

By Senator Siplin

19-950-04

1                                   A bill to be entitled  
2           An act relating to Lifeline telecommunication  
3           services; amending s. 364.10, F.S.; requiring  
4           each local exchange telecommunications company  
5           providing Lifeline Assistance services to  
6           submit specified information to the Public  
7           Service Commission and the Office of Public  
8           Counsel; directing that the information be  
9           provided monthly; 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  
14 amended to read:

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

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

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

28           (3)(a) Effective September 1, 2003, any local exchange  
29 telecommunications company authorized by the commission to  
30 reduce its switched network access rate under ~~pursuant to~~ s.  
31 364.164 shall have tariffed and shall provide Lifeline service

1 to any otherwise eligible customer or potential customer who  
2 meets an income eligibility test at 125 percent or less of the  
3 federal poverty income guidelines for Lifeline customers. The  
4 ~~Such a~~ test for eligibility must augment, rather than replace,  
5 the eligibility standards established by federal law and based  
6 on participation in certain low-income assistance programs.  
7 Each intrastate interexchange telecommunications company  
8 shall, effective September 1, 2003, file a tariff providing at  
9 a minimum the intrastate interexchange telecommunications  
10 carrier's current Lifeline benefits and exemptions to Lifeline  
11 customers who meet the income eligibility test set forth in  
12 this subsection. The Office of Public Counsel shall certify  
13 and maintain claims submitted by a customer for eligibility  
14 under the income test authorized by this subsection.

15 (b) Each local exchange telecommunications company  
16 subject to this subsection shall provide to each state and  
17 federal agency providing benefits to persons eligible for  
18 Lifeline service, and to members of the Legislature,  
19 applications, brochures, pamphlets, or other materials that  
20 contain information concerning the ~~inform such persons of~~  
21 ~~their~~ eligibility criteria for Lifeline, and each state agency  
22 providing the ~~such~~ benefits shall furnish the materials to  
23 affected persons at the time they apply for benefits.

24 (c) Any local exchange telecommunications company  
25 customer receiving Lifeline benefits shall not be subject to  
26 any residential basic local telecommunications service rate  
27 increases authorized by s. 364.164 until the local exchange  
28 telecommunications company reaches parity as defined in s.  
29 364.164(5) or until the customer no longer qualifies for the  
30 Lifeline benefits established by this section or s. 364.105,  
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1 or unless otherwise determined by the commission upon petition  
2 by a local exchange telecommunications company.

3 (d) By December 31, 2003, each state agency that  
4 provides benefits to persons eligible for Lifeline service  
5 shall undertake, in cooperation with the Department of  
6 Children and Family Services, the commission, and  
7 telecommunications companies providing Lifeline services, the  
8 development of procedures to promote Lifeline participation.

9 (e) The commission shall report to the Governor, the  
10 President of the Senate, and the Speaker of the House of  
11 Representatives by December 31 each year on the number of  
12 customers who are subscribing to Lifeline service and the  
13 effectiveness of any procedures to promote participation.

14 (4) Each local exchange telecommunications company  
15 providing Lifeline Assistance services shall prepare a monthly  
16 report concerning participation by its customers in the  
17 Lifeline Assistance program. The report must detail the number  
18 of:

19 1. Subscribers meeting the income eligibility test.

20 2. Applications for new Lifeline service received.

21 3. New Lifeline subscribers enrolled.

22 4. Subscriber applications rejected by the company and  
23 the reasons for each rejection.

24 5. Subscribers removed from the Lifeline Assistance  
25 program and the reasons for their removal.

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

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

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SENATE SUMMARY

Provides that each local exchange telecommunications company providing Lifeline Assistance services must submit specified information to the Public Service Commission and the Office of Public Counsel. Directs that the information be provided on a monthly basis.