communications Consultants within 30 days.
- If I provided a temporary address, I will be required to verify my temporary address every 90 days. If I do not provide verification within 30 days, I will be de-enrolled from the Lifeline program.
- I authorize Capital Communications Consultants to retain a copy of my identification document, and access any records required to verify my statements on this form and to confirm my eligibility under the Lifeline program. I also authorize Capital Communications Consultants to release any records required for the administration of the Lifeline program (for example, name, telephone number, address, qualifying program or income level), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline program. Failure to consent will result in a denial of service.
- I certify that the information contained in this certification is true and correct to the best of my knowledge.

Applicant's Signature

Date



**Monthly Plan \$19.99**  
(includes \$9.25 in Lifeline Funding)

## Alabama Lifeline Application Form

Customer Account Number

Today's Date:

### Fill Out Your Information

<b>Last Name</b>	<b>First Name</b>	<b>Middle Initial</b>
<b>Birth Date</b>	<b>Home Phone Number</b>	<b>Last 4 digits of Social Security Number</b>
<b>Residential Address</b> (No P.O Boxes for res. Address) This is my (check one): <input type="checkbox"/> Permanent Address <input type="checkbox"/> Temporary Address		<b>City</b>
		<b>State</b>
		<b>Zip Code</b>
<b>Billing Address (if different)</b>		<b>City</b>
		<b>State</b>
		<b>Zip Code</b>

**Multiple households sharing an address:**  I hereby certify that I reside at an address occupied by multiple households, including adults who do not contribute income to my household and/or share in my household's expenses, and I will complete a separate Lifeline Household Worksheet.

### Lifeline Application

I certify that my household income is at or below 135% of the Federal Poverty Guidelines as indicated below:

<p>Eligibility for Lifeline may apply if your household income is at or below 135% of the Federal Poverty Guidelines for a household of that size. Indicate which income range applies to you in the chart. You must provide proof of eligibility based on income, which can include:</p> <ul style="list-style-type: none"> <li>Last year's federal or state tax return</li> <li>Current income statement from an employer or paycheck stub (must cover 3 consecutive months within the previous 12 months)</li> <li>A Social Security statement of benefits</li> <li>A retirement/pension statement of benefits</li> <li>An Unemployment/Workers' Compensation statement of benefit</li> <li>Federal notice letter of participation in General Assistance</li> <li>Divorce decree, child support award or other official document containing income information</li> </ul>	<b>Check or complete</b>	<b>Persons in Household</b>	<b>Annual Income</b>	<b>Monthly Income</b>
	<input type="checkbox"/>	1	\$15,512	\$1,293
	<input type="checkbox"/>	2	\$20,939	\$1,745
	<input type="checkbox"/>	3	\$26,366	\$2,198
	<input type="checkbox"/>	4	\$31,793	\$2,650
	<input type="checkbox"/>	5	\$37,220	\$3,102
	<input type="checkbox"/>	6	\$42,647	\$3,554
	<input type="checkbox"/>	7	\$48,074	\$4,007
	<input type="checkbox"/>	8	\$53,501	\$4,459
	<input type="checkbox"/> ___ # in Household	For each add'l person, add:	\$5,427	\$453

### Certification Under Penalty of Perjury

**I certify under penalty of perjury that (check or initial):**

- I acknowledge that Lifeline is a federal government benefit and that willfully making false statements to obtain the benefit can result in fines, imprisonment, de-enrollment or being barred from the program.
- I acknowledge that only one Lifeline service is available per household, and that, to the best of my knowledge, no other person in my household is receiving a Lifeline service. (For purposes of Lifeline, a "household" is any individual or group of individuals who live together at the same address and share income and expenses.)
- I acknowledge that a household is not permitted to receive Lifeline benefits from multiple providers and that violation of this limitation constitutes a violation of the rules of the Federal Communications Commission and will result in de-enrollment from the Lifeline program. If I am participating in another Lifeline program at the time I apply for Capital Communications Consultants Lifeline service, I agree to cancel that Lifeline service with any other provider.
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- I acknowledge that providing false or fraudulent information to receive Lifeline benefits is punishable by law.
- I acknowledge that only Lifeline eligible consumers may enroll in the Lifeline Program.
- I will notify Capital Communications Consultants within 30 days if for any reason I no longer satisfy the criteria for receiving Lifeline services, such as no longer participating in any of qualifying program, or if I or a member of my household receives another Lifeline benefit. I understand that if I fail to do this I may be subject to penalties.
- I acknowledge that I may be required to re-certify to my continued eligibility for Lifeline at any time, and that my failure to re-certify will result in de-enrollment and termination of my Lifeline benefits.
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- If I provided a temporary address, I will be required to verify my temporary address every 90 days. If I do not provide verification within 30 days, I will be de-enrolled from the Lifeline program.
- I authorize Capital Communications Consultants to retain a copy of my identification document, and access any records required to verify my statements on this form and to confirm my eligibility under the Lifeline program. I also authorize Capital Communications Consultants to release any records required for the administration of the Lifeline program (for example, name, telephone number, address, qualifying program or income level), including to the Universal Service Administrative Company, to be used in a Lifeline database and to ensure the proper administration of the Lifeline program. Failure to consent will result in a denial of service.
- I certify that the information contained in this certification is true and correct to the best of my knowledge.

**Applicant's Signature**

**Date**

Please Fax: 1-855-254-4610 or mail: Capital Communications Lifeline Processing Center P.O. Box 9100 Toledo Oh, 43682-4012

**Customer Service: 877-225-8754**

**www.capcomphone.com**

**Exhibit 2**  
**Sample Marketing Material**

# AFFORDABLE HOME PHONE SERVICE

\$ **19.99**

\*Plus taxes and fees



## *Includes*

- Caller ID**
- Call Waiting**
- 60 Minutes of Long Distance Per Month**
- Unlimited Local Calls**



at&t  
Reseller

# 1-888-219-8886

## www.capcomphone.com

\*Terms and Conditions apply. Prices, Plans and Promotions are subject to change. Please call 1-888-219-8886 for more information. Cost for service is \$19.99 per month. Price does not include taxes and fees. Monthly long distance minutes included equals 60 minutes per month. Lifeline is a government program and may not be available to all consumers. Go to [www.usac.org](http://www.usac.org) for more information. Eligible consumers may enroll in the Lifeline program. Lifeline benefits are limited to one person per household and are non-transferable. Service provided by Capital Communications Inc. AT&T is a registered Trademark of American Telephone & Telegraph.