

NOTES

From Pre-rulemaking Workshop re: Indiana Lifeline Assistance Program (ILAP)
Held on Friday, December 14, 2007 at 10:00 a.m. in IURC Boardroom

Group Discussion included the following:

- Reviewed newly written funding section –
 - Section 12(d)(3) –
 - discussed who determines whether outreach expenses are reasonable
 - decided it should be the IURC
 - outreach that complies with Section 10 presumptively valid,
 - but if doing a new program (particularly if more expensive than \$0.10/line), then it's suggested that it be brought to the IURC first, so doesn't get denied later. –
 - however, no pre-approval required
- Supported Services –
 - check CFR cite to see if sufficient or if should still include language regarding primary line and toll limitation
 - concern re: whether telephone relay service was included in federal definition
- Certification –
 - enrollment in federal lifeline = automatic eligibility and/or automatic enrollment (?) in ILAP
 - need participants thoughts and language
- Sec 9 – need to have consistent language regarding “customer” vs. “participant” vs. “applicant”
- Duties of ETC can be performed by the ETC's agent –
 - this was added to definition rather than having to make changes to add throughout rule.
- Exemption or Waiver for Wireless ETCs –
 - Sprint lead a heated discussion in which Sprint argued that wireless ETCs should be exempt from state lifeline programs or, in the alternative, a waiver process should be included for those companies such as Sprint that voluntarily discounts more than would be required under ILAP – Sprint argued that toll limitation, disconnection, dispute resolution, and certain outreach requirements were either technically infeasible or unduly burdensome to a national system (although current ILAP language re: toll limitation and disconnection took care of those concerns)
 - Others argued that state lifeline programs burden all ETCs (whether wireless or not) and that if a wireless carrier voluntarily takes on the ETC designation than it should be required to perform the same obligations and duties as other ETCs.

Submit additional written comments by Friday, January 4, 2008, to Beth Roads, preferably via email. A revised draft proposed rule will then be re-circulated by staff. We will probably NOT have another pre-rulemaking workshop unless additional substantive issues arise. Official rulemaking will begin approx. February 1, 2008, with the publication of the Notice of Intent, then have 30 days before Proposed Rule is adopted by the Commission.