



David S. Danner
Secretary and Executive Director
c/o Washington Utilities and Transportation Commission
Records Department
1300 S. Evergreen Park Drive S. W.
Olympia, WA 98504-7250

February 13, 2012

*RE: Investigation of Recent Developments in Federal Low Income Support Policy,
Docket UT-120052*

VIA E-FILE

Dear Mr. Danner,

YourTel America hereby submits its Comments to the questions issued with the February 7, 2012 Notice of Workshop.

Please let us know if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Dale Schmick".

Dale Schmick
Vice- President
816-388-1000

**NOTICE OF WORKSHOP
and
NOTICE OF RECESSED OPEN MEETING
Wednesday, February 22, 2012, at 9:30 a.m.**

*RE: Investigation of Recent Developments in Federal Low Income Support Policy,
Docket UT-120052*

YourTel America, Inc. ("YourTel") here by submits the its Pre-Workshop Comments on the following Washington issued questions.

1. Should all wireless ETCs be required to use Department of Social Health Service (DSHS)'s Beneficiary Verification System (BVS)?

COMMENT: Yes. This would be in compliance with the FCC's 1/31/12 Lifeline and Link Up Report and Order ("Order") which states, in paragraph 187, "We reiterate that to the extent that states have developed a database or other electronic means to check subscriber eligibility, ETCs must use those databases." Additionally, as this requirement was placed upon YourTel in its ETC approval Order, it should also be required of any other similarly situated company.

2. Is it feasible for the DSHS to provide access to BVS to all ETCs?

COMMENT: YourTel feels this question would best be answered by DSHS but is willing to work with DSHS to refine any change in process that may be needed to handle additional workload and believes that a partnership between DSHS and ETCs could yield further efficiencies.

3. Should there be a mechanism to ensure that all ETCs check their customers' eligibility either by using BVS or by checking proof documentation from customers before enrollment? For example, should all wireless ETCs be required to certify annually that they verify all their Lifeline customers' eligibility before enrolling customers?

COMMENT: In regards to the first question, yes. YourTel currently employs such a process in Washington so such a mechanism is already in place. In regards to the second question, yes as well. As part of the annual compliance reporting every ETC should certify to the Commission that it is verifying all customers' eligibility.

4. Should UTC, DSHS and all ETCs come up with an interim solution for duplicate Lifeline claims before the national database is fully implemented?

COMMENT: As the FCC and USAC are already engaged in state-specific data validations and will continue to do so up until the launch of the National Lifeline Accountability Database, YourTel feels that the resources of the UTC may be better served elsewhere depending on the scheduled date of the FCC/USAC process.

5. If so, what's the best mechanism?

COMMENT: If it is decided a duplication check need be done on an interim basis the Commission should replicate the process adopted by the FCC and USAC.

a. Should duplicate check be conducted before or after a customer's enrollment?

COMMENT: Ideally before, however should the commission feel compelled to have the DSHS database perform this function collaboration and testing must be done.

b. Should the ETCs collectively select a third-party administrator to conduct the duplicate check?

COMMENT: No.

c. How can we ensure a third-party administrator's independence and accountability?

COMMENT:

d. Will the DSHS be better suited to conduct the duplicate check?

COMMENT: Yes. An additional query to the DSHS database before a confirmation is returned to the carrier may be all that is necessary, provided ample testing has been done.

e. What should be done once duplication is detected?

COMMENT: A rejection and reason code should be returned to the carrier in order for the carrier to explain to the customer the grounds for rejection of Lifeline service. Additionally a process needs to be developed (much like LNP) to allow for customer choice.

f. Who should pay to support the implementation of the interim solution?

COMMENT: YourTel is willing to participate financially in any reasonable cost for such effort.

6. Currently, Eligible Telecommunications Carriers (ETCs) in Washington follow three different sets of customer qualification criteria based on whether they offer landline, prepaid wireless or postpaid wireless Lifeline service plans. Should the Commission unify customer qualification criteria for all customers? What are the pros and cons for a uniform set of customer qualification criteria?

COMMENT: Yes. Regardless of service type, qualification should be based on program participation. Such an approach would allow for the uniformity of certification and verification, especially as the program becomes more reliant on electronic means.

7. By Commission's ETC designation orders, all prepaid wireless ETCs are required to maintain direct contact with their Lifeline customers. What constitutes "direct contact" with consumers? What's the role of commission-based agents who market Lifeline products for ETCs? Should those agents' role be limited to advertising, distributing and collecting Lifeline application forms (not dispatching cell phones)?

COMMENT: Direct contact with consumers means an interaction between the Lifeline applicant and an employed representative of the ETC, regardless of what these representatives are called and how they are compensated. There is nothing wrong with any distribution channel as long as these employees are held to company standards, undergo training from the carrier regarding the Lifeline program's rules and processes, the company performs the final certification approval, employee sign ups are subject to company auditing and the company continues to be held accountable for such an employee's transgressions (all of which YourTel performs). It is critical to understand that there is a difference between acts which cost the carrier and acts which cost the Universal Service Fund. Carriers have a duty to audit and protect the program regardless of the acts of its salespersons and should bear financial responsibility for those acts.

8. Should there be sanctions on inappropriate marketing behaviors? To what extent should the ETCs be held responsible for their agents or contractors' inappropriate marketing behaviors?

COMMENT: Should a carrier be found in willful and repeated violation of State rules or statutes regarding Lifeline marketing, it should expect to be held accountable. The form of such sanctions should be through a formal proceeding by the Commission.

9. Should the Commission set parameters for ETCs' Lifeline outreach and marketing behaviors? For example, is it appropriate to distribute cell phones at a carrier-sponsored event? Is it appropriate to solicit customers inside or in close proximity of social service agencies?

COMMENT: YourTel feels that as long as the outreach and marketing behavior is not in violation of any existing Lifeline rule or statute, is not jeopardizing public safety or posing a direct harm to others, then there is no need to set parameters. The focus should not be on the appropriateness of particular events or locations (both of the examples given represent opportunities to reach potential qualifiers that have been overlooked in the past) but on compliance with certification procedures.

10. Many recent ETC petitioners are small companies focused solely on provision of Lifeline services. Should companies' financial strength be a concern in staff's evaluation of ETC applications? If so, what standards should apply?

COMMENT: Yes. This was also addressed in the affirmative by the FCC in the Order in paragraphs 387-388 and is now a requirement of a company seeking a state or federal ETC designation.