



The Office of
Minnesota Attorney General Keith Ellison
helping people afford their lives and live with dignity and respect • www.ag.state.mn.us

November 2, 2020

Mr. Will Seuffert
Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

**Re: *In the Matter of Telephone Assistance Plan Review*
MPUC Docket No. P999/CI-20-665**

Dear Mr. Seuffert:

The Office of the Attorney General—Residential Utilities Division (“OAG”) respectfully submits these reply comments supporting the Minnesota Department of Commerce’s (“Department”) recommendation to increase the Telephone Assistance Plan (“TAP”) credit to \$10 and to decrease the TAP surcharge to \$0.07.¹ The OAG and the Department agree that the current \$2,008,163 TAP surplus should be used to help Minnesota’s low-income telephone subscribers mitigate the financial challenges related to the COVID-19 pandemic.² As discussed in the OAG’s initial comments, increasing the TAP credit will provide much-needed near-term financial assistance to Minnesota’s low-income telephone subscribers.³ Similarly, decreasing the TAP surcharge will alleviate some of the financial burden experienced by the non-low-income telephone subscribers who pay the surcharge.⁴ In addition, the Department correctly observes that an increase in the monthly TAP credit could be used to offset decreasing support for legacy voice service resulting from the Federal Communications Commission’s Lifeline Modernization Order.⁵

¹ *In the Matter of Telephone Assistance Plan Review*, Docket No. P999/CI-20-665, Comments of the Minnesota Department of Commerce at 4 (Oct. 22, 2020) (“Department Comments”). Although not substantively addressed in these reply comments, the OAG maintains its request that the Minnesota Public Utilities Commission reconvene the TAP-Lifeline Advisory Group to discuss the Consumer Affairs Office’s outreach and promotional activities and the impacts of the Lifeline National Eligibility Verifier on the TAP program.

² Docket No. P999/CI-20-665, Letter Comments of the Office of the Attorney General at 2-3 (Oct. 22, 2020) (“OAG Comments”); Department Comments at 3.

³ OAG Comments at 2-3.

⁴ *Id.*

⁵ Department Comments at 2-3.

Mr. Will Seuffert
Executive Secretary
November 2, 2020
Page 2

The OAG previously indicated that it would be comfortable adopting changes to the TAP credit and surcharge levels if sufficient record evidence could be developed in the comment rounds.⁶ The Department's calculations clearly demonstrate that a TAP credit increase and surcharge decrease would not undercut the sustainability of the TAP fund.⁷ Because altering the TAP amounts will not diminish the long-term stability of the fund,⁸ the Minnesota Public Utilities Commission should adopt the Department's proposal to increase the TAP credit to \$10 per month and to decrease the TAP surcharge to \$0.07 per month.

Sincerely,

/s/ **Kristin Berkland**

KRISTIN BERKLAND

Assistant Attorney General

(651) 757-1236 (Voice)

(651) 296-9663 (Fax)

kristin.berkland@ag.state.mn.us

⁶ OAG Comments at 3-4.

⁷ Department Comments at 4 (assuming the same projected line count, interest revenue, and administrative costs).

⁸ *See id.* at Attach. A, Line 4 (showing a projected fund balance of approximately \$1.9 million as of June 30, 2022).

CERTIFICATE OF SERVICE

Re: *In the Matter of Telephone Assistance Plan Review*
MPUC Docket No. P999/CI-20-665

I, JUDY SIGAL, hereby certify that on the 2nd day of November, 2020, I e-filed in eDockets *a Letter of the Office of The Attorney General—Residential Utilities Division* and served a true and correct copy of the same upon all parties listed on the attached service list by e-mail, electronic submission, and/or United States Mail with postage prepaid, and deposited the same in a U.S. Post Office mail receptacle in the City of St. Paul, Minnesota.

/s/ Judy Sigal

JUDY SIGAL

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Kristin	Berkland	kristin.berkland@ag.state.mn.us	Office of the Attorney General-RUD	445 Minnesota Street Bremer Tower, Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-665_Official
Scott	Bohler	scott.bohler@ftr.com	Frontier Communications Corporation	2378 Wilshire Blvd Mound, MN 55364-1652	Electronic Service	No	OFF_SL_20-665_Official
Linda	Chavez	linda.chavez@state.mn.us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 55101-2198	Electronic Service	No	OFF_SL_20-665_Official
Brent	Christensen	brentc@mmta.org	Minnesota Telecom Alliance	1000 Westgate Drive, Ste 252 St. Paul, MN 55117	Electronic Service	No	OFF_SL_20-665_Official
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.state.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-665_Official
Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_20-665_Official
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th Pl E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_20-665_Official
Jason	Topp	jason.topp@lumen.com	CenturyLink	200 S 5th St Ste 2200 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_20-665_Official