**DA 16-1133**

**Released: October 3, 2016**

**WIRELINE COMPETITION BUREAU ANNOUNCES effective dates following approval by THE Office of Management and Budget of lifeline rules in the lifeline Modernization order**

**WC Docket Nos. 11-42, 09-197**

On April 27, 2016, the Federal Communications Commission released the *2016 Lifeline Modernization Order* with the goals of connecting low-income Americans to the Internet and reforming program management to ensure fiscal integrity of the Lifeline program going forward.[[1]](#footnote-2)

On September 20, 2016, the Commission received Office of Management and Budget (OMB) approval of modified information collection requirements under the Paperwork Reduction Act of 1995 (PRA).[[2]](#footnote-3) The announcement of OMB approval of the rules was published in the Federal Register on October 3, 2016.[[3]](#footnote-4) As ordered in the *2016 Lifeline Modernization Order*, all adopted rules have the following effective dates.[[4]](#footnote-5)

Rules that became effective on June 23, 2016:[[5]](#footnote-6)

* § 54.201 – State preemption for Lifeline Broadband Provider (LBP) designations
* § 54.423 – Lifeline Budget

Rules that became effective upon Federal Register announcement of OMB approval on October 3, 2016:[[6]](#footnote-7)

* § 54.202(a)(6), (d), (e) – LBP designation process
* § 54.205(c) – LBP relinquishment process
* § 54.400(l) – Broadband Internet access service definition

Rules that will become effective on December 2, 2016:[[7]](#footnote-8)

* § 54.101 – USF supported services
* § 54.400(f), (j), (m)-(o) – Definitions of “income,” “qualifying assistance program,” “voice telephony service,” “supported services,” and “National Lifeline Eligibility Verifier”
* § 54.401(a)(2)-(c), (f) – Lifeline defined
* § 54.403(a) – Lifeline support amount
* § 54.405(e)(1), (e)(3)-(e)(5) – Lifeline de-enrollment process
* § 54.407(a), (c)(2), (d) – Reimbursement for offering Lifeline
* § 54.408 – Minimum service standards
* § 54.409(a)(2) – Consumer qualification for Lifeline
* § 54.410(b)-(e), (g)-(h) – Subscriber eligibility determination
* § 54.411 – Lifeline benefit portability
* § 54.416(a)(3) – Annual certifications by ETCs
* § 54.420(b) – Low Income program audits
* § 54.422(b)(3) – Annual reporting for ETCs

Rules that will become effective on January 1, 2017:[[8]](#footnote-9)

* § 54.410(f) – Subscriber annual re-certification process

The initial time period for existing ETCs to elect the forbearance provided by the *2016 Lifeline Modernization Order* with respect to offering Lifeline-supported BIAS will begin on October 3, 2016.[[9]](#footnote-10) ETCs choosing to avail themselves of the forbearance must file notice by December 2, 2016.[[10]](#footnote-11) The notice should indicate whether the ETC is choosing blanket forbearance from offering Lifeline-supported BIAS in the designated service areas of their existing ETC designations or otherwise indicate the Census Blocks where the ETC is electing the forbearance.[[11]](#footnote-12) Pursuant to the terms of the forbearance provided by the *2016 Lifeline Modernization Order*, ETCs that do not provide such notices will be required to offer Lifeline-supported BIAS in the designated service areas pursuant to their existing ETC designations effective December 1, 2016.[[12]](#footnote-13)

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1. *See Lifeline and Link Up Reform and Modernization* *et al.*, Third Report and Order, Further Report and Order, and Order on Reconsideration, 31 FCC Rcd 3962 (2016) (*2016 Lifeline Modernization Order* or *Order*). [↑](#footnote-ref-2)
2. Public Law No. 104-13, 109 Stat. 163 (May 22, 1995), *codified at* 44 U.S.C. §§ 3501 *et seq*. [↑](#footnote-ref-3)
3. Federal Communications Commission, Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service, Connect America Fund, Final Rule; Announcement of Effective Date, 81 FR 67922 (Oct. 3, 2016). [↑](#footnote-ref-4)
4. *2016 Lifeline Modernization Order*, 31 FCC Rcd. at 4123-24, paras. 442-49. [↑](#footnote-ref-5)
5. *Id.* at 4123, para. 443; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973. [↑](#footnote-ref-6)
6. *2016 Lifeline Modernization Order,* 31 FCC Rcd at 4123, para. 444; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973. [↑](#footnote-ref-7)
7. *2016 Lifeline Modernization Order,* 31 FCC Rcd at 4123, para. 445; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973. [↑](#footnote-ref-8)
8. *2016 Lifeline Modernization Order,* 31 FCC Rcd at 4124, para. 446; 81 Fed. Reg. 33025. [↑](#footnote-ref-9)
9. *2016 Lifeline Modernization Order,* 31 FCC Rcd at 4072, 4075, paras. 301, 313. With respect to existing ETCs that are not Lifeline-only, this forbearance does not relieve the ETC of providing Lifeline BIAS in those areas where the ETC commercially offers qualifying BIAS pursuant to the ETC’s obligations under the high-cost rules. *Id*. at 4075, para. 312. [↑](#footnote-ref-10)
10. *Id.* [↑](#footnote-ref-11)
11. *Id.* [↑](#footnote-ref-12)
12. *Id.* [↑](#footnote-ref-13)