



September 30, 2021

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
45 L Street, NE
Washington, DC 20554

RE: *Lifeline and Link Up Reform and Modernization*
WC Docket Nos. 11-42, 09-197 and 10-90

Dear Ms. Dortch:

On September 28, 2021, the undersigned and Brian Ford of NTCA–The Rural Broadband Association (“NTCA”) met with Ryan Palmer, Chief of the Federal Communications Commission’s (“Commission”) Telecommunications Access Policy Division, regarding the phase-out of Lifeline Universal Service Fund (“USF”) support for voice-only service set to take effect December 1, 2021.¹ NTCA reiterated the importance of ensuring low-income consumers have affordable access to the voice service they need. NTCA further highlighted the urgent need for Commission action to address the NASUCA Petition for Reconsideration seeking to restore Lifeline support for stand-alone voice service,² as carriers all across the nation will otherwise be required to inform low-income consumers very soon of the loss of this critical subsidy.

As an initial matter, NTCA emphasized the need for ongoing Lifeline support for voice-only service. As recognized by the Wireline Competition Bureau in its 2021 State of Lifeline Report, voice service remains critical for many low-income and older individuals who rely on such service as an affordable method of contacting health care providers, government agencies, and public safety. The predictive belief in 2016 when the Commission decided to phase out Lifeline voice support that consumers would switch to either a bundled broadband and voice package or a standalone broadband service by December 1, 2021, has not been realized. Indeed, NTCA members report that some Lifeline customers have not (and may never adopt) broadband service, meaning these rural Americans continue to rely upon voice service as their primary communications medium for connections within their communities and to the rest of the world.

Moreover, as NTCA has previously noted, the phase-out of support for standalone voice is perplexing considering the public safety implications – in an emergency, voice service can offer

¹ *Wireline Competition Bureau Announces Updated Lifeline Minimum Service Standards and Indexed Budget Amount*, WC Docket No. 11-42, DA 19-704 (rel. July 25, 2019).

² National Association of State Utility Consumer Advocates, *Petition for Reconsideration*, WC Docket Nos. 11-42, 09-197 and 10-90 (June 23, 2016) (“NASUCA Petition”).

a literal lifeline.³ Unfortunately, this was largely glossed over in 2016 when the voice phase-out was initiated – a rather ironic decision coming only a year after the Commission required battery back-up for non-line-powered voice service precisely because of public safety access considerations in a power outage.⁴ Adopting rules designed to improve the reliability of communications networks does little if Americans cannot afford to access those networks.

NTCA also noted that the continued availability of Lifeline support for voice/broadband bundles beyond December 1, 2021, is of little help to many Americans in need of voice service. For many low-income consumers, even when bundled with voice service (and especially given that bundles typically cost more than standalone service), broadband too often remains unaffordable despite the availability of the Lifeline discount. This concern is exacerbated by the escalation of minimum service speed standards each year, forcing Lifeline subscribers either to take ever more expensive broadband service packages or forego service altogether.⁵

NTCA further noted that, even as Lifeline support will remain available for voice-only service in census blocks identified as having only one Lifeline provider, data used to identify these areas can be unreliable. NTCA members have reported, for example, that USAC data identifying other Lifeline providers in census blocks they serve are sometimes inaccurate. Accordingly, the Commission should not rely on data that could result in the Lifeline subsidy disappearing in census blocks where there is in fact only one Lifeline provider.

With all of this as backdrop, NTCA stressed the need for swift Commission action on the NASUCA Petition to retain the voice-only Lifeline discount. Pursuant to Commission rules, carriers must provide thirty days' notice to customers if Lifeline service is being discontinued.⁶ For this notice to reach affected Lifeline subscribers by November 1 in anticipation of a December 1 phase-out, billing systems must insert this notice in the next few weeks. If the Commission elects to retain the voice-only discount after these notices are provided, additional follow-up notices will be required and customer confusion is sure to follow.

Finally, NTCA noted the strong support in the record for retention of Lifeline support for voice-only service. Parties representing a wide cross-section of the provider community as well as

³ See NTCA-The Rural Broadband Ass'n and WTA – Advocates for Rural Broadband, Petition for Reconsideration or Clarification, WC Docket Nos. 11-42, 09-197 and 10-90 (June 23, 2016), p. 7.

⁴ *Ensuring Customer Premises Equipment Backup Power for Continuity of Communications*, PS Docket No. 14-174, FCC 15-98, Report and Order (rel. Aug. 7, 2015).

⁵ See NTCA – The Rural Broadband Ass'n, *Petition for Waiver*, WC Docket Nos. 11-42, 09-197 and 10-90 (July 29, 2019); NTCA – The Rural Broadband Ass'n, *Petition for Temporary Waiver*, WC Docket Nos. 11-42, 09-197 and 10-90 (July 23, 2018); NTCA – The Rural Broadband Ass'n, *Petition for Temporary Waiver*, WC Docket Nos. 11-42, 09-197 and 10-90 (Oct. 20, 2017).

⁶ See 47 C.F.R. § 54.405(e)(1).

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consumer interest groups⁷ supported the NASUCA Petition, recognizing that many low-income consumers continue to rely on voice service for critical communications. This, combined with the fact that low-income consumers have not migrated to voice/broadband bundles to the extent that the Commission predicted in 2016 and the inaccuracy of data as noted above, all weigh in favor of continued Lifeline support for voice-only service.

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's Rules, a copy of this correspondence is being filed via ECFS. Please contact the undersigned with any questions.

Sincerely,

/s/ Tamber Ray
Tamber Ray
Brian Ford

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⁷ See, e.g., Comments of CTIA, WC Docket No. 11-42 (Aug. 2, 2021); Comments of the California Public Utilities Comm'n, WC Docket No. 11-42 (Aug. 2, 2021); Comments of Free Press, WC Docket No. 11-42 (Aug. 2, 2021).