

BEFORE THE

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

)
) DOCKET NO. UT-120052
)
) COMMENTS OF T-MOBILE WEST
) CORPORATION

Investigation of recent developments in
federal low-income support policy

I. INTRODUCTION

T-Mobile West Corporation (“T-Mobile”) appreciates the opportunity to submit the following comments regarding the Commission’s inquiry into recent developments in federal low-income support policy. T-Mobile believes that many of the concerns raised by the Commission are either addressed in the recent amendments to the federal Lifeline rules adopted in the Federal Communications Commission’s (“FCC”) recent Lifeline Reform Report and Order, or are teed up for consideration by the FCC in the accompanying Further Notice of Proposed Rulemaking.¹ T-Mobile encourages the Commission to avoid taking steps that will result in duplication of effort or in the investment of significant resources into solutions that may shortly be superseded by federal action.

II. COMMENTS

A. Eligibility Verification and Avoidance of Duplicate Subscriptions.

The Commission has asked whether ETCs should be required to use the Department of Social and Health Services’ (“DSHS”) Beneficiary Verification System (“BVS”) to determine

¹ Fed’l Communications Comm’n, Report and Order and Further Notice of Proposed Rulemaking (FCC 12-11, WC Docket No. 1142, *et al.*), Feb. 6, 2012 (“Lifeline Order” or “FNPRM”).

eligibility of Lifeline customers.² T-Mobile understands from conversations with staff that BVS does not contain information on all qualifying programs. Therefore, T-Mobile is concerned that use of BVS may result in additional costs for carriers without solving the problem at issue.

The Commission has also asked whether, pending development and implementation of the FCC's national duplicates database projected to occur within one year, the Commission, DSHS and ETCs should develop an interim solution to address duplicate Lifeline claims. T-Mobile believes that development of an interim solution would not be the best use of the Commission's, the DSHS's and the ETCs' time and resources, especially given the relatively expedited timeframe for implementation of the national database.

In 2011, the FCC ordered the Bureau to "work with USAC to implement a process consistent with the ETCs' Industry Duplicate Resolution Process,"³ which requires selected carriers to submit Lifeline enrollment data to USAC for identification of duplicate customers.⁴ It is T-Mobile's understanding that the Duplicate Resolution Process has been deployed with respect to certain carriers in certain states, but not all carriers in all states. Until the FCC can implement a national duplicate database of Lifeline-eligible consumers, T-Mobile supports the expansion of the Industry Duplicate Resolution Process and recommends that the Commission investigate the possibility of joining this Process.

B. Multiple Eligibility Criteria

The Commission has asked whether it should unify the customer qualification criteria used for wireline, prepaid wireless and post-paid wireless service providers. The FCC's Lifeline

² The Commission has also asked whether ETCs should check documentation substantiating eligibility before enrollment. T-Mobile believes the FCC's new rules adopted in the Lifeline Reform Order explicitly address this requirement.

³ *Lifeline and Link Up Reform and Modernization; Federal-State Joint Board on Universal Service; Lifeline and Link Up*, 26 FCC Rcd 9022, 9029 ¶ 13 (2011).

⁴ *Id.* at 9025-26 ¶ 6.

Reform Order attempts to unify the rules that apply to all three types of ETCs. It is not entirely clear to T-Mobile which additional criteria the Commission might impose, the need for such criteria, and whether those additional criteria will differ significantly between these three types of ETCs.

C. Remaining Outstanding Issues

The Commission also invited comment on five additional issues, focused primarily on marketing and outreach behavior by ETCs, particularly non-facilities-based ETCs, pre-paid wireless ETCs, and those ETCs who offer exclusively Lifeline service. T-Mobile is continuing to review these issues and does not have specific comments to offer at this time. It is important to note, however, that there are various types of “prepaid” services; and that issues applicable to one type of prepaid service may not apply to other types. As a result, to the extent that requirements are adopted for “prepaid” services, those requirements should be tailored to the specific services and problems involved.

III. CONCLUSION

T-Mobile, like other carriers, is still reviewing the recently issued Lifeline Order and the FNPRM. However, T-Mobile recommends the Commission avoid investing its limited time and resources into efforts that may duplicate efforts at the federal level or in interim systems and processes that may be shortly superseded by federal action. In addition, given that many of the issues raised by the Commission in this proceeding will also be considered by the FCC in the pending FNPRM, T-Mobile encourages the Commission to await the outcome of that proceeding

before undertaking significant changes that may be affected by federal action within a relatively short period of time.

Dated this 21st day of February, 2012.

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

A handwritten signature in black ink, appearing to read 'Mark Trinchero', written over a horizontal line.

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