

Federal Communications Commission

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

| | | |
|---|---|----------------------|
| In the Matter of |) | |
| |) | |
| Lifeline and Link Up Reform and Modernization |) | WC Docket No. 11-42 |
| |) | |
| Lifeline and Link Up |) | WC Docket No. 03-109 |
| |) | |
| Federal-State Joint Board on Universal Service |) | CC Docket No. 96-45 |
| |) | |
| Advancing Broadband Availability Through Digital Literacy Training |) | WC Docket No. 12-23 |
| |) | |

ERRATUM

Released: May 16, 2012

By the Chief, Wireline Competition Bureau:

On February 6, 2012, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking (Lifeline Reform Order and FNPRM)*, FCC 12-11, in the above-captioned proceeding.¹ This Erratum amends the *Lifeline Reform Order and FNPRM* as indicated below:

1. Table of Contents; for the heading “Pilot Project Data...”, replace the number “2” with the number “5”.
2. Paragraph 2, in the third sentence, add “2011” before “*Duplicative Program Payments Order*”.
3. Paragraph 23, in the eighth sentence, delete “and” from the phrase “options for and reaching”.
4. Footnote 69, in the last sentence, replace “Nexus TracFone Link Up Comments” with “Nexus Comments on TracFone Link Up Petition”.
5. Paragraph 29, in the third sentence, delete the extra period after “*i.e.*”
6. Footnote 79 is corrected to read as follows:
“In the NPRM, we proposed availability and affordability as separate goals. *See Lifeline and Link Up NPRM*, 26 FCC Rcd at 2784, 2785-86, paras. 36, 42, 43. There was substantial support in the record for both concepts. *See, e.g.,* Consumer Groups Comments at 13-14, GCI Comments at 13-14. We agree with commenters that both concepts are important, but find that ensuring voice service is affordable is a component of ensuring it is available.”
7. Paragraph 31, in the last sentence, add a hyphen between “next highest”.
8. Footnote 84, in the third and fifth sentence, add a hyphen between “next highest”.
9. Footnote 87, replace “*Broadband Plan at XIII*” with “NATIONAL BROADBAND PLAN at XIII”.

¹ The corrected version will be published in the FCC Record. In addition, the corrected version will be posted on the Commission’s website.

10. Footnote 92, italicize “2011”.
11. Footnote 94, in the first sentence, add “behind” after “historically lagged”.
12. Footnote 138, replace the period after “(2002)” with a semi-colon.
13. Footnote 146, in the first sentence, add “(2011)” after “REPORT 13”.
14. Footnote 155, at the end, add new sentence to read as “The phrase “Lifeline program” refers to the federal Universal Service Fund’s Lifeline program.”
15. Paragraph 62, the fourth sentence is corrected to read as “Under the current Commission rules, the District of Columbia and the 42 remaining states and three territories with their own programs have established their own eligibility criteria for the Lifeline program that are based solely on income or factors directly related to income.” and last sentence is corrected to read as “This current patchwork of eligibility criteria means that consumers in some states qualify for Lifeline support while similarly situated consumers in states without those same qualifying criteria for the federal program may not be eligible for federal support.”
16. Footnote 165 is corrected by removing the italics from the footnote number.
17. Paragraph 64, the first sentence is corrected to read as “In the *Lifeline and Link Up NPRM*, the Commission proposed a core set of federal eligibility requirements that would apply for the Lifeline program in all states, and sought comment on permitting states to adopt additional measures that could complement the federal standards.”
18. Paragraph 65 is corrected to read as follows:

“*Discussion.* We amend our rules to require all states to utilize, at a minimum, the income and program criteria currently utilized by federal default states for the Lifeline program. In so doing, we establish baseline eligibility requirements for the Lifeline program on top of which states may adopt additional program or income criteria to address the unique circumstances facing consumers in their states.”
19. Paragraph 66, the first sentence is corrected to read as “Uniform eligibility criteria for the Lifeline program will simplify the development of an eligibility database, an important tool in preventing ineligible consumers from enrolling in the federal program.”
20. Paragraph 67 is corrected to read as follows:

“A few state commissions that commented oppose uniform eligibility criteria for the federal Lifeline program. One state commission notes that state laws may need to be changed due to adoption of uniform eligibility requirements. Another state commission argues that changing state laws to implement uniform eligibility criteria would be burdensome. We believe that any increased burden from the establishment of uniform eligibility criteria for the federal Lifeline program, while not quantified in the record, may not be substantial. It is important to note that the uniform eligibility criteria we adopt in this Order only apply to the federal Lifeline program. Thus, a state would only be burdened insofar as the state has its own Lifeline fund and adoption of uniform eligibility criteria increases enrollment in that state. For example, if a state does not currently include the Low-Income Home Energy Assistance Program (LIHEAP) as a program conferring Lifeline eligibility, our adoption of a uniform floor of eligibility would immediately render that state’s LIHEAP customers eligible for Lifeline, provided those subscribers were not already enrolled in another qualifying program. If a state were to find that uniformity increases demand on its own state fund, it could adjust its state Lifeline support per household without increasing its overall fund size, among other options. The potential for increased costs to states from our adopting uniform eligibility criteria are further diminished by the fact that many Lifeline-only ETCs, including TracFone and Virgin Mobile, do not take from state funds. Therefore, we conclude that the benefits of uniformity of eligibility criteria for the federal Lifeline program outweigh any potential costs to states.”

21. Footnote 174, delete “; OR PUC Comments at 2”.
22. Footnote 175, delete “; *see also* MI PSC Comments at 7 (arguing that some states, including Michigan, have laws regarding eligibility and compliance with uniformity would necessitate burdensome legislative changes)”.
23. Footnote 176 is corrected to read as “*See* MI PSC Comments at 7.”
24. Footnote 177, replace “54.403(a)(3)” with “54.409”.
25. Footnote 179 is corrected to read as follows:

“Some states do not have or do not assert jurisdiction over wireless carriers, and some states do not have state funds. Additionally, some ETCs choose not to accept state funds due to attached conditions and ease of administration.”
26. Footnote 186, replace “9022” with “9023, para. 3.”
27. Footnote 187, the fifth sentence is corrected to read as “*See i-Wireless Forbearance Order*, 25 FCC Rcd at 8790, para. 16; *Virgin Mobile 2010 ETC Order*, 25 FCC Rcd at 17804, para. 21; *Virgin Mobile Forbearance Order*, 24 FCC Rcd at 3387, 3392, paras. 12, 25; *TracFone Forbearance Order*, 20 FCC Rcd at 15103-04, para. 18.”
28. Footnote 202, delete “8302”.
29. Footnote 207, delete “to initial”.
30. Footnote 241, replace “n.240” with “n.239”.
31. Paragraph 91, the sixth sentence is corrected to read as “Fourth, we amend section 54.410 of the Commission’s rules to require that all Lifeline subscribers certify upon enrollment in Lifeline and annually thereafter that the subscriber’s household is receiving no more than one Lifeline-supported service.”
32. Footnote 246, replace “hat” with “that”.
33. Footnote 264, the citation is corrected to read as “*See infra* para. 104 and n.1060.”
34. Footnote 271, after “qualifying”, delete the word “federal”.
35. Paragraph 108, in the sixth sentence, add “(or states, where applicable)” after “ETCs”.
36. Paragraph 121, in the second sentence, replace “one line” with “one supported service”.
37. Paragraph 123, in the seventh sentence, delete the extra “s” from “these”.
38. Paragraph 125, in the first sentence, replace “amend section 54.410” with “add section 54.416”.
39. Paragraph 130, the first sentence is corrected to read as “Pursuant to the new rule we adopt today, all ETCs (or states, where applicable) must re-certify the eligibility of their Lifeline subscriber base as of June 1, 2012 by the end of 2012 and report the results to USAC by January 31, 2013.”
40. Paragraph 131, in the last sentence, add a comma after “valid address”.
41. Paragraph 140, in the last sentence, deleting the words “may” and “and”.
42. Paragraph 167, at the end of the last sentence, replace “is” with “are”.
43. Paragraph 168, the last sentence is corrected to read as “We also determine that, for purposes of annual certifications, ETCs may rely upon text messages from Lifeline consumers when such communications are received in response to the annual certification request from the consumer’s Lifeline-supported phone number.”

Federal Communications Commission

44. Paragraph 171, in the second sentence, change “*Recommended Decision*” to read as “*Joint Board Recommended Decision*”.
45. Footnote 452 is corrected to read as “*See supra* paras. 120-24.”
46. Footnote 480, add a comma after “*Order*”.
47. Paragraph 184, in the second sentence, replace “Land” with “lands” and in the last sentence, add the word “and” before “for new subscribers”.
48. Paragraph 185, in the third sentence, replace “duplicate” with “duplicative support”.
49. Paragraph 189, in the first sentence, add a space between “date(when)”.
50. Paragraph 190, the last sentence is corrected to read as “ETCs must provide the subscriber information described below for existing subscribers to the database within 60 days of the Bureau providing notice that the database is capable of accepting subscriber information and for new subscribers upon initiation of service thereafter.”
51. Paragraph 193, the third sentence is corrected to read as follows:

“Moreover, because the ETCs have the direct relationship with the subscriber with whom the ETC may have to interact to obtain the necessary information to correct the subscriber’s address, we direct ETCs to standardize and verify addresses in their records prior to submission of the address data to the database.”
52. Paragraph 194, in the first sentence, italicize “e.g.”, replace “Land” with “lands” and in the third sentence, replace “forgoing” with “foregoing” and add “to” before “autogenerate”.
53. Paragraph 203, in the second sentence, add “within” before “30 days,” and replace the phrase “all ETCs query the database” with “all ETCs must begin querying the database”.
54. Paragraph 211, in the second sentence, add a comma after “*Order*” and in the fifth sentence, replace “within their economic unit” with “for their economic unit”.
55. Footnote 555, delete the period after the hyperlink.
56. Paragraph 223, in the fifth sentence, delete extra space between the words “and how”.
57. Paragraph 231, in the last sentence, replace “no” with “not”.
58. Footnote 625, add a space between “Counsel,Reunion,”.
59. Footnote 636, replace “*Penn Central*, 438 U.S. at 124” with “*Penn Central Transport. Co. v. New York City*, 438 U.S. 104, 124 (1978)” and replace “*Connolly*, 475 U.S. at 225” with “*Connolly v. Pension Benefit Guar. Corp.*, 475 U.S. 211, 225 (1986)”.
60. Footnote 697, delete “do not” before “collect”.
61. Paragraph 260, in the last sentence, replace “initiation” with “activation”.
62. Footnote 709, capitalize all letters in “CompTel” and delete “(1)-(9)”.
63. Paragraph 275, in the second sentence, replace “what” with “that” and in the third sentence after the word “explain”, add “on certification forms”.
64. Paragraph 281, in the first sentence, replace “the Commission’s Bureau and Consumer and Governmental Affairs Bureau (Consumer Bureau)” with “the Commission’s Wireline Competition Bureau and Consumer and Governmental Affairs Bureau”.
65. Footnote 823, add a space between “*id.at*”.
66. Paragraph 303, in the second sentence, replace “July 1, 2012” with “October 1, 2012”.

67. Paragraph 304, the first sentence is corrected to read as “By October 2012, we direct USAC to complete the transition to payment on actual support and process each electronically filed FCC Form 497 and disburse support to ETCs that file electronically by the last business day of the same month in which the FCC Form 497 is due, provided it is timely filed.”
68. Paragraph 314, in the first sentence, replace “packaging” with “packages”.
69. Footnote 868, delete “*See Appendix A, 47 C.F.R. §§ 54.408, 54.409 (adopted rules).*”
70. Paragraph 318, in the second sentence, replace “programs” with “program”.
71. Footnote 881, replace “of Lifeline program” with “for the Lifeline program”.
72. Paragraph 336, in the sixth sentence, replace “IX.B.3.f” with “IX.B.4.f” and by adding “USAC to use” after “authorize”.
73. Paragraph 337, in the first sentence, replace “IX.B.3.b” with “IX.B.4.f”.
74. Paragraph 338, format the text to full justification.
75. Paragraph 347, after the word “used”, add “by USAC”.
76. Paragraph 354, in the heading above the paragraph, replace the number “2” with the number “5”.
77. Footnote 959, in the second sentence, replace “(Q3-Q4). Staff” with “(Q3-Q4), staff” and in the fifth sentence, delete the parenthesis after “Survey”.
78. Footnote 978, replace “*See id. at para. 4*” with “*See USF/ICC Transformation Order on Reconsideration, FCC 11-89 at para. 4.*”
79. Footnote 982, in the second sentence, replace the phrase “to carriers with petitions for forbearance” with “to all carriers seeking to provide Lifeline-only service on a non-facilities basis, including those carriers with petitions for forbearance”.
80. Paragraph 368, in the second sentence, change “section (10)(a)” to read as “section 10(a)”.
81. Paragraph 380, the fourth sentence is corrected to read as “No designations shall be granted for any pending or new Lifeline-only ETC applications filed with the states or the Commission after December 29, 2011, for carriers that do not meet the “own-facilities” requirement contained in section 214(e)(1)(A), and such carriers shall not receive reimbursement from the program, until the Bureau approves their compliance plans.”
82. In paragraph 383, in the last sentence, delete “, as set forth in the preceding paragraphs 373-375”.
83. Footnote 1005, at the beginning, add “*See supra paras. 373-75.*”.
84. Footnote 1006, replace “*NPRM at 2865. para. 312*” with “*Lifeline and Link Up NPRM at 2865, para. 312*”.
85. Footnote 1008, delete the extra space after “*Virgin Mobile Forbearance Order*” and insert a space before “24 FCC Rcd at 3383-84.”
86. Paragraph 388, in the second sentence, delete “both” and “and 54.203” and insert the word “section” before “54.202”.
87. Footnote 1013, change “Jan. 24” to read as “Jan. 24, 2012”.

Federal Communications Commission

88. Paragraph 389, in the third sentence, add the word “section” before “54.209” and insert the word “such” before the second occurrence of “ETCs” and delete “offering Lifeline services” after “ETCs”.
89. Footnote 1016, remove the italics from the number “296”.
90. Footnote 1032 is corrected to read as follows:
“*Federal-State Joint Board on Universal Service*, CC Dkt. No. 96-45, Recommended Decision, 17 FCC Rcd 14095, 14114, para. 47 (Jt. Bd. 2002).”
91. In paragraph 402, in the sixth sentence after “pilot”, add the word “program”.
92. Footnote 1055, change “Cincinatti” to read as “Cincinnati”
93. Footnote 1076, in the citation after “(Oct. 13, 2009)”, add the phrase “(*PR Newswire Report on Digital Inclusion*)”.
94. Footnote 1077, in the citation, replace “*Id.*” with “*PR Newswire Report on Digital Inclusion.*”
95. Footnote 1078, the citation is corrected to read as “Pew Research Center, Pew Internet & American Life Project, at 1-3, *available at* http://www.pewinternet.org/~media/Files/Reports/2006/PIP_Online_Banking_2006.pdf.”
96. Footnote 1079, in the citation, replace “*PRNewswire*” with “*PR Newswire Report on Digital Inclusion.*”
97. Footnote 1085, change “DIGITALLITERACY.GOV” to read as “DigitalLiteracy.gov”.
98. Footnote 1087, change “COMMON SENSE MEDIA” to read as “Common Sense Media”.
99. Footnote 1106, in the citation, replace “Library Tech Report” with “*Library Tech Study*”.
100. Footnote 1109, add a space before “An E-rate applicant” and two spaces before “FCC Form 471”.
101. Footnote 1115, replace “*Id.*” with “*2010 IMLS Study*”.
102. Paragraph 434, in the first and second sentence, replace “Americas” with “Americans”.
103. Paragraph 452, in the fourth sentence after “ambiguity”, delete the word “and” and delete the word “thus” before “concluded”.
104. Paragraph 484, at the end of the fifth sentence, add a period.
105. Footnote 1194, the content of the footnote was inadvertently omitted and is added to read as “*Id.*”
106. Paragraph 515, change “54.409” to read as “54.409 and 54.410”.
107. Paragraph 524, the date is corrected to read as “April 25, 2008”.

APPENDIX A is amended as indicated below:

108. Section 54.407, in paragraph (d), change “from each of the subscribers” to read as “for each of the subscribers”.
109. Section 54.409(a), change paragraph (3) to read as follows:

“The consumer meets additional eligibility criteria established by a state for its residents, provided that such-state specific criteria are based solely on income or other factors directly related to income.”

110. Section 54.410(d), under paragraph (3), replace the second number “(ii)” with “(iii)” and renumber the remaining paragraphs as “(iv)” through “(ix)”.

111. Section 54.412, in paragraph (a) replace 54.400(c) with “54.400(e)” and in paragraph (b), delete “and must be filed pursuant to the Commission’s rules”.

112. Section 54.416, under paragraph (a), delete paragraph (3).

113. Section 54.417, in paragraph (c), delete “(e), 54.405(f)”.

114. Section 54.420(a), change paragraph (5) to read as follows:

“Delegated Authority. The Wireline Competition Bureau and the Office of Managing Director have delegated authority to perform the functions specified in paragraphs (a)(2) and (a)(3) of this section.”

115. Section 54.422 is corrected to read as follows:

“(a) In order to receive support under this subpart, an eligible telecommunications carrier must annually report:

(1) the company name, names of the company’s holding company, operating companies and affiliates, and any branding (a “dba,” or “doing-business-as company” or brand designation) as well as relevant universal service identifiers for each such entity by Study Area Code. For purposes of this paragraph, “affiliates” has the meaning set forth in section 3(2) of the Communications Act of 1934, as amended; and

(2) information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, including details on the number of minutes provided as part of the plan, additional charges, if any, for toll calls, and rates for each such plan. To the extent the eligible telecommunications carrier offers plans to Lifeline subscribers that are generally available to the public, it may provide summary information regarding such plans, such as a link to a public website outlining the terms and conditions of such plans.

(b) In order to receive support under this subpart, a common carrier that is designated as an eligible telecommunications carrier under section 214(e)(6) of the Act and does not receive support under subpart D of this part must annually provide:

(1) Detailed information on any outage in the prior calendar year, as that term is defined in 47 CFR § 4.5, of at least 30 minutes in duration for each service area in which the eligible telecommunications carrier is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect

(i) At least ten percent of the end users served in a designated service area; or

(ii) A 911 special facility, as defined in 47 CFR § 4.5(e).

(iii) Specifically, the eligible telecommunications carrier's annual report must include information detailing:

(A) The date and time of onset of the outage;

(B) A brief description of the outage and its resolution;

(C) The particular services affected;

(D) The geographic areas affected by the outage;

(E) Steps taken to prevent a similar situation in the future; and

Federal Communications Commission

(F) The number of customers affected.

(2) The number of complaints per 1,000 connections (fixed or mobile) in the prior calendar year;

(3) Certification of compliance with applicable service quality standards and consumer protection rules;

(4) Certification that the carrier is able to function in emergency situations as set forth in § 54.202(a)(2).

(c) All reports required by this section must be filed with the Office of the Secretary of the Commission, and with the Administrator. Such reports must also be filed with the relevant state commissions and the relevant authority in a U.S. territory or Tribal governments, as appropriate.”

116. Appendix C, under bullet “One-per-Household Certification:...” in the second paragraph, replace “only one line per household” with “only one service per household.”

FEDERAL COMMUNICATIONS COMMISSION

Sharon E. Gillett
Chief
Wireline Competition Bureau