



PUBLIC NOTICE

Federal Communications Commission
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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON HOW THE NATIONAL LIFELINE ACCOUNTABILITY DATABASE CAN ACCOMMODATE ADDRESSES FOR PARTICIPANTS OF ADDRESS CONFIDENTIALITY PROGRAMS

WC Docket No. 11-42

Comment Date: December 5, 2013

Reply Comment Date: December 12, 2013

In this Public Notice, the Wireline Competition Bureau (Bureau) seeks comment on waiving certain Lifeline rules for the benefit of those individuals participating in state-administered Address Confidentiality Programs (ACPs).¹ ACPs allow victims of domestic violence or sexual abuse to keep their residential address confidential from public records.² These programs are administered at the state level and provide victims with alternate, shared mailing addresses for use on public documents, such as public benefit materials or voter registration.³ The addresses often include a P.O. Box along with an individualized code tied to each participating consumer.⁴

In the *Lifeline Reform Order*, the Commission adopted a rule requiring subscribers to provide their residential address to Eligible Telecommunications Carriers (ETCs) prior to receiving Lifeline service.⁵ ETCs must transmit that residential address to the National Lifeline Accountability Database (NLAD) when it is ready to accept subscriber information, in order to facilitate a check for duplicative

¹ See National Center for Victims of Crime, Stalking Resource Center, Address Confidentiality Programs, <http://www.victimsofcrime.org/our-programs/stalking-resource-center/help-for-victims/address-confidentiality-programs> (last viewed Nov. 21, 2013) (describes the aims and purposes of the programs).

² National Network to End Domestic Violence, Technology Safety: Address and Voter Confidentiality Programs, <http://www.nnedv.org/resources/safetynetdocs/155-privacy/923-acp-state-by-state.html> (last viewed Nov. 21, 2013).

³ See *id.* Many states utilize a single address for enrollees. See, e.g., The Attorney General of Texas, The Address Confidentiality Program, <https://www.oag.state.tx.us/victims/acp.shtml> (last viewed Nov. 21, 2013); Secretary of the Commonwealth of Massachusetts, Address Confidentiality Program FAQs, <https://www.sec.state.ma.us/acp/acphowto.htm#acp1> (last viewed Nov. 21, 2013); Attorney General of North Carolina, North Carolina's Address Confidentiality Program (ACP), [http://www.ncdoj.gov/getdoc/367d0368-4682-47dd-a653-9ee175ac218e/ACP_Brochure_Eng-\(2010\).aspx](http://www.ncdoj.gov/getdoc/367d0368-4682-47dd-a653-9ee175ac218e/ACP_Brochure_Eng-(2010).aspx) (last viewed Nov. 21, 2013).

⁴ See, e.g., Colorado Department of Personnel and Administration, About the Colorado Address Confidentiality Program, <http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1251736045538&ssbinary=true> (last viewed Nov. 21, 2013); National Center for Victims of Crime, Stalking Resource Center, Address Confidentiality Programs, <http://www.victimsofcrime.org/our-programs/stalking-resource-center/help-for-victims/address-confidentiality-programs> (last viewed Nov. 21, 2013).

⁵ *Lifeline and Link Up Reform and Modernization et al.*, WC Docket Nos. 11-42 et al., Report and Order and Further Notice of Proposed Rulemaking, 27 FCC Rcd 6656 (2012) (*Lifeline Reform Order*). See also 47 C.F.R. § 54.410(d)(2)(ii).

support.⁶ The current Lifeline rules do not permit subscribers to use P.O. Boxes as their residential address.⁷

We seek comment on whether the Bureau should waive the rule limiting the use of P.O. Box residential addresses, to allow qualifying, low-income consumers who participate in state-administered ACPs to receive Lifeline service. A potential Lifeline subscriber would provide the ETC with proof that he or she is receiving mail at the address that has been designated by the state as the ACP address. ETCs would then transmit that address to the NLAD as the residential address for that subscriber.⁸ We seek comment on the types of official documents that ETCs should accept as proof of ACP enrollment and the address formats used for ACP participants. We also seek comment on whether to waive the requirement for ACP participants to fill out a one per household worksheet, in order to allow for more efficient Lifeline enrollment for ACP recipients.⁹ Finally, we seek comment on whether any additional safeguards might be necessary to ensure that any waiver provided does not increase the likelihood of waste, fraud and abuse.

Pursuant to sections 1.415 and 1.419 of the Commission's rules,¹⁰ interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments should reference **WC Docket No. 11-42**, and may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

⁶ See 47 C.F.R. § 54.404(b)(6).

⁷ See *Lifeline Reform Order*, 27 FCC Rcd at 6695, para. 87 (stating that P.O. Boxes are not allowed to be used as residential addresses on Lifeline application and enrollment forms).

⁸ See 47 C.F.R. § 54.404(b)(6).

⁹ Because many states' ACP programs operate through a single address, without such a waiver, many ACP participants would have to fill out a one-per-household worksheet. See *Lifeline Reform Order*, 27 FCC Rcd at 6691, para. 78 n.208. Even with such a waiver, however, pursuant to the Commission's eligibility certification requirements, an ACP participant would still need to certify s/he is only receiving one Lifeline benefit per household. See 47 C.F.R. § 54.410(d)(3)(vi).

¹⁰ 47 C.F.R. §§ 1.415, 1.419.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.
- People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.¹¹ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Michelle Schaefer, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400 or TTY (202) 418-0484, or Michelle.Schaefer@fcc.gov.

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¹¹ See 47 C.F.R. §§ 1.1200 *et seq.*