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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2018	.	
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	.	

The Committee on Governmental Oversight and Accountability
(Bean) recommended the following:

1 **Senate Amendment (with title amendment)**

2 Delete everything after the enacting clause
3 and insert:

4 Section 1. Section 364.10, Florida Statutes, is amended to
5 read:

6 364.10 Lifeline service.—

7 (1) (a) An eligible telecommunications carrier shall provide
8 a Lifeline Assistance Plan to qualified residential subscribers,
9 as defined in the eligible telecommunications carrier's



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10 published schedules. For the purposes of this section, the term
11 "eligible telecommunications carrier" means a telecommunications
12 company, as defined by s. 364.02, which is designated as an
13 eligible telecommunications carrier by the commission pursuant
14 to 47 C.F.R. s. 54.201. Notwithstanding the provision of s.
15 364.011 that exempts certain commercial mobile radio service
16 providers from commission oversight, the term "eligible
17 telecommunications carrier" includes any commercial mobile radio
18 service provider designated by the commission pursuant to 47
19 C.F.R. s. 54.201 and the commission is authorized to make such a
20 designation, upon petition, for the limited purpose of providing
21 Lifeline service.

22 (b) An eligible telecommunications carrier must ~~shall~~ offer
23 a consumer who applies for or receives Lifeline service the
24 option of blocking all toll calls or, if technically capable,
25 placing a limit on the number of toll calls a consumer can make.
26 The eligible telecommunications carrier may not charge the
27 consumer an administrative charge or other additional fee for
28 blocking the service.

29 (c) An eligible telecommunications carrier may not collect
30 a service deposit in order to initiate Lifeline service if the
31 qualifying low-income consumer voluntarily elects toll blocking
32 or toll limitation. If the qualifying low-income consumer elects
33 not to place toll blocking on the line, an eligible
34 telecommunications carrier may charge a service deposit.

35 (d) An eligible telecommunications carrier may not charge
36 Lifeline subscribers a monthly number-portability charge.

37 (e)1. An eligible telecommunications carrier must notify a
38 Lifeline subscriber of impending termination of Lifeline service



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39 if the company has a reasonable basis for believing that the
40 subscriber no longer qualifies for such service. Notification of
41 pending termination must be in the form of a letter that is
42 separate from the subscriber's bill.

43 ~~2. An eligible telecommunications carrier shall allow a~~
44 ~~subscriber 60 days following the date of the pending termination~~
45 ~~letter to demonstrate continued eligibility.~~ The subscriber must
46 present proof of continued eligibility upon request of the
47 eligible telecommunications carrier. An eligible
48 telecommunications carrier may transfer a subscriber off of
49 Lifeline service, pursuant to its tariff, if the subscriber
50 fails to demonstrate continued eligibility.

51 3. The commission shall establish procedures for such
52 notification and termination.

53 (f) An eligible telecommunications carrier must ~~shall~~
54 timely credit a consumer's bill with the Lifeline Assistance
55 credit as soon as practicable, but no later than 60 days
56 following receipt of notice of eligibility from the Office of
57 Public Counsel or proof of eligibility from the consumer.

58 (2) (a) ~~An Each local exchange telecommunications company~~
59 ~~that has more than 1 million access lines and that is designated~~
60 ~~as an eligible telecommunications carrier, including shall, and~~
61 any commercial mobile radio service provider designated as an
62 eligible telecommunications carrier pursuant to 47 U.S.C. s.
63 214(e) may, ~~upon filing a notice of election to do so with the~~
64 ~~commission,~~ provide Lifeline service to any otherwise eligible
65 customer or potential customer who meets an income eligibility
66 test at 135 ~~150~~ percent or less of the federal poverty income
67 guidelines for Lifeline customers. ~~Such a test for eligibility~~



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68 ~~must augment, rather than replace, the eligibility standards~~
69 ~~established by federal law and based on participation in certain~~
70 ~~low income assistance programs. Each intrastate interexchange~~
71 ~~telecommunications company shall file or publish a schedule~~
72 ~~providing at a minimum the intrastate interexchange~~
73 ~~telecommunications company's current Lifeline benefits and~~
74 ~~exemptions to Lifeline customers who meet the income eligibility~~
75 ~~test set forth in this subsection.~~ The Office of Public Counsel
76 shall certify and maintain claims submitted by a customer for
77 eligibility under the income test authorized by this subsection.

78 (b) Each eligible telecommunications carrier subject to
79 this subsection must ~~shall~~ provide to each state and federal
80 agency providing benefits to persons eligible for Lifeline
81 service applications, brochures, pamphlets, or other materials
82 that inform the persons of their eligibility for Lifeline, and
83 each state agency providing the benefits shall furnish the
84 materials to affected persons at the time they apply for
85 benefits.

86 (c) An eligible telecommunications carrier may not
87 discontinue basic local telecommunications service to a
88 subscriber who receives Lifeline service because of nonpayment
89 by the subscriber of charges for nonbasic services billed by the
90 telecommunications company, including, but not limited to, long-
91 distance service. A subscriber who receives Lifeline service
92 must ~~shall~~ pay all applicable basic local telecommunications
93 service fees, including the subscriber line charge, E-911,
94 telephone relay system charges, and applicable state and federal
95 taxes.

96 (d) An eligible telecommunications carrier may not refuse



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97 to connect, reconnect, or provide Lifeline service because of
98 unpaid toll charges or nonbasic charges other than basic local
99 telecommunications service.

100 (e) An eligible telecommunications carrier may require that
101 payment arrangements be made for outstanding debt associated
102 with basic local telecommunications service, subscriber line
103 charges, E-911, telephone relay system charges, and applicable
104 state and federal taxes.

105 (f) An eligible telecommunications carrier may block a
106 Lifeline service subscriber's access to all long-distance
107 service, except for toll-free numbers, and may block the ability
108 to accept collect calls if ~~when~~ the subscriber owes an
109 outstanding amount for long-distance service or amounts
110 resulting from collect calls. However, the eligible
111 telecommunications carrier may not impose a charge for blocking
112 long-distance service. The eligible telecommunications carrier
113 shall remove the block at the request of the subscriber without
114 additional cost to the subscriber upon payment of the
115 outstanding amount. An eligible telecommunications carrier may
116 charge a service deposit before removing the block.

117 (g)1. ~~By December 31, 2010,~~ Each state agency that provides
118 benefits to persons eligible for Lifeline service shall
119 undertake, in cooperation with the Department of Children and
120 Families, ~~the Department of Education,~~ the commission, the
121 Office of Public Counsel, and telecommunications companies
122 designated eligible telecommunications carriers providing
123 Lifeline services, the development of procedures to promote
124 Lifeline participation. The department ~~departments,~~ the
125 commission, and the Office of Public Counsel may exchange



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126 sufficient information with the appropriate eligible
127 telecommunications carriers or the Federal Communications
128 Commission, or its designee and any commercial mobile radio
129 service provider electing to provide Lifeline service under
130 paragraph (a), such as a person's name, date of birth, service
131 address, and telephone number, so that eligible customers ~~the~~
132 ~~carriers can be enrolled~~ identify and enroll an eligible person
133 in the Lifeline and Link-Up programs. The information remains
134 confidential pursuant to s. 364.107 and may only be used for
135 purposes of determining eligibility and enrollment in the
136 Lifeline and Link-Up programs.

137 2. If any state agency determines that a person is eligible
138 for Lifeline services, the agency shall immediately forward the
139 information to the commission to ensure that the person is
140 automatically enrolled in the program with the appropriate
141 eligible telecommunications carrier. The state agency shall
142 include an option for an eligible customer to choose not to
143 subscribe to the Lifeline service. The Public Service Commission
144 and the Department of Children and Families shall, ~~no later than~~
145 ~~December 31, 2007,~~ adopt rules creating procedures to
146 automatically enroll eligible customers in Lifeline service.

147 3. ~~By December 31, 2010,~~ The commission, the Department of
148 Children and Families, the Office of Public Counsel, and each
149 eligible telecommunications carrier offering Lifeline and Link-
150 Up services shall convene a Lifeline Workgroup to discuss how
151 the eligible subscriber information in subparagraph 1. will be
152 shared, the obligations of each party with respect to the use of
153 that information, and the procedures to be implemented to
154 increase enrollment and verify eligibility in these programs.



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155 (h) The commission shall report to the Governor, the
156 President of the Senate, and the Speaker of the House of
157 Representatives by December 31 each year on the number of
158 customers who are subscribing to Lifeline service and the
159 effectiveness of any procedures to promote participation.

160 (i) The commission may undertake appropriate measures to
161 inform low-income consumers of the availability of the Lifeline
162 and Link-Up programs.

163 (j) The commission shall adopt rules to administer this
164 section.

165 Section 2. Subsection (2) of section 364.107, Florida
166 Statutes, is amended to read:

167 364.107 Public records exemption; Lifeline Assistance Plan
168 participants.—

169 (2) Information made confidential and exempt under
170 subsection (1) may be released to the applicable
171 telecommunications carrier, the Federal Communications
172 Commission, or the Federal Communications Commission designee
173 for purposes directly connected with eligibility for,
174 verification related to, or auditing of a Lifeline Assistance
175 Plan.

176 Section 3. This act shall take effect upon becoming law.
177

178 ===== T I T L E A M E N D M E N T =====

179 And the title is amended as follows:

180 Delete everything before the enacting clause
181 and insert:

182 A bill to be entitled
183 An act relating to designation of eligible



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184 telecommunications carriers; amending s. 364.10, F.S.;

185 revising the term "eligible telecommunications

186 carrier"; authorizing the Public Service Commission to

187 designate any commercial mobile radio service provider

188 as an eligible telecommunications carrier for the

189 purpose of providing Lifeline service; deleting a

190 provision requiring carriers to allow subscribers to

191 demonstrate continued eligibility for Lifeline service

192 under certain conditions; requiring subscribers to

193 furnish proof of eligibility upon request from

194 carrier; revising the carriers that may provide

195 Lifeline service; revising Lifeline service

196 eligibility; deleting obsolete provisions; revising

197 the entities with which the commission may exchange

198 certain information; amending s. 364.107, F.S.;

199 revising the entities to which certain information

200 relating to Lifeline service eligibility may be

201 released; providing an effective date.