



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU ANNOUNCES EFFECTIVE DATES FOLLOWING APPROVAL BY THE OFFICE OF MANAGEMENT AND BUDGET OF LIFELINE RULES IN THE LIFELINE MODERNIZATION ORDER

WC Docket Nos. 11-42, 09-197

On April 27, 2016, the Federal Communications Commission released the *2016 Lifeline Modernization Order* with the goals of connecting low-income Americans to the Internet and reforming program management to ensure fiscal integrity of the Lifeline program going forward.¹

On September 20, 2016, the Commission received Office of Management and Budget (OMB) approval of modified information collection requirements under the Paperwork Reduction Act of 1995 (PRA).² The announcement of OMB approval of the rules was published in the Federal Register on October 3, 2016.³ As ordered in the *2016 Lifeline Modernization Order*, all adopted rules have the following effective dates.⁴

Rules that became effective on June 23, 2016:⁵

- § 54.201 – State preemption for Lifeline Broadband Provider (LBP) designations
- § 54.423 – Lifeline Budget

Rules that became effective upon Federal Register announcement of OMB approval on October 3, 2016:⁶

- § 54.202(a)(6), (d), (e) – LBP designation process
- § 54.205(c) – LBP relinquishment process
- § 54.400(l) – Broadband Internet access service definition

Rules that will become effective on December 2, 2016:⁷

- § 54.101 – USF supported services
- § 54.400(f), (j), (m)-(o) – Definitions of “income,” “qualifying assistance program,” “voice telephony service,” “supported services,” and “National Lifeline Eligibility Verifier”

¹ See *Lifeline and Link Up Reform and Modernization et al.*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962 (2016) (*2016 Lifeline Modernization Order* or *Order*).

² Public Law No. 104-13, 109 Stat. 163 (May 22, 1995), *codified at* 44 U.S.C. §§ 3501 *et seq.*

³ Federal Communications Commission, *Lifeline and Link Up Reform and Modernization*, Telecommunications Carriers Eligible for Universal Service, Connect America Fund, Final Rule; Announcement of Effective Date, 81 FR 67922 (Oct. 3, 2016).

⁴ *2016 Lifeline Modernization Order*, 31 FCC Rcd. at 4123-24, paras. 442-49.

⁵ *Id.* at 4123, para. 443; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973.

⁶ *2016 Lifeline Modernization Order*, 31 FCC Rcd at 4123, para. 444; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973.

⁷ *2016 Lifeline Modernization Order*, 31 FCC Rcd at 4123, para. 445; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973.

- § 54.401(a)(2)-(c), (f) – Lifeline defined
- § 54.403(a) – Lifeline support amount
- § 54.405(e)(1), (e)(3)-(e)(5) – Lifeline de-enrollment process
- § 54.407(a), (c)(2), (d) – Reimbursement for offering Lifeline
- § 54.408 – Minimum service standards
- § 54.409(a)(2) – Consumer qualification for Lifeline
- § 54.410(b)-(e), (g)-(h) – Subscriber eligibility determination
- § 54.411 – Lifeline benefit portability
- § 54.416(a)(3) – Annual certifications by ETCs
- § 54.420(b) – Low Income program audits
- § 54.422(b)(3) – Annual reporting for ETCs

Rules that will become effective on January 1, 2017:⁸

- § 54.410(f) – Subscriber annual re-certification process

The initial time period for existing ETCs to elect the forbearance provided by the *2016 Lifeline Modernization Order* with respect to offering Lifeline-supported BIAS will begin on October 3, 2016.⁹ ETCs choosing to avail themselves of the forbearance must file notice by December 2, 2016.¹⁰ The notice should indicate whether the ETC is choosing blanket forbearance from offering Lifeline-supported BIAS in the designated service areas of their existing ETC designations or otherwise indicate the Census Blocks where the ETC is electing the forbearance.¹¹ Pursuant to the terms of the forbearance provided by the *2016 Lifeline Modernization Order*, ETCs that do not provide such notices will be required to offer Lifeline-supported BIAS in the designated service areas pursuant to their existing ETC designations effective December 1, 2016.¹²

For further information, please contact Christian Hoefly, Wireline Competition Bureau, Telecommunications Access Policy Division, at (202) 418-3607 or via e-mail at christian.hoefly@fcc.gov.

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⁸ *2016 Lifeline Modernization Order*, 31 FCC Rcd at 4124, para. 446; 81 Fed. Reg. 33025.

⁹ *2016 Lifeline Modernization Order*, 31 FCC Rcd at 4072, 4075, paras. 301, 313. With respect to existing ETCs that are not Lifeline-only, this forbearance does not relieve the ETC of providing Lifeline BIAS in those areas where the ETC commercially offers qualifying BIAS pursuant to the ETC's obligations under the high-cost rules. *Id.* at 4075, para. 312.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*