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

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 The announcement of OMB approval of the rules was published in the Federal Register on October 3, 2016.³ As ordered in the 2016 Lifeline Modernization Order, all adopted rules have the following effective dates.⁴

Rules that became effective on June 23, 2016:⁵
- § 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
- § 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
- § 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”

⁴ 2016 Lifeline Modernization Order, 31 FCC Rcd. at 4123-24, paras. 442-49.
⁵ Id. at 4123, para. 443; 81 Fed. Reg. 33025; 81 Fed. Reg. 45973.
• § 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
• § 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 ETCs choosing to avail themselves of the forbearance must file notice by December 2, 2016.10 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 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

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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.
10 Id.
11 Id.
12 Id.