

December 5, 2018

Daniel P. Wolf  
Executive Secretary  
Minnesota Public Utilities Commission  
121 7<sup>th</sup> Place East  
St. Paul, Minnesota 55101-2147

**RE: In the Matter of the Implementation of Processes for the Minnesota Telephone Assistance Plan Consistent with Changes in the Federal Lifeline Program**  
Docket No. P999/CI-18-223

Dear Mr. Wolf:

Attached are the reply comments of the Department of Commerce in the above named matter.

Sincerely,

/s/ BRUCE LINSCHIED  
Financial Analyst

BL/ja  
Attachment

## Before the Minnesota Public Utilities Commission

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### Comments of the Minnesota Department of Commerce

Docket No. P999/CI-18-223

#### I. BACKGROUND

In its Notice of Comment Period, issued March 27, 2018, the Minnesota Public Utilities Commission (Commission) staff proposed that the Commission issue an order clarifying that once the National Verifier (NV) is operational in Minnesota, if a Minnesota resident applies for Lifeline through the NV, the carrier enrolling the resident in Lifeline shall automatically enroll the resident in the Minnesota Telephone Assistance Plan (TAP). The notice requested comments on three questions relating to the provision of Lifeline and TAP.

On April 30, 2018, the Minnesota Department of Commerce (Department) filed comments supporting the Commission's proposal to issue an order requiring wireline carriers in Minnesota to enroll voice customers in TAP at the same time the customer is enrolled in Lifeline. The Department indicated that, once the order is issued, the Commission and Department staffs would proceed to develop a TAP only application for cases where a customer receives Lifeline benefits from a wireless carrier and qualifies to receive TAP benefits from a landline carrier.

On May 11, 2018, the Minnesota Telecom Alliance filed reply comments supporting the automatic enrollment of Minnesotans who qualify for Lifeline into TAP and urged the Commission to adopt a reasonable transition period for the actions taken in this docket.

Also on May 11, 2018, Qwest Corporation dba CenturyLink (CenturyLink) filed reply comments. Among other things, CenturyLink recommended that the Commission should make an explicit decision about whether customers meeting income guidelines, but found to be ineligible for Lifeline, are still eligible for TAP benefits.

On May 18, 2018, The Department filed reply comments that continued to support its recommendation made on April 30, 2018.

On June 8, 2018, the Commission issued its Order effective immediately:

- 1) Directing all companies in Minnesota that offer both Lifeline and TAP programs to enroll voice customers in TAP at the same time the customer is enrolled in Lifeline. A separate application process to enroll an applicant in TAP is not needed.

- 2) Delegating to the Executive Secretary the authority to determine the appropriate deadline or deadlines by which carriers must comply with the Commission's auto-enrollment requirement.
- 3) Requiring the Lifeline application developed by the Universal Service Administrative Company under the authorization of the FCC to be used by the all companies that offer both Lifeline and TAP in Minnesota.
- 4) Directing the Commission and the Department to continue to develop an application for Companies in Minnesota required to offer only TAP.

In its November 19, 2018 Notice of Comment Period, the Commission raised the issue, "Should a variance to Minnesota Rule 7817.0900, subpart 3E, F and G be granted so that Section 9 of the TAP Reporting Form be removed beginning in CY 2019?"

## **II DEPARTMENT COMMENTS**

The Department does not object to the removal of Section 9 from the TAP reporting form. The TAP rules do not apply to wireless carriers.<sup>1</sup> Wireless carriers serve approximately 75 percent of the Minnesota Lifeline subscribers.<sup>2</sup> If TAP reimbursements are only required to be reported from wireline carriers, three-quarters of TAP reimbursements are not being reported on the TAP reporting form, and Section 9 of the TAP reporting form has little to no value. A variance to Minnesota Rule 7817.0900 subpart 3E, F, and G should be granted so that Section 9 of the TAP Reporting Form can be removed beginning in CY 2019.

## **III. DEPARTMENT RECOMMENDATION**

Vary Minnesota Rule 7817.0900 3E, F, and G so that Section 9 can be removed from the TAP reporting form.

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<sup>1</sup> Minnesota Statute §§ 237.70, subdivision 7 and 237.01, subdivisions 3 and 7.

<sup>2</sup> Comments of the Minnesota Department of Commerce, 2017 Lifeline Recertification Results, Docket No. P999/M-18-20, May 31, 2018, p. 9, para. 7.

## **CERTIFICATE OF SERVICE**

I, Sharon Ferguson, hereby certify that I have this day, served copies of the following document on the attached list of persons by electronic filing, certified mail, e-mail, or by depositing a true and correct copy thereof properly enveloped with postage paid in the United States Mail at St. Paul, Minnesota.

**Minnesota Department of Commerce  
Reply Comments**

**Docket No. P999/CI-18-223**

**Dated this 5<sup>th</sup> day of December 2018**

**/s/Sharon Ferguson**

| First Name     | Last Name          | Email                                | Company Name                       | Address  | Delivery Method    | View Trade Secret | Service List Name      |
|----------------|--------------------|--------------------------------------|------------------------------------|--|--------------------|-------------------|------------------------|
| Linda          | Chavez             | linda.chavez@state.mn.us             | Department of Commerce             | 85 7th Place E Ste 280<br><br>Saint Paul,<br>MN<br>55101-2198      | Electronic Service | No                | OFF_SL_18-223_Official |
| Brent          | Christensen        | bchristensen@mnta.org                | Minnesota Telecom Alliance         | 1000 Westgate Drive, Ste 252<br><br>St. Paul,<br>MN<br>55117       | Electronic Service | No                | OFF_SL_18-223_Official |
| Generic Notice | Commerce Attorneys | commerce.attorneys@ag.state.mn.us    | Office of the Attorney General-DOC | 445 Minnesota Street Suite 1800<br><br>St. Paul,<br>MN<br>55101    | Electronic Service | Yes               | OFF_SL_18-223_Official |
| Ian            | Dobson             | residential.utilities@ag.state.mn.us | Office of the Attorney General-RUD | 1400 BRM Tower<br>445 Minnesota St<br>St. Paul,<br>MN<br>551012130 | Electronic Service | Yes               | OFF_SL_18-223_Official |
| Daniel P       | Wolf               | dan.wolf@state.mn.us                 | Public Utilities Commission        | 121 7th Place East<br>Suite 350<br>St. Paul,<br>MN<br>551012147    | Electronic Service | Yes               | OFF_SL_18-223_Official |