

IC 8-1-36

Chapter 36. Indiana Lifeline Assistance Program

IC 8-1-36-1

Application of chapter

Sec. 1. This chapter applies to an eligible telecommunications carrier that offers basic telecommunications service in one (1) or more exchange areas in Indiana.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-2

Application of definitions

Sec. 2. Except as otherwise provided in this chapter, the definitions in IC 8-1-2.6 apply throughout this chapter.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-3

"Commission"

Sec. 3. As used in this chapter, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-4

"Eligible telecommunications carrier"

Sec. 4. As used in this chapter, "eligible telecommunications carrier" refers to a local exchange carrier that is designated as an eligible telecommunications carrier by the commission under 47 CFR 54.201.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-5

"Federal Lifeline program"

Sec. 5. As used in this chapter, "federal Lifeline program" refers to the retail local service offering:

- (1) available only to qualifying low-income consumers (as defined in 47 CFR 54.400(a));
- (2) for which qualifying low-income consumers pay reduced charges as a result of the application of the Lifeline support amount described in 47 CFR 54.403; and
- (3) that includes the services and functionalities set forth in 47 CFR 54.101(a)(1) through 47 CFR 54.101(a)(9);

as described in 47 CFR 54.401.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-6

"Participant"

Sec. 6. As used in this chapter, "participant" refers to an eligible customer who applies for and receives assistance through the program.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-7

"Program"

Sec. 7. As used in this chapter, "program" refers to the Indiana Lifeline assistance program established by the commission under section 8 of this chapter.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-8

Rules to establish program; funding mechanisms; reduced rates for basic telecommunications service

Sec. 8. (a) Not later than July 1, 2008, the commission shall adopt rules under IC 4-22-2 to establish the Indiana Lifeline assistance program. The program shall offer reduced charges for basic telecommunications service to eligible customers. The rules adopted by the commission under this section must do the following:

(1) Require an eligible telecommunications carrier to offer toll limitation (as defined in 47 CFR 54.400(d)) to an eligible customer who applies for assistance under the program. The rules must specify that an eligible telecommunications carrier may not charge a participant an administrative charge or any other additional amount for toll limitation.

(2) Allow an eligible telecommunications carrier to block a participant's access to interexchange service, except for access to toll free numbers, if the participant owes an outstanding amount for basic telecommunications service. The rules must require an eligible telecommunications carrier to remove the block without additional cost to the participant upon payment of the outstanding amount.

(3) Prohibit an eligible telecommunications carrier from discontinuing basic telecommunications service to a participant because of nonpayment by the participant of charges for other services billed by the eligible telecommunications carrier, including interexchange service.

(b) Funding for the following costs of the program shall be determined by the commission, after notice and hearing, in a manner based on and consistent with comparable federal funding mechanisms for the federal Lifeline program:

(1) The costs of reimbursing eligible telecommunications carriers for lost revenues associated with providing reduced charges for basic telecommunications service to participants.

(2) Reasonable expenses incurred by the commission and eligible telecommunications carriers to:

(A) administer the program; and

(B) publicize the availability of the program in a manner reasonably designed to reach eligible customers.

(c) The rules adopted by the commission under IC 4-22-2 to establish the program must:

(1) take effect not later than July 1, 2009; and

(2) be consistent with this chapter.

Upon the effective date of the rules adopted by the commission under

this section, an eligible telecommunications carrier shall offer basic telecommunications service to an eligible customer at the reduced rates established under the rules.

As added by P.L.27-2006, SEC.59.

IC 8-1-36-9

Eligibility for reduced rates under program

Sec. 9. A customer is eligible to receive reduced rates for basic telecommunications service under the program if:

- (1) the customer's income (as defined in 47 CFR 54.400(f)) does not exceed one hundred fifty percent (150%) of the federal poverty guidelines; or
- (2) any person in the customer's household receives or has a child who receives any of the following:
 - (A) Medicaid.
 - (B) Food stamps.
 - (C) Supplemental Security Income.
 - (D) Federal public housing assistance.
 - (E) Home energy assistance under a program administered by the lieutenant governor under IC 4-4-33-1(3).
 - (F) Assistance under the federal Temporary Assistance for Needy Families (TANF) program (45 CFR 260 et seq.).
 - (G) Free lunches under the national school lunch program.

As added by P.L.27-2006, SEC.59. Amended by P.L.1-2007, SEC.79; P.L.1-2009, SEC.65.

IC 8-1-36-10

Tier Three federal Lifeline support

Sec. 10. An eligible telecommunications carrier may seek Tier Three federal Lifeline support under 47 CFR 54.403(a)(3) in connection with support provided by the eligible telecommunications carrier under this chapter.

As added by P.L.27-2006, SEC.59.