

HB 1443

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1 A bill to be entitled
 2 An act relating to Lifeline telecommunication services;
 3 amending s. 364.10, F.S.; requiring each local exchange
 4 telecommunications company providing Lifeline Assistance
 5 services to submit certain eligibility criteria
 6 information to the Legislature; requiring such companies
 7 to submit specified information each month to the Public
 8 Service Commission and the Office of Public Counsel;
 9 providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 364.10, Florida Statutes, is amended to
 14 read:

15 364.10 Undue advantage to person or locality prohibited;
 16 Lifeline service; monthly reporting.--

17 (1) A telecommunications company may not make or give any
 18 undue or unreasonable preference or advantage to any person or
 19 locality or subject any particular person or locality to any
 20 undue or unreasonable prejudice or disadvantage in any respect
 21 whatsoever.

22 (2) The prohibitions of subsection (1) notwithstanding, a
 23 telecommunications company serving as carrier of last resort
 24 shall provide a Lifeline Assistance Plan to qualified
 25 residential subscribers, as defined in a commission-approved
 26 tariff and a preferential rate to eligible facilities as
 27 provided for in part II.

28 (3)(a) Effective September 1, 2003, any local exchange
 29 telecommunications company authorized by the commission to

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30 reduce its switched network access rate under ~~pursuant to~~ s.
 31 364.164 shall have tariffed and shall provide Lifeline service
 32 to any otherwise eligible customer or potential customer who
 33 meets an income eligibility test at 125 percent or less of the
 34 federal poverty income guidelines for Lifeline customers. The
 35 ~~Such~~ a test for eligibility must augment, rather than replace,
 36 the eligibility standards established by federal law and based
 37 on participation in certain low-income assistance programs. Each
 38 intrastate interexchange telecommunications company shall,
 39 effective September 1, 2003, file a tariff providing at a
 40 minimum the intrastate interexchange telecommunications
 41 carrier's current Lifeline benefits and exemptions to Lifeline
 42 customers who meet the income eligibility test set forth in this
 43 subsection. The Office of Public Counsel shall certify and
 44 maintain claims submitted by a customer for eligibility under
 45 the income test authorized by this subsection.

46 (b) Each local exchange telecommunications company subject
 47 to this subsection shall provide to each state and federal
 48 agency providing benefits to persons eligible for Lifeline
 49 service, and to members of the Legislature, applications,
 50 brochures, pamphlets, or other materials that contain
 51 information concerning the ~~inform such persons of their~~
 52 eligibility criteria for Lifeline, and each state agency
 53 providing the ~~such~~ benefits shall furnish the materials to
 54 affected persons at the time they apply for benefits.

55 (c) Any local exchange telecommunications company customer
 56 receiving Lifeline benefits shall not be subject to any
 57 residential basic local telecommunications service rate
 58 increases authorized by s. 364.164 until the local exchange

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59 telecommunications company reaches parity as defined in s.
 60 364.164(5) or until the customer no longer qualifies for the
 61 Lifeline benefits established by this section or s. 364.105, or
 62 unless otherwise determined by the commission upon petition by a
 63 local exchange telecommunications company.

64 (d) By December 31, 2003, each state agency that provides
 65 benefits to persons eligible for Lifeline service shall
 66 undertake, in cooperation with the Department of Children and
 67 Family Services, the commission, and telecommunications
 68 companies providing Lifeline services, the development of
 69 procedures to promote Lifeline participation.

70 (e) The commission shall report to the Governor, the
 71 President of the Senate, and the Speaker of the House of
 72 Representatives by December 31 each year on the number of
 73 customers who are subscribing to Lifeline service and the
 74 effectiveness of any procedures to promote participation.

75 (4) Each local exchange telecommunications company
 76 providing Lifeline Assistance services shall prepare a monthly
 77 report concerning participation by its customers in the Lifeline
 78 Assistance program. The report must detail the number of:

79 (a) Subscribers meeting the income eligibility test.

80 (b) Applications for new Lifeline service received.

81 (c) New Lifeline subscribers enrolled.

82 (d) Subscriber applications rejected by the company and
 83 the reasons for each rejection.

84 (e) Subscribers removed from the Lifeline Assistance
 85 program and the reasons for their removal.

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87 The monthly report shall be sent to the Public Service
88 Commission and the Office of Public Counsel no later than 15
89 days after the last day of the previous month.

90 Section 2. This act shall take effect July 1, 2004.