

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



June 22, 2021

To: Service List for Rulemaking 20-02-008 and Approved California LifeLine Service Providers

Re: FURTHER GUIDANCE REGARDING THE SUBMISSION OF ADVICE LETTERS AND REIMBURSEMENT CLAIMS FOR CALIFORNIA LIFELINE SERVICE PROVIDERS WHO ARE PARTICIPATING IN THE FCC EMERGENCY BROADBAND BENEFIT PROGRAM

On April 19, 2021, the California Public Utilities Commission's (CPUC) Communications Division (CD) provided guidance to the California LifeLine service providers regarding the federal Emergency Broadband Benefit (EBB) Program. CD hereby issues this letter to provide further clarification on the EBB.

A. Summary

- Service providers must file a Tier 1 Advice Letter for wireline and a Tier 2 Advice Letter for wireless in order to offer the EBB plans to California LifeLine participants.
- California LifeLine participants must be on a standard (non-EBB) California LifeLine service plan or a California Lifeline EBB approved plan.
- Service providers may only offer EBB service offerings that have been approved by the Universal Service Administrative Company (USAC). Offerings must be at the same rates/prices as approved by USAC.
- CD is working with the California LifeLine third-party administrator (TPA) to create new service tiers for the EBB service offerings and will provide further instructions to service providers regarding assignment of customers to new service tiers.
- CD is working with USAC to coordinate and exchange California Lifeline eligibility data more frequently.

B. Guidance for Advice Letters

All California LifeLine participants must be on a California LifeLine approved plan. Accordingly, California LifeLine service providers who have elected to participate in the EBB program and desire to offer EBB plans as part of their authorized California Lifeline plans, regardless of whether they

are seeking the California LifeLine Specific Support Amount (SSA), must file a Tier 1 for wireline or a Tier 2 wireless Advice Letter in accordance with General Orders 96B and 153.

The EBB service offerings must meet the following conditions:

- Service offerings must be approved by USAC;
- Wireless EBB service offerings must meet California LifeLine's Minimum Service Standards for voice and broadband services in order to qualify for and be eligible for the SSA; and
- Prices/rates of the EBB service offerings cannot be changed. Service providers may increase or provide additional EBB service elements without changing prices/rates of the service offerings (e.g. service offerings may include more data, but prices/rates cannot be changed).

Advice Letters should also include the following:

- Details on rates and data caps for the EBB service offerings;
- Evidence/documentation of approval from USAC for the EBB service offerings. CD will separately verify with USAC that the service plans are EBB-approved;
- Advertising/marketing materials;
- Terms and conditions of the EBB plans including: 1) Duration of the EBB benefits; 2) Information that participants will remain on California LifeLine while they are on the EBB plan; 3) Information about what will happen to participants after the EBB ends (e.g. California LifeLine plan that the participants will revert back to when the EBB Program ends); 4) Commitment to notify participants at least 30 days before they are transitioned from the EBB to California LifeLine plan;
- Description of how the EBB discounts, federal and state subsidies will be applied to the EBB plans; and
- A sample customer bill showing the EBB discounts, federal and/or state Lifeline subsidies, along with other applicable discounts.

Service providers may not charge California LifeLine participants or claim conversion or connection reimbursements for transitioning participants from the EBB to a California LifeLine plan.

General Order 153, Section 9 provides that any applicable discounts or subsidies, including federal LifeLine discounts, must be deducted prior to the SSA. Accordingly, service providers must first show a deduction of the federal Lifeline support and then the EBB discount from the EBB service rates before applying the SSA. There is no minimum amount required for service providers to submit reimbursement claims.

Service providers that have previously submitted and obtained approval of their EBB service offerings or have pending EBB Advice Letters must update and/or refile the advice letters if the service offerings do not meet the requirements/conditions set forth herein.

C. Administration of EBB Participants

CD is working with the California LifeLine TPA to create new service tiers, including a federal-only designation, for the EBB service offerings. The federal-only designation will be used for California LifeLine participants who are currently meeting the LifeLine usage requirements, but whose service offerings are fully reimbursed by the EBB discounts and federal LifeLine subsidies. CD will provide further instructions to service providers about assigning customers to the federal-only designation or other new service tiers.

Additionally, the TPA will modify the Weighted Average Report (WAR) for tracking EBB participants, reimbursements and sharing of reports with USAC. For participants in the California-only Lifeline Program or service providers without an Eligible Telecommunications Carrier designation, the TPA will develop a separate service tier and participants in these groups will not be reported to USAC consistent with the current California Lifeline process.

D. Alternative Verification Process

The CPUC does not administer the AVPs. All questions about AVPs should be directed to the FCC or USAC.

CD is committed to working with USAC on any new administrative processes that further assist consumers receiving EBB benefits. We are coordinating with USAC to potentially increase the timing and exchange of California LifeLine eligibility data.

E. Expedited Schedule for Advice Letters

CD will strive to approve all correctly filed Advice Letters on an expedited schedule.

If you have any questions regarding this letter, please contact Robert Sansone at (415) 703-4683 or at rs7@cpuc.ca.gov.

Sincerely,

//s Robert Osborn
Communications Division Director
California Public Utilities Commission