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FEDERAL COMMUNICATIONS COMMISSION

Consumer Advisory Committee Teleconference Meeting

2:05 p.m.

Wednesday, August 4, 2010

445 12th Street, S.W.

Room TW-C305

Washington, D.C. 20554

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P R O C E E D I N G S

MR. MARSHALL: All right. I guess we can get started.

This is Scott, and Debbie is chairing this meeting. Go ahead, Debbie. I'll take the roll call when you're ready.

MS. BERLYN: So let's do a roll call. First, I'll take the folks in the room, and then we'll go to the phone.

MR. MARSHALL: Let me just go down the alphabetical list, Debbie, if you don't mind?

MS. BERLYN: Oh, that's --

MR. MARSHALL: That way, I can tell whether we have a quorum or not more easily.

MS. BERLYN: Got it.

MR. MARSHALL: Okay. AARP. Marti?

MS. DONEGHY: Yes, I'm here. Hello.

MR. MARSHALL: Thank you.

Alaska State Department of Law. Lew?

[No response.]

MR. MARSHALL: Alliance for Community Media.  
Gloria?

1 MS. TRISTANI: Yes, I'm here.

2 MR. MARSHALL: Thank you.

3 American Council of the Blind. Eric?

4 MR. BRIDGES: Yes, Scott. I'm here.

5 MR. MARSHALL: Thank you.

6 Appalachian Regional Commission. Mark? I

7 don't believe he's on the line.

8 Benton Foundation. Cecelia?

9 MS. GARCIA: Yes.

10 MR. MARSHALL: You're here.

11 Cablevision. Dodie Tschirch?

12 [No response.]

13 MR. MARSHALL: Call for Action. They are not

14 here.

15 MR. BARTHOLME: I'm here, Scott.

16 MS. BERLYN: Ed is on the line.

17 MR. MARSHALL: Oh, you are here. All right,

18 Ed. Thank you. I got an email from Shirley saying you

19 wouldn't be. All right. Very good.

20 Communication Service for the Deaf. Chris,

21 you're here I know.

22 MR. SOUKUP: Yes, this is Chris.

1                   MR. MARSHALL:  Communication Workers of  
2  America.  Jeff?

3                   MR. RECHENBACH:  Here.  Jeff Rechenbach here.

4                   MR. MARSHALL:  Thank you, sir.  
5                   Consumer Action?

6                   MR. MCELDOWNEY:  I'm here.  But I'm only  
7  going to be on the line for an hour.  I have a conflict  
8  --

9                   MR. MARSHALL:  Okay.  Thanks, Ken.  
10                  Consumer Electronics Association.  Julie?  
11                  [No response.]

12                  MR. MARSHALL:  Consumer Federation of  
13  America.  Irene?  
14                  [No response.]

15                  MR. MARSHALL:  Consumers Union?  
16                  [No response.]

17                  MR. MARSHALL:  No.  Deaf and Hard of Hearing  
18  Consumer Action Network?  No.  That's Claude Stout.  
19                  Dish Network Corporation?

20                  MS. MINEA:  Here.

21                  MR. MARSHALL:  Hi, Alison.  
22                  Eastern Band of Cherokee Indians.  Brandon?

1 [No response.]

2 MR. MARSHALL: Hawaii State Public Utilities  
3 Commission. John?

4 MR. COLE: John is on the line.

5 MR. MARSHALL: Thank you, sir.

6 Hearing Loss Association? Lisa, I know  
7 you're here.

8 League of United Latin American Citizens.  
9 Ed?

10 [No response.]

11 MR. MARSHALL: No. National Association of  
12 Broadcasters. Ann?

13 MS. BOBECK: Here.

14 MR. MARSHALL: Thank you.

15 National Association of -- NARUC?

16 COMMISSIONER SANTINI: I'm here. Nixyvette  
17 Santini. Hi.

18 MR. MARSHALL: Hi, Nixy. Thank you.

19 National -- NASUCA is here. No, they're not  
20 here. I'm sorry. Lawrence is not here.

21 National Consumers League. Yes, she's right  
22 next to me.

1 MS. BERLYN: Here. Yes.

2 MR. MARSHALL: And Cheryl is here. Northern  
3 Virginia Resource Center is here.

4 Parent Television Council. Dan?

5 [No response.]

6 MR. MARSHALL: Okay. Southern Growth  
7 Policies Board. No, he's not here.

8 And Verizon? Donna spoke earlier, is here.  
9 We do have a quorum.

10 MS. BERLYN: Excellent.

11 Welcome, everyone. I hope you all can hear  
12 me.

13 We are convening today to consider two  
14 recommendations that are being proposed from our  
15 Broadband Working Group and our Consumer Working Group,  
16 Consumer Issues Working Group, from a task force of  
17 that working group.

18 So, Scott, we all have an agenda that you  
19 received, and hopefully, you also received materials  
20 from Scott online. Correct? You sent them  
21 electronically the drafts, the current drafts.

22 MR. MARSHALL: Yes, ma'am.

1 MS. BERLYN: So you should have the agenda as  
2 well as the current drafts.

3 The first one that we that we are going to  
4 take up is the universal service broadband  
5 recommendation from Lifeline and Link-Up. And who is  
6 presenting that recommendation?

7 MR. MARSHALL: Amina, are you on the line?

8 MS. FAZLULLAH: Yes, I am. Is Lew Craig on  
9 the line as well?

10 MR. MARSHALL: No, he is not here.

11 MS. BERLYN: He is not.

12 MS. FAZLULLAH: Oh, okay. Yes, I will be  
13 presenting that.

14 MS. BERLYN: So, Amina, why don't you start  
15 by giving a very quick background and then telling us  
16 basically in very short form what you're proposing. We  
17 all have the written copy.

18 MS. FAZLULLAH: Great. So the Lifeline  
19 docket opened about a month or two ago. The required  
20 comments just came in last week, and the initial  
21 comments were a little bit before that.

22 The CAC Broadband Working Group determined

1 that we would have some special expertise in providing  
2 our insight. There were a lot of people around the  
3 table that have a lot of insight into Lifeline/Link-Up.

4 And so, we decided to go forward with providing  
5 comments into that docket.

6 It's a very specific docket at this point.  
7 And so, it focuses just briefly on the expansion of  
8 broadband as a part of the Lifeline and Link-Up  
9 programs. But mostly, it focuses on changes and  
10 improvements to outreach and verification, enrollment  
11 eligibility. So changes to these types of criteria.

12 And so, we took it up at our last meeting.  
13 We actually put together an outline that we presented  
14 to the group. Per the group's comments at the last  
15 meeting, we updated the outline and then went forward  
16 with putting together a draft.

17 About a week or two ago, we had our working  
18 group review on the initial draft, where we got a lot  
19 of good comments from a number of folks on the phone  
20 and from the CAC as a whole and incorporated their  
21 comments. And what you see before you is that result.

22 I just want to ask, Debra, do you think it's



1 better for us to just kind of go through, section by  
2 section, or just provide kind of a brief overview? I'm  
3 not quite sure what the group prefers.

4 MS. BERLYN: I think a brief overview. I  
5 mean, everybody has the copy before them.

6 MS. FAZLULLAH: Okay.

7 MS. BERLYN: So just throw out the main  
8 points that the comments make, and that, I think, is  
9 sufficient.

10 MS. FAZLULLAH: Great. So just to start off  
11 with, there are two small points that we will change in  
12 the document you see before you. One is that there are  
13 track changes that are still visible in the document.  
14 So we'll be pulling those track changes out and making  
15 sure that they don't exist. They were just formatting  
16 changes.

17 And the other is there is a clarification  
18 made by Lew Craig on a point about Alaska, and so we're  
19 just going to make sure that is accurate. And I think  
20 it's just changing a number to 11 as opposed to I think  
21 it's like 14 or 25.

22 So I'll go through and give you the overview

1 of the comments. So our first section, basically, says  
2 that the CAC approves the modernization of the program  
3 and also notes that with this modernization, we would  
4 want to make sure that we move forward with adequate  
5 research and planning done. So we note the need for  
6 pilot projects. We also note the need for the joint  
7 board to look closely into finding ways to eliminate  
8 duplicative costs.

9           We also highlight a number of comments made  
10 by some members of the public interest community in the  
11 initial round. And then we go on to talk about  
12 eligibility verification and enrollment. We make a  
13 suggestion that the CAC suggest to the joint board to  
14 increase the eligibility requirement from 135 percent  
15 of the Federal poverty level to 150 percent.

16           And then we also note that Federal assistance  
17 programs that signal eligibility should be expanded.  
18 So if there are any other Federal assistance programs  
19 that aren't currently included to trigger eligibility  
20 for Lifeline and Link-Up, that that should be included.

21           And then we also address the question posed  
22 by the joint board and the FCC on the eligibility of

1 resident group homes and shelters, homeless shelters.  
2 The CAC suggests that or recommends, rather, that they  
3 expand this program to group homes and homeless  
4 shelters. But in doing so that they review the one per  
5 household rule, that they clearly define what group  
6 homes and shelters would be to prevent any kind of  
7 fraud, waste, and abuse, and that they work with  
8 communities serving these populations to ensure that  
9 they can identify best practices with respect to what  
10 type of program, whether it be mobile or a hard-line  
11 program, and how best to address fraud, waste, and  
12 abuse with the transient population.

13           We go on to discuss outreach and the need for  
14 outreach programs to be enhanced, and we also encourage  
15 public and private cooperation with respect to  
16 outreach. We go on also to urge the commission and the  
17 joint board to look at implementing best outreach  
18 practices from other Government assistance programs,  
19 and then we discussed -- well, actually we addressed a  
20 question from the commission on whether or not to  
21 enhance enforcement authority over outreach.

22           We suggest that the commission should do so

1 if they feel like it is necessary, but also if they  
2 were to do so, that they should make sure to take steps  
3 to prevent impinging on the work at the State level in  
4 terms of enforcement at the State level so that they  
5 don't step on any toes at the State level in terms of  
6 enforcement.

7           We briefly touched on just -- we briefly  
8 touched on modernization -- or, sorry, the fraud,  
9 waste, and abuse question where we just sort of note  
10 that they should consider conducting a study to  
11 determine the scope of fraud, waste, and abuse in the  
12 program before implementing any additional measures,  
13 basically to prevent increasing the overall cost of the  
14 program or implementing measures that might deter  
15 enrollment that would be unnecessary if there wasn't  
16 actually a high level of fraud, waste, and abuse.

17           So those were sort of the top-level points.  
18 Are there any comments or comments?

19           MS. BERLYN: Scott, do we move the  
20 recommendation first and then have discussion? Isn't  
21 that right?

22           MR. MARSHALL: Yes. Exactly.

1 MS. BERLYN: So, before we have discussion,  
2 we need to move approval of adoption of the  
3 recommendation of the comments.

4 MR. MCELLOWNEY: So moved.

5 MS. BERLYN: Second?

6 MR. MARSHALL: Ken moved. Ken McEldowney.

7 MS. TRISTANI: I second it. Gloria.

8 MS. BERLYN: Okay. Now we have discussion.  
9 Does anyone have any comments or recommended changes?  
10 Or we'll take a vote if not. I think you've done an  
11 excellent job, Amina.

12 MS. FAZLULLAH: I just wanted to say to the  
13 group that this is definitely a group effort. I got a  
14 lot of feedback from a lot of folks on the phone, and I  
15 really appreciate that. So this is truly a group  
16 product that came out of the working group and from  
17 outside of the working group as well to the greater  
18 CAC.

19 Thank you.

20 MS. BERLYN: On the phone, it's sometimes  
21 hard to hear if someone is trying to speak. So I'm  
22 going to give a little extra time for anyone to jump

1 in. Is there anyone else who wants to speak to the  
2 recommendation?

3 MR. CRAIG: Yes, Debbie. This is Lew. I  
4 just joined in. I had the wrong number.

5 MS. BERLYN: Oh, okay. Welcome, Lew.

6 MR. CRAIG: I apologize. I hope I didn't  
7 disrupt anything. Sounds like it went well.

8 I don't know what went before, but I will  
9 just say that I want to thank very much Amina, did a  
10 great job, and thanks to the Benton Foundation in  
11 particular.

12 MS. BERLYN: Any further discussion?

13 [No response.]

14 MS. BERLYN: Okay.

15 MR. MCELDFOWNEY: I call the question.

16 MS. BERLYN: Okay. So, let's see, how do we  
17 vote on the phone here, Scott?

18 MR. MARSHALL: We can do it by a voice vote.  
19 If we don't think we have a majority, then we'll do a  
20 roll call.

21 MS. BERLYN: Okay. So all those in favor of  
22 approval of the comments?

1 [A chorus of ayes.]

2 MS. BERLYN: Opposed?

3 [No response.]

4 MR. MARSHALL: I think that answered your  
5 question, Madam Chairman.

6 MS. BERLYN: Well, let me just check. Is  
7 anyone abstaining?

8 MS. RYNEX: Verizon will abstain.

9 MS. MINEA: Dish abstains.

10 MS. BERLYN: Okay. So Verizon and Dish are  
11 abstaining.

12 Okay. Great. Thank you all.

13 And Amina, you'll make those last-minute  
14 edits and then forward it on to Scott?

15 MS. FAZLULLAH: That's right.

16 MS. BERLYN: Perfect.

17 MR. MARSHALL: Thanks, Amina.

18 MS. BERLYN: Thank you so much.

19 Okay. Let's see if we can move as quickly  
20 through the next one.

21 Lawrence Daniels is unable to make the call  
22 today, and so in his absence, I will just give a very

1 brief introduction to the disclosure document that you  
2 have. We had, as you know, a task force that met  
3 numerous times over the past several months to come up  
4 with the document that you see.

5           And we have also had several edits to this  
6 document in the past week or two. So we are -- it's a  
7 working document we brought up at our last CAC meeting  
8 and then went back to incorporate some of your  
9 thoughts. We are anxious to get this moving and out so  
10 that it's still timely. But it is important that  
11 everyone feel comfortable with the content.

12           And if there are small edits in language,  
13 sort of wordsmithing that you want to recommend, we  
14 certainly will entertain those and incorporate those.  
15 We can do those off the call, I think. Right, Scott?  
16 I mean, if they're just noncontent --

17           MR. MARSHALL: That's correct.

18           MS. BERLYN: -- and you like one word instead  
19 of another, we can do that sort of wordsmithing.

20           We had -- the task force looked at several  
21 questions that you see, the five questions on the first  
22 page. Should information for consumers be presented in



1 a standardized label? Would such a label allow  
2 consumers to compare service providers in a consistent  
3 way? What would it look like? What information would  
4 be contained? And if a similar label or box is not the  
5 best approach, what alternative approaches would make  
6 the information more accessible and understandable for  
7 consumers?

8 I would say, and my task force can jump in,  
9 but we spent a good deal of time addressing the  
10 question of what information consumers needed. So that  
11 is contained in here. And when it came to how that  
12 would be communicated to consumers, it was a bit more  
13 difficult. So you'll see that reflected in this  
14 document.

15 So I will open up -- well, so the first thing  
16 we need to do is to move this and then second.

17 MR. MCELDFOWNEY: I so move.

18 MR. MARSHALL: That was Ken.

19 MR. MCELDFOWNEY: Again.

20 MR. MARSHALL: Thank you.

21 MS. BERLYN: He's a mover. You're our mover,  
22 Ken.

1 MR. MCELDOWNEY: That's right.

2 MS. BERLYN: Second?

3 MS. TRISTANI: I'll second it. Gloria.

4 MS. BERLYN: Okay.

5 MR. MARSHALL: Thank you, Gloria.

6 MS. BERLYN: All right. Now, discussion?

7 MR. MCELDOWNEY: Again, I think this was a  
8 document that we had a lot of --

9 MR. MARSHALL: Ken, can you speak up a little  
10 bit, Ken? We're having a little trouble hearing you.

11 MS. BERLYN: And for recording purposes, if  
12 everyone could identify themselves before you --

13 MR. MCELDOWNEY: I'm sorry. I'm bad.

14 MS. BERLYN: No, that's -- Ken, I know your  
15 voice anywhere, but not everyone can tell.

16 MR. MCELDOWNEY: This is Ken McEldowney,  
17 Consumer Action.

18 I just wanted to stress that this document  
19 was the result of a lot of work by a lot of folks, and  
20 it's thrashed out. I think it's very solid and  
21 deserves the full support of the CAC.

22 MS. BERLYN: Any other thoughts?

1 MS. HEPPNER: I do.

2 MR. MCELLOWNEY: This is the kind of meeting  
3 I like.

4 MS. BERLYN: Well, Cheryl is going to start  
5 to make a comment. Cheryl?

6 MS. HEPPNER: Yes.

7 MS. BERLYN: I think --

8 MS. HEPPNER: This is Cheryl. I'm not sure  
9 if anybody received the proposed edits I sent the last  
10 week. I think it was just Monday because I have just  
11 returned from 15 days away from the office. Most of my  
12 edits were simple changes in wording, but there are a  
13 couple of sections that I thought really needed some  
14 help.

15 MS. BERLYN: Cheryl, now let me just say that  
16 we did incorporate all your recommended edits.

17 MS. HEPPNER: I don't know. I didn't see any  
18 other version come after I sent mine in.

19 MS. BERLYN: Well, what we did is Cheryl had  
20 submitted comments. I had a few edits. Ken McEldowney  
21 had some edits. So we just incorporated all those  
22 edits into this final document. So the --

1 MS. HEPPNER: Okay. Were they from this  
2 week?

3 MS. BERLYN: Scott, we took Cheryl's last --  
4 we took your last comments.

5 MR. MARSHALL: Yes. That was the stuff that  
6 we received, I believe, on Monday?

7 MS. HEPPNER: Yes.

8 MR. MARSHALL: Yes. That should be. Yes.

9 MS. HEPPNER: Okay. So it's incorporated,  
10 then --

11 MS. BERLYN: We incorporated everything, and  
12 now I'm not sure what we did with -- you had a question  
13 in here.

14 MR. MARSHALL: Some of the comments we had to  
15 incorporate by hand. They wouldn't merge  
16 automatically. This is Scott speaking, by the way.

17 MS. BERLYN: Yes, and one issue I had meant  
18 to mention to Scott. You had a question in here, which  
19 I don't think is supposed to be part of the actual  
20 document but was a question to the group, which was  
21 under the explanation of the company's privacy policy.  
22 On the last point there, you said how does this relate

1 to privacy policy? So that's a question that you  
2 wanted to ask.

3 MR. MARSHALL: Right.

4 MS. BERLYN: Rather than add to the document.

5 So --

6 MR. MARSHALL: One other thing you mentioned  
7 -- Cheryl, this is Scott speaking -- related to the  
8 ratings of cell phones with respect to hearing aid  
9 compatibility. And so, if you could give us some more  
10 precise language to include, that probably would be a  
11 good idea. You just raised the point that that would  
12 be good information to know.

13 MS. HEPPNER: Okay.

14 MR. MARSHALL: And that's reflected in this  
15 document, but I didn't know exactly how you wanted to  
16 word it.

17 MS. HEPPNER: If you're talking about the  
18 bullet under 4 where I had a note about hearing aid  
19 compatibility?

20 MS. BERLYN: Let's see, under 4. Note from  
21 Cheryl, yes. There's a note, and on the final  
22 document, it has that. You'll see there. It indicates

1 your note. So we kept that in. But that's obviously  
2 something that we need --

3 MR. MARSHALL: It was more of a comment.

4 MS. BERLYN: Right. Needs to be addressed.

5 MS. HEPPNER: Okay. Well, the note was just  
6 more for information purposes than anything else. It  
7 really doesn't need to be part of the document.

8 MS. BERLYN: On the ratings?

9 MS. HEPPNER: I did have that question later  
10 on about you just had, for example, with respect to  
11 broadband the following criteria to be included, and  
12 then there was just one, speed. And I was, "So how did  
13 that relate to privacy?" But --

14 MS. BERLYN: I think that's a good question,  
15 and does anyone recall discussion that led to our  
16 incorporating that there? It does seem to be a bit out  
17 of place, I think.

18 John or Ken?

19 MR. MCELDFOWNEY: I can't remember.

20 MS. BERLYN: I'm not so sure what speed --  
21 how it relates to the company's privacy policy. It  
22 seems that that might have been moved from some other

1 location, and it does not look like it's right.

2 MR. MARSHALL: Might we correct that as an  
3 editorial matter?

4 MS. BERLYN: Yes, let's check into that --

5 MR. MARSHALL: This is Scott.

6 MS. BERLYN: -- because it looks like it's  
7 not in the right spot. So we have to check with  
8 Lawrence, our drafter of the document. But we'll fix  
9 that.

10 MR. MARSHALL: I assume everyone agrees that  
11 information about speed is important?

12 MR. MCELDFOWNEY: Correct.

13 MR. MARSHALL: So we should be able to --

14 MS. BERLYN: Yes, but it was not under -- it  
15 shouldn't be under privacy.

16 MR. MARSHALL: Correct.

17 MR. MCELDFOWNEY: No, that's a very good  
18 catch.

19 MS. BERLYN: Yes, good catch.

20 MS. HEPPNER: This is Cheryl. I thought,  
21 well, I was trying to grasp at straws as to what I was  
22 missing. The one thing I thought it might have been

1 was speed of response to a consumer request or  
2 something?

3 MS. BERLYN: No.

4 MS. HEPPNER: But it would be the wrong  
5 category.

6 MS. BERLYN: Yes. No, it was broadband speed  
7 is what it was referring to. So we'll just have to  
8 find the right spot where that fit in.

9 MR. BREYAULT: Yes, hey, Debbie. This is  
10 John Breyault.

11 MS. BERLYN: Yes?

12 MR. BREYAULT: Looking at the document, I'm  
13 not sure how it ended up there.

14 MS. BERLYN: Yes, I'm not either. It should  
15 not be there. So Cheryl got a good catch there, and  
16 we'll figure out where that example fit into the  
17 document and put it in there.

18 MS. HAMLIN: This is Lisa.

19 MS. BERLYN: Lisa?

20 MS. HAMLIN: When I looked at this, I  
21 mentioned this at the last meeting, but I think it got  
22 lost. One of the things that I saw under number 4,



1 what information should be contained? Or maybe it  
2 didn't get lost. Maybe it got rejected. But I'd like  
3 to be clear what happened to it. When bundles are  
4 offered, often they are offered at a discount to begin  
5 with, and then the discount disappears at some point.

6 And that's not clear. It may be clear that  
7 it disappears, but it may not be clear when and what  
8 the price is moved up to when it disappears.

9 MS. BERLYN: You're talking about promotional  
10 offers?

11 MS. HAMLIN: I'm sorry?

12 MS. BERLYN: For promotional offers?

13 MS. HAMLIN: Promotional offers, right. When  
14 they're competing. I'm especially thinking of  
15 broadband offers bundled together with phone and  
16 television. So -- or cable or that kind of thing. So  
17 when they're all bundled together and they're  
18 competing, there may be an offer that's for 6 months  
19 and then it says you'll get this for 6 months, but they  
20 never tell you how much you're then increased to.

21 So I thought under "disclosure" that  
22 something to the effect of if startup costs contain a

1 time-limited discount, it should be disclosed when the  
2 discount will end and what cost will be once the  
3 discount has been -- once the discount is finished or  
4 over or some language that's better than what I just  
5 said.

6 Now that's an additional thing. So I don't  
7 know if you'd want to include one more thing in  
8 something that may be a label.

9 MS. BERLYN: Yes, I think our label is  
10 getting awfully big as it is.

11 Other folks on the call want to respond to  
12 that recommendation to include a bullet point that  
13 would address promotional offers, the how long and what  
14 price the services goes to after the promotion ends?

15 MR. MCELDFOWNEY: Well, I think that's  
16 certainly something that we've found to be very  
17 valuable, particularly in terms of credit card  
18 solicitations. I could see -- I could see -- I would  
19 certainly see a place for this because it's, I think,  
20 one of the real issues just simply in terms of the  
21 bundles is that the price automatically goes up after X  
22 number of months.

1                   So, yes, I think it makes sense to include  
2 it.

3                   MR. MARSHALL: That was Ken's comment.

4                   MS. BERLYN: We were trying when we first --  
5 oh, Ken McEldowney.

6                   MR. MCELDFOWNEY: I'm sorry. I did it again.

7                   MS. BERLYN: This is Debbie. We were trying,  
8 when we started this process -- well, mid way through  
9 this process -- to take all the information that we  
10 thought would be helpful and then narrow it down to the  
11 biggest issues and the biggest bullet points. So it  
12 may have gotten -- we did discuss bundling. So it's  
13 possible that we just felt like there is just so much  
14 we could include.

15                   However, I don't think we necessarily have  
16 said that a label, in and of itself, is the way to go,  
17 the one and only way to go. So if we're trying to  
18 offer information that we think is helpful for  
19 consumers, perhaps we don't want to leave something on  
20 the cutting room floor that is important.

21                   So I leave that up to the members of the CAC  
22 to determine whether or not we add a bullet while

1 knowing that we were trying to narrow the information  
2 down as much as possible without leaving out important  
3 information.

4 MS. TRISTANI: This is Gloria Tristani here,  
5 and I apologize. I wanted to speak, and I hit the  
6 wrong button. So I got cut off the call, and so I  
7 don't know what transpired.

8 But I was just going to say that I thought  
9 this particular kind of information was very important  
10 because there are so many offers that come this way and  
11 that consumers take. And then they remain clueless as  
12 to what comes next.

13 MS. BERLYN: Okay. Anyone else?

14 COMMISSIONER SANTINI: Debbie, this is  
15 Nixyvette.

16 MS. BERLYN: Yes?

17 COMMISSIONER SANTINI: I don't know if it was  
18 also rejected, but I think if something is going to be  
19 put in a label, I would say that customer service  
20 information and maybe the company, if there is any site  
21 or Web site where the company has their own policy to  
22 deal with complaints, billing complaints? I think that

1 information needs to be given to the customers because  
2 sometimes they kind of don't know what to do or where  
3 to go to get specific information.

4 And I just don't know if it was rejected  
5 previously, but I just want to put into this caution, I  
6 think that's important information.

7 MS. BERLYN: It is important information,  
8 Nixy, and I know we did discuss customer information,  
9 complaint information. We had a discussion about that.  
10 And so, other task force members can jump in here.

11 You know, I think there are two sides to  
12 this. That information is critically important for  
13 someone who has purchased a service to have. There is  
14 no doubt about that. What this particular label,  
15 whatever it is, information source, is serving the  
16 purpose is for a sort of a presale situation.

17 So what is the information you need in order  
18 to determine whether you are going to buy that  
19 particular product or service? And I think when we had  
20 our discussions in the task force, we thought that the  
21 customer service and complaint information was  
22 something that you absolutely need to have when you

1 have made that purchase, but --

2 COMMISSIONER SANTINI: I get you. And also  
3 you made a question regarding if it was -- the right  
4 form was the label. I remember we did something  
5 similar here in Puerto Rico, and what we did was a  
6 checklist just to announce the possible customer the  
7 things they needed to know before they would buy or  
8 contract the service.

9 MS. BERLYN: That's interesting.

10 COMMISSIONER SANTINI: So that's an option.  
11 Instead of a label, we could -- this would be a really  
12 big label.

13 MS. BERLYN: You're right.

14 COMMISSIONER SANTINI: So maybe a checklist  
15 where a person can get the bullets on the issues that  
16 they really need to know before they make a final  
17 decision. That would be nice for customers to have.  
18 And then they can go to different vendors and ask the  
19 questions and get all the facts right.

20 MS. BERLYN: I like that. What do others  
21 think, as an alternative approach to the label, of a  
22 checklist of information?

1                   MS. HAMLIN: This is Lisa Hamlin. I think  
2 probably a really concise label and then a checklist  
3 would be absolutely beneficial. I like the idea of a  
4 checklist because you don't need it to be really short,  
5 and then you'll miss important information. But the  
6 label may be something that you can take from what  
7 you've already developed. I think both, yes.

8                   MS. BERLYN: Okay. So I think the question  
9 here is do we want to -- we have, as number 5, what  
10 alternative approaches would make information more  
11 accessible and understandable for consumers? We could  
12 add something here to say we also considered a  
13 checklist of information to be an alternative approach.

14                   MS. DONEGHY: This is Marti, and I'm sorry I  
15 had to click out for an emergency here.

16                   But I think that that is a very appropriate  
17 place to put the checklist, very much so. I guess  
18 we've gone down the road so far that we don't want to  
19 completely dismiss the label in favor of the checklist,  
20 but it certainly sounds like an appropriate  
21 alternative.

22                   MS. BERLYN: Yes. Okay?

1                   MR. MCELDOWNEY: I would so move. This is  
2 Ken McEldowney.

3                   MS. BERLYN: Move an amendment? You're  
4 moving to amend the document, Ken, with that?

5                   MR. MCELDOWNEY: Yes. Place it in number 5,  
6 the checklist as an alternative to consider.

7                   MS. BERLYN: Okay. Do we want to drop our  
8 recommendation of convening a working group to explore  
9 the options?

10                  MR. MARSHALL: Do you have a second on Ken's  
11 amendment?

12                  MS. BERLYN: Oh, I'm sorry. Ken has an  
13 amendment on the floor. Do we have a second?

14                  MS. DONEGHY: I second.

15                  MR. MARSHALL: Any discussion?

16                  REPORTER: Who seconded?

17                  MS. DONEGHY: Marti.

18                  MS. BERLYN: Marti Doneghy.

19                  MR. MARSHALL: Marti Doneghy, AARP.

20                  MS. BERLYN: Any discussion on the amendment?

21 Any further discussion, I should say, on the  
22 amendment?



1 [No response.]

2 MS. BERLYN: All those in favor of amending  
3 it with this additional information?

4 [A chorus of ayes.]

5 MS. BERLYN: Any opposed?

6 [No response.]

7 MS. BERLYN: Any abstentions?

8 MS. MINEA: Dish abstains.

9 MS. BERLYN: Any other abstentions?

10 [No response.]

11 MS. BERLYN: Okay.

12 MR. MARSHALL: Debbie, before you go on to  
13 your next issue --

14 MS. BERLYN: Yes?

15 MR. MARSHALL: Lisa had mentioned this matter  
16 of promotional discounts. Was that an amendment?

17 MS. BERLYN: Oh, yes.

18 MR. MARSHALL: Were you offering an  
19 amendment? If you were, we didn't get a second. We  
20 had some discussion.

21 MS. BERLYN: To add, yes, we should --

22 MR. MARSHALL: We should resolve that.

1 MS. BERLYN: We should resolve that. Thank  
2 you.

3 MR. MARSHALL: Before we move on.

4 MS. BERLYN: Thank you, Scott.

5 The question is to add another bullet under  
6 number 4 of what information should be contained in the  
7 label. Lisa recommended a clarification of promotional  
8 offers, how long the promotion lasts and the price for  
9 service after the promotion ends. Would someone like  
10 to move that particular amendment?

11 MS. HAMLIN: Lisa Hamlin. I'll move.

12 FEMALE SPEAKER: Does this come before  
13 privacy or after, at the last bullet?

14 MS. BERLYN: This is before privacy.

15 FEMALE SPEAKER: Okay.

16 MS. BERLYN: Oh, well, it doesn't really  
17 matter. They're all under here. But we probably would  
18 put it before privacy. They're all bullets under 4.

19 MR. MARSHALL: So this is Scott. Lisa has  
20 moved it.

21 MS. BERLYN: Second? Do we have a second?

22 MS. TRISTANI: Gloria Tristani. I second it.

1 MS. BERLYN: Okay. All those in favor of  
2 that additional --

3 MR. MARSHALL: Discussion?

4 MS. BERLYN: Oh, I'm sorry.

5 MR. MARSHALL: Any further discussion?

6 MS. BERLYN: Any further discussions?

7 [No response.]

8 MS. BERLYN: Okay. All those in favor of  
9 this additional bullet under 4, say aye.

10 [A chorus of ayes.]

11 MS. BERLYN: Any opposed?

12 [No response.]

13 MS. BERLYN: Any abstaining?

14 MS. RYNEX: Verizon abstains.

15 MS. BERLYN: Verizon and Dish?

16 MS. MINEA: Yes.

17 MS. BERLYN: Dish and Verizon abstain.

18 MR. MARSHALL: Verizon and Dish abstaining.

19 MS. BOBECK: As well as NAB.

20 MR. MARSHALL: As well as -- I'm sorry, who?

21 MS. BERLYN: NAB.

22 MR. MARSHALL: Oh, NAB. Okay.

1 MS. BERLYN: Ann, had you abstained at all  
2 before because I didn't catch it if you did.

3 MS. BOBECK: No.

4 MS. BERLYN: Okay. Thank you.

5 Okay. So now to the question of how we word  
6 number 5, the alternative approaches to the label, we  
7 have added a checklist of information as an alternative  
8 approach. We then have a bullet, a standing bullet  
9 here that says that the FCC could convene a working  
10 group to consider additional alternative approaches.  
11 We are offering an alternative approach. So do we  
12 still need to have that bullet?

13 MS. DONEGHY: Debbie, again, I'm sorry I had  
14 to check out. I thought we were still on the other  
15 issue. So I was trying to get back before we got  
16 started. But --

17 MR. MARSHALL: This is Marti, correct?

18 MS. DONEGHY: Yes. This is Marti at AARP.

19 But on that last sentence to address this  
20 issue, I guess alternative approaches, we're suggesting  
21 the FCC, rather than could, should convene a working  
22 group of carriers and advocates to explore other

1 options or other alternative options.

2 MR. MCELDFOWNEY: Yes, I think one of the  
3 things we need to make very careful -- and let me just  
4 check the wording again one more time.

5 MS. BERLYN: I think, Marti, here we were --  
6 yes, the question is are we saying the FCC should or  
7 are we saying this is something that the FCC could  
8 consider doing?

9 MS. DONEGHY: And we like "should."

10 MS. BERLYN: And I hear you wanting to change  
11 it to "should." I think we kind of felt a little  
12 uneasy about this bullet point being in here because we  
13 wanted to provide very definitive information to the  
14 FCC, and we were a bit concerned about saying, okay,  
15 well, instead, just convene a task force, which kind of  
16 changes our role in a way. It diminishes our role in  
17 this process, which was to come up with some solutions  
18 for the FCC.

19 So if we feel comfortable that we have some  
20 good recommendation here, I'm not even sure if we need  
21 that bullet at all. If we come up with an approach, an  
22 alternative, we pretty much have fulfilled what the FCC

1 has asked us to do. And then it's pretty much up to  
2 them to take it from there.

3 And I'm not sure I would want to mandate that  
4 they engage in an additional step unless we feel we  
5 haven't covered everything we need to cover in this  
6 document.

7 MR. MCELLOWNEY: Hi, this is Ken McEldowney.  
8 I think what I would do is we've already added a  
9 checklist. I would move to delete the last sentence,  
10 which is, "To address this issue, the FCC could convene  
11 a working group of carriers and advocates to explore  
12 this option."

13 And the reasons for that motion is that what  
14 Debbie says makes a lot of sense. I mean, in essence,  
15 that sentence is saying, oh, if you don't like our  
16 advice, go elsewhere, which I don't think makes any  
17 sense. So I would move to strike that sentence.

18 COMMISSIONER SANTINI: I'll second it. This  
19 is Nixy.

20 MS. BERLYN: Okay. So we have an amendment  
21 to strike that bullet. Do I have a --

22 COMMISSIONER SANTINI: The sentence. The

1 sentence.

2 MR. MARSHALL: No, no. It's just the last  
3 sentence.

4 MR. MCELDOWNEY: Right. The last sentence of  
5 the bullet.

6 MR. MARSHALL: The last sentence in the  
7 document.

8 MS. DONEGHY: Yes, not the bullet, but just  
9 the last sentence.

10 MS. BERLYN: Oh, yes. Of course. I see.  
11 Yep. So it's just the sentence to address this issue.

12 MR. MCELDOWNEY: Right. Okay.

13 MS. BERLYN: Got it. So we have a second.  
14 Is there further discussion?

15 MS. TRISTANI: I have a -- not on this. Not  
16 on this.

17 MS. BERLYN: Okay. So let's take a vote  
18 then. Those who are in favor of deleting the last  
19 sentence of the last bullet, say aye.

20 [A chorus of ayes.]

21 MS. BERLYN: Opposed?

22 [No response.]

1 MS. BERLYN: Abstaining?

2 MS. RYNEX: Verizon abstains.

3 MS. MINEA: Dish abstains.

4 MS. BOBECK: NAB abstains.

5 MS. BERLYN: NAB, Verizon, and Dish abstain.  
6 Okay. Gloria?

7 MS. TRISTANI: Yes, I have a question, and  
8 maybe you covered this at the moment that I was off or  
9 maybe this has been discussed before. But is this a  
10 recommendation that's coming from the task force or  
11 from the full committee because --

12 MS. BERLYN: Oh, this is coming from -- yes,  
13 it's a recommendation -- well, this will be coming from  
14 the CAC?

15 MR. MARSHALL: Yes.

16 MS. TRISTANI: So it needs to be --

17 MR. MARSHALL: It will be.

18 MS. BERLYN: Oh, yes. Yes, that will be  
19 changed, Gloria.

20 MR. MARSHALL: Gloria, this is Scott. I'll  
21 put the regular header on it --

22 MS. TRISTANI: Okay.



1                   MR. MARSHALL:  -- and fix it.  All of this  
2 will come from the CAC.

3                   MS. TRISTANI:  And take out "DTF" and put in  
4 "CAC"?

5                   MR. MARSHALL:  Oh, absolutely.

6                   MS. BERLYN:  Yes.  Yes.  It will be the CAC.

7                   MS. TRISTANI:  Okay, that's what I thought,  
8 but I just wanted to make sure.

9                   MR. MARSHALL:  And I'm smart enough to do the  
10 search and replace function, believe it or not.

11                   [Laughter.]

12                   MS. DONEGHY:  Yes, again, this is Marti.  And  
13 I'm sorry I had to get off.

14                   But, so, is this the first action we've taken  
15 on the consumer disclosure?  No?

16                   MR. MARSHALL:  No.  This is Scott.  We've had  
17 a prior recommendation on this topic from a meeting or  
18 two ago.

19                   MS. DONEGHY:  No, no.  I mean today.  I had  
20 some edits that you guys thought it would be better for  
21 me to offer on the phone call, and I was just trying to  
22 find out how far down the road we are.  Because the

1 agenda said we were going to take this up second, and I  
2 had to leave for a minute.

3 MS. BERLYN: We're pretty far down. So if  
4 you have additional amendments to make -- if it's  
5 wordsmithing, Marti, we can do that off the line. If  
6 it's content based, then you should raise them now.

7 MS. DONEGHY: Well, I don't know. Some are  
8 wordsmith. Some may be considered content based, I'm  
9 sorry.

10 I have two that I think, you know, probably  
11 should be discussed fully.

12 MS. BERLYN: Okay. Go.

13 MS. DONEGHY: Okay. On page 1, third  
14 paragraph. Toward the end of that paragraph,  
15 "Consumers can only gain this knowledge through a  
16 comprehensive educational program." I wanted to add  
17 "and expanded industry disclosure." And wanted to get  
18 some thoughts from you all about that. Because we felt  
19 that it was a two-pronged thing and that we do want to  
20 do -- we do know the FCC wants to expand its  
21 educational program, but we also wanted to support them  
22 in their efforts to continue to work more broadly with

1 industry.

2 So the addition after "educational program"  
3 is "and expanded industry disclosure."

4 MR. MARSHALL: And you've so moved that  
5 change, Marti? This is Scott.

6 MS. DONEGHY: Yes, I think I have to move it  
7 in order for us to have discussion?

8 MR. MARSHALL: You do.

9 MS. BERLYN: Yes. So why don't you move?

10 MS. DONEGHY: I so move.

11 MR. MARSHALL: And we need a second.

12 MS. RYNEX: I'm sorry. This is Verizon.  
13 Could repeat what you're moving? I'm sorry.

14 MS. DONEGHY: Okay. First page, third  
15 paragraph, towards the end just before the last  
16 sentence, "Consumers can only gain this knowledge  
17 through a comprehensive educational program," and we  
18 wanted to insert "and expanded industry disclosure."

19 MS. BERLYN: Okay. So Marti has moved that.  
20 Do I have a second?

21 COMMISSIONER SANTINI: I'll second it.  
22 Nixyvette.

1 MS. BERLYN: Nixy second. Okay. Discussion?

2 [No response.]

3 MS. BERLYN: Hearing none, all those who are  
4 in favor of adding to the sentence "and expanded  
5 industry disclosures?"

6 MS. DONEGHY: Disclosure, just no S.

7 MS. BERLYN: Oh, "disclosure" is singular.  
8 Okay. I couldn't read my own writing there.

9 All those in favor say aye.

10 [A chorus of ayes.]

11 MS. BERLYN: Opposed?

12 [No response.]

13 MS. BERLYN: Abstaining?

14 MS. RYNEX: Verizon abstains.

15 MS. MINEA: Dish abstains.

16 MS. BERLYN: Verizon and Dish abstain.

17 MS. BOBECK: And NAB.

18 MS. BERLYN: And NAB.

19 Okay. Thank you, Marti. Did you have  
20 another one?

21 MS. DONEGHY: Yes. We have a second one, and  
22 then the rest we could do offline. It's probably

1 considered wordsmithing.

2 On page 2, under the bullet of privacy?

3 MS. BERLYN: Mm-hmm.

4 MS. DONEGHY: A clear statement about whether  
5 the customer's information will be shared with a third  
6 party. There was concern that the phrase "without the  
7 customer's informed consent."

8 MR. MARSHALL: This is Scott. So you would  
9 be adding "without the --"

10 MS. DONEGHY: "Without the customer's  
11 informed consent," that in the matrix that that's an  
12 important part. The privacy is, in and of itself, very  
13 good. But just reminding them that without informed  
14 consent, this could also happen and that that's another  
15 part of the privacy that it was thought that that was a  
16 substantial part that might need to be added.

17 MR. MCELDFOWNEY: This is Ken McEldowney. I  
18 so move.

19 MS. BERLYN: Do I have a second for that?

20 COMMISSIONER SANTINI: I'll second it.

21 Nixyvette.

22 MS. BERLYN: Discussion?

1 [No response.]

2 MS. BERLYN: Marti, let me just make sure I  
3 get it right. Without the consumer's informed consent?

4 MS. DONEGHY: Yes. After the word "party."

5 MS. TRISTANI: Isn't it customer's? Because  
6 that's what you have.

7 MS. DONEGHY: Yes. It is customer's.

8 MS. BERLYN: Oh, without the customer's.

9 MR. MARSHALL: Yes.

10 MS. DONEGHY: Without the customer's informed  
11 consent.

12 MS. BERLYN: Okay.

13 MS. HAMLIN: This is Lisa Hamlin. I have a  
14 question whether you would want to add "with or without  
15 the customer's informed consent."

16 MR. MARSHALL: Oh.

17 MS. DONEGHY: I would not mind that at all.

18 MR. MCELDFOWNEY: I would see that as a  
19 friendly amendment.

20 MS. DONEGHY: Yes.

21 MS. HAMLIN: I couldn't hear that. I'm  
22 sorry, and I don't -- that last comment I missed, and

1 we missed the caption on it. So what was the last  
2 comment, please?

3 MS. BERLYN: Did someone make a last comment?

4 REPORTER: Ken said, "I will take that as a  
5 friendly amendment."

6 MS. BERLYN: Ken said he would take it as a  
7 friendly amendment.

8 MS. HAMLIN: He would take it as a friendly  
9 amendment? Okay, thank you.

10 MS. BERLYN: Okay. So we have "with or  
11 without the customer's informed consent." Any further  
12 discussion?

13 [No response.]

14 MS. BERLYN: All those in favor say aye.

15 [A chorus of ayes.]

16 MS. BERLYN: Opposed?

17 [No response.]

18 MS. BERLYN: Abstaining?

19 MS. MINEA: Dish abstains.

20 MS. RYNEX: Verizon abstains.

21 MS. BOBECK: NAB abstains.

22 MS. BERLYN: Okay. So, Marti, the other ones

1 you have are wordsmithing?

2 MS. DONEGHY: Yes. I think that we could  
3 just wordsmithing on the phone.

4 MS. BERLYN: Okay.

5 MR. MARSHALL: Madam Chairman, this is Scott.  
6 Would you excuse me so I can round up our speaker  
7 because we are running ahead of schedule?

8 MS. BERLYN: Okay.

9 MR. MARSHALL: And I'll be right back.

10 MS. BERLYN: So, Scott, I'm going to now take  
11 a motion to move --

12 MR. MARSHALL: On the final document as  
13 amended.

14 MS. BERLYN: -- the final document as  
15 amended.

16 MR. MARSHALL: Unless somebody has some other  
17 amendments. You might want to ask them if they do.

18 MS. RYNEX: I have a question. This is Donna  
19 with Verizon.

20 MS. BERLYN: Yes, Donna?

21 MS. RYNEX: Is there a matrix that was  
22 attached to this? Because we refer to it in the second



1 page. "A complete list of criteria is attached in a  
2 matrix." But I don't see that.

3 MS. BERLYN: Well, there was a matrix.

4 MR. MARSHALL: There was a matrix, but I  
5 don't think it's attached.

6 MS. RYNEX: So there is an actual  
7 recommendation in matrix form for a label?

8 MS. BERLYN: No, I don't think we intended to  
9 include a matrix. Well, it says a complete list of the  
10 criteria is attached in a matrix.

11 MR. MCELLOWNEY: Ew, that was a good catch.

12 MR. MARSHALL: This is Scott. This was the  
13 document that the committee had pared down. The  
14 initial document that the committee prepared was a  
15 complete laundry list of consumer information  
16 disclosures. That was put into a matrix, and then the  
17 committee worked down from there and cut that list  
18 down.

19 So I guess, if I'm correct, Madam Chairman,  
20 the question is do you want that attached to this  
21 recommendation or not?

22 MR. MCELLOWNEY: This is Ken McEldowney. I

1 say we shouldn't because it's not before the body.

2 MS. BERLYN: Should not. Is that what you're  
3 saying?

4 MR. MCELDOWNEY: Should not. So I would ask  
5 Scott to remove the reference to the matrix.

6 MR. MARSHALL: If everybody is comfortable  
7 with that, I can certainly do that, or if you want to  
8 vote on it?

9 MS. BERLYN: Does anyone have any other  
10 comments on that?

11 [No response.]

12 MS. BERLYN: Okay. We'll remove reference to  
13 the matrix and clean up that language in that  
14 paragraph.

15 Okay. Is there any further discussion or any  
16 further amendments before I call the question?

17 [No response.]

18 MS. BERLYN: Okay. So the final document, as  
19 amended, all those who are in favor say aye.

20 [A chorus of ayes.]

21 MS. BERLYN: Opposed?

22 [No response.]

1 MS. BERLYN: Abstaining?

2 MS. MINEA: Dish abstains.

3 MS. RYNEX: Verizon abstains.

4 MS. BOBECK: NAB abstains.

5 MS. BERLYN: Okay. Great. Thank you all.

6 Scott went to get our speaker. We have  
7 someone coming down to talk about the Lifeline/Link-Up  
8 Awareness Week. So if you all could just hang on for a  
9 few minutes, we'll be right back. So just keep your  
10 phone lines open.

11 MR. MCELDFOWNEY: Debbie, I'm going to jump  
12 off for my next call.

13 MS. BERLYN: Okay. Thank you so much, Ken.

14 MR. MCELDFOWNEY: Bye.

15 MS. BERLYN: Bye-bye.

16 MS. HAMLIN: This is Lisa Hamlin. I'm  
17 hearing clicking. I'm not sure if I'm picking up  
18 somebody typing and you don't hear that, but I hear it.

19 MS. BERLYN: I hear rustling of some sort.

20 MS. HAMLIN: Not now, but before. Sometimes  
21 I have a feeling that somebody is using their computer  
22 while they're very close to their speaker.

1 MS. BERLYN: Okay. If you are using a  
2 computer, typing away there, if you could just put your  
3 phone on mute?

4 MS. HAMLIN: Thank you.

5 MR. MARSHALL: Madam Chairman, this is Scott.  
6 Madam Chairman, this is Scott.

7 MS. BERLYN: Yes?

8 MR. MARSHALL: Just a point of information, I  
9 just saw one of our speakers that will be discussing  
10 the National Telephone Discount Lifeline Awareness  
11 Week, and they're on their way. So if we can take --

12 MS. BERLYN: Take a few minutes?

13 MR. MARSHALL: Well, take any public  
14 comments, if we have any?

15 MS. BERLYN: Are there any public comments on  
16 the phone or in the room?

17 [No response.]

18 MS. BERLYN: Hearing none, I suggested that  
19 everybody take a couple of minutes.

20 MR. MARSHALL: Right.

21 MS. BERLYN: And just sit tight.

22 MR. MARSHALL: And we'll resume shortly.

1                   MS. BERLYN:  So we don't miss our -- and  
2  everyone who is on the phone, we will be scheduling our  
3  next CAC meeting for sometime in the fall.  So Scott  
4  and I will be in touch with some proposed dates.  Scott  
5  and I have not thrown any around with the FCC staff,  
6  but we'll get back to you shortly.  We do have one more  
7  meeting in this chartered CAC, and then our charter is  
8  done November 17th, it is, right?

9                   MR. MARSHALL:  That's correct.

10                  MS. BERLYN:  So we will be meeting before  
11  that date.

12                  MR. MARSHALL:  And this is Scott.  By way of  
13  information, the presenters, who are both senior staff  
14  advisers here in the CGB on this Telephone Discount  
15  Program, have provided some handout materials that we  
16  have here onsite, and I emailed them to you all a  
17  little while ago.

18                  So we'll just stand by for a few minutes.

19                  MS. BERLYN:  So we'll just stand by for a few  
20  minutes unless anyone has a topic to discuss?  If not,  
21  we will just mute and stand by.

22                  Thanks, everyone.

1 [Paused.]

2 MS. BERLYN: Okay, everyone.

3 MR. MARSHALL: Are they off of mute?

4 MS. BERLYN: We're off of mute, and we now  
5 have our Lifeline/Link-Up speakers here -- Lauren  
6 Kravetz and Dan Rumelt. And I'm going to pass the mike  
7 down to them. We have, oh, about 15 folks on the line  
8 here. Is that right?

9 MR. MARSHALL: That's about right.

10 MS. BERLYN: Here and on the line. And they  
11 all received this.

12 MS. KRAVETZ: Excellent. Thank you so much  
13 for giving us an opportunity to talk with you about  
14 this.

15 You may not have had a lot of time to review  
16 the materials yet, but the bottom line is the Lifeline  
17 and the Link-Up universal service programs for low-  
18 income consumers have been around for a couple decades  
19 now.

20 MS. HAMLIN: I'm sorry. Excuse me. I'm  
21 having trouble hearing. If you could move that second  
22 microphone close to, that would be a big help. Thank

1 you.

2 MS. KRAVETZ: Oh, I'm sorry. Sorry about  
3 that.

4 We're here to talk about the Lifeline and  
5 Link-Up programs through universal service for low-  
6 income consumers. Everybody knows they've been around  
7 for a while. But even with that longevity, at this  
8 point, only about one-third of the eligible consumers  
9 actually participate in the programs.

10 So several years ago, the FCC got together  
11 with NARUC and NASUCA to try to figure out what some of  
12 the problems might be, at least on the outreach front.

13 And after reaching -- making some key targeted  
14 outreach, doing some key targeted projects like  
15 reaching social workers who really didn't know about  
16 the program, home healthcare workers, State social  
17 service agencies, State aging agencies, public health  
18 departments, and other groups that would deal with low-  
19 income consumers, we've sort of seized on this -- we've  
20 sort of come to a point where our major project going  
21 forward is going to be a National Lifeline Awareness  
22 Week.

1                   After working on this for a few years, we  
2 sort of came to that point that rather than sort of  
3 different projects throughout the year, we should look  
4 for a coordinated effort 1 week a year. NARUC and  
5 NASUCA each adopted resolutions in the summer of 2009  
6 that, henceforth, forever more the first full week  
7 after Labor Day will be -- are you ready for it --  
8 National Telephone Discount Lifeline Awareness Week.

9                   MR. RUMELT: What is the acronym for that,  
10 Lauren?

11                   [Laughter.]

12                   MS. KRAVETZ: NTDLAW, which we are calling  
13 Lifeline Awareness Week. So last year was a very soft  
14 launch because the resolutions weren't adopted until  
15 July. So we weren't entirely sure that we were going  
16 to have the go-ahead.

17                   This year, we started planning in March,  
18 working through our Lifeline Across America group that  
19 started this a few years ago --

20                   MR. RUMELT: Could I add that even though we  
21 had sort of a slow beginning last year, a discernible  
22 uptick, a blip in applications for Lifeline was



1 detected after the week. So we're hoping with a real  
2 concerted effort and with the help of folks in this  
3 room and on the phone that we can have more of an  
4 uptick this year and increase every year.

5 MS. KRAVETZ: And part of the reason this is  
6 being done in September is that when folks get -- when  
7 you get toward winter, there is a demonstrated tendency  
8 that we learned about a number of years ago for folks  
9 to choose heating and electricity before they choose  
10 phone. So you would see folks drop off the network  
11 before winter to pay for the increased heating and  
12 energy costs and then come back on in the spring.

13 So if we could get to people before  
14 wintertime, perhaps there would be a way for them to  
15 stay on the network throughout the winter, which, of  
16 course, for public safety reasons is important. So we  
17 also last year -- not just the uptick, which actually  
18 USAC demonstrated for us. So we had some actual  
19 numbers on that.

20 We did have gubernatorial proclamations from  
21 over 10 Governors. We had some activity going on in a  
22 majority of States, and this year, with much more lead

1 time, we're hoping for a much wider participation.

2 Now, in addition to a number of those of us  
3 working on this at the FCC, we have people working from  
4 Pennsylvania, New York, Florida, Ohio, Washington  
5 State, Mississippi, and that's off the top of my head,  
6 the State PUC staff and consumer utility staff that are  
7 working with us on this. So just let's go very quickly  
8 through what we provided you.

9 You can see borne out on this colorful map  
10 that there are only five States with a participation  
11 rate of eligible consumers above 50 percent. And  
12 believe it or not, we do have the 2008, 2007 maps, and  
13 this map is better than those, or rather it shows that  
14 there has been some progress. And we've also provided  
15 just not a map, but sort of a breaking out in  
16 percentage bands along with the poverty rate for each  
17 State --

18 MR. RUMELT: Compiled by our very capable  
19 intern staff.

20 MS. KRAVETZ: Yes. None of this would be  
21 happening if it weren't for Marissa, Eric, and John.  
22 Thank you.

1                   MR. RUMELT:  Sounds like a song.

2                   MS. KRAVETZ:  It does.  "Blowing in the  
3 Wind."

4                   We also provided a quick summary, a two-sided  
5 quick summary of just so people know whether you're in  
6 a State that has its own Lifeline program or whether  
7 you're in one of the eight or nine States or  
8 territories where they default to the Federal program.  
9    That has more to do with eligibility and not  
10 necessarily how you apply for the program.

11                   So, at the bottom of the page, you can see  
12 that well over 40 jurisdictions require you to call the  
13 local phone company.  Everyone on the phone is from the  
14 CAC, right?

15                   MS. BERLYN:  Yes.

16                   MR. MARSHALL:  Yes.

17                   MS. KRAVETZ:  Okay.  So it shouldn't be -- we  
18 will tell you that we have heard over time that there  
19 is -- it is not quite as easy sometimes to get on  
20 Lifeline, to get the discounts when you have to apply  
21 straight to the phone company.  A number of States  
22 where you apply through a social service agency or

1 there is automatic enrollment by virtue of  
2 participating in a program that makes you eligible, our  
3 sense is -- and we don't have statistics to bear this  
4 out. But our sense is that consumers who apply through  
5 a social service agency or something like that have an  
6 easier time actually getting under the program and  
7 getting discounts than those that have to call the  
8 phone company.

9           We're trying to figure out a way to  
10 understand more about the consumer experience. I will  
11 just say in one sentence that we've run into a whole  
12 bunch of sort of Federal bureaucratic roadblocks on  
13 going out and finding that information. But we're  
14 still working on a way to make sure we hear from the  
15 ground up more about that experience.

16           MS. BERLYN: Can I ask a question? Lauren,  
17 this is Debbie.

18           In the State, I see that some of these States  
19 that go through the telephone company are also States  
20 where it's 50 percent or above. So what is the  
21 compelling reason in those States for the high  
22 enrollment? What distinguishes them?

1                   MS. KRAVETZ: Well, let's see. In I think,  
2 for example, in California, the issue I think the  
3 reason it's so successful there is the State runs a  
4 very -- has a very well-developed they call it ULTS,  
5 Universal Lifeline Telephone Service. They have taken  
6 their State program very seriously, and I think it  
7 works pretty well there. At least it works better than  
8 -- this map is a little surprising to me as well  
9 because Texas and New York both have automatic  
10 enrollment. So you would think that that would be a  
11 very -- that would be a State where you're going to  
12 catch more than 50 percent of the people.

13                   On the other hand, automatic enrollment, we  
14 estimate that it's only going to catch about 75 percent  
15 of the eligible consumers in any event. That's a  
16 reason why we still need to do outreach, even in the  
17 States where there is automatic enrollment.

18                   So I will say this is a little bit of a  
19 mystery to me. I would have thought Florida, with  
20 their -- Florida seems to do the same level of outreach  
21 and pay the same level of attention as California does.  
22 So once I saw the map for this year, we don't really

1 know why that's the case. I can guess in California,  
2 but if that's the case, why wouldn't Florida be the  
3 same? So I don't know for sure.

4 MR. RUMELT: But what we do know is that  
5 additional outreach is needed. All the materials we  
6 have here, I believe all of them, are available online,  
7 including the toolkit that has the draft letters and  
8 news releases and I think a proclamation in there. So  
9 look it over, and if there's any way that you can help  
10 spread the word about this very important program that  
11 could help some of the most vulnerable consumers, we  
12 hope you will do so.

13 We're going to kick the event off on Capitol  
14 Hill September 13th, and we're hoping that will have  
15 some national ripple effect perhaps, and we are looking  
16 forward to a lot of activities in the States. And if  
17 you can be among those, hosting an event or trying to  
18 get some news coverage or sending out the news release,  
19 that would be extremely helpful.

20 So join us in the effort to make more  
21 consumers aware of this program.

22 MS. KRAVETZ: If you'd like to know what

1 might be going on in your State, we would be more --  
2 just give one of us a call, and of course, we didn't  
3 provide our information. But Scott knows how to reach  
4 us.

5 MR. MARSHALL: Right.

6 MS. KRAVETZ: And we'd be more than happy to  
7 put you in touch with someone at your PUC who is  
8 working on Lifeline and knows all about this. The  
9 folks at NARUC have been working two angles, one with  
10 the State staff that work on Lifeline in PUCs and also  
11 with the public affairs folks in the PUCs on this.

12 So we should have a pretty good idea going  
13 forward what commitments have already been made in each  
14 State. We're not expecting a huge number of events.  
15 But, for example, in Maryland last year, there was a  
16 great event with the PSC and Verizon showed up together  
17 to work with a bunch of seniors and help them  
18 understand whether they were eligible and how to apply.

19 So we're just looking to spread the word,  
20 looking for additional partners in outreach this week  
21 on Lifeline/Link-Up. We're hoping to get -- if we're  
22 lucky and the stars align, we'll have an op/ed signed

1 by FCC, NARUC, and NASUCA in a major daily. If we  
2 can't get that, we're still going to look for placing  
3 it in some local papers. So any help we can get  
4 publicizing it would be terrific.

5 MS. BERLYN: Great.

6 MR. RUMELT: Any questions? I know there was  
7 a lot of interest at the last fall meeting because the  
8 low-income program was addressed, but we wanted to make  
9 sure you were aware of this week, a very important  
10 activity to help bring up the application and the take  
11 rate for the program.

12 MS. KRAVETZ: Great. So I want to make clear  
13 there are a couple of single-page documents in your  
14 packet that are actually not available online. If you  
15 need them available electronically -- oh, actually,  
16 they are because you've sent them.

17 MR. MARSHALL: I've sent them to everyone.  
18 Yes.

19 MS. KRAVETZ: Okay. So you do have them.

20 MR. MARSHALL: What you sent me -- this is  
21 Scott speaking. What you sent me earlier today  
22 everyone has.



1                   MR. RUMELT: I assume when we get the various  
2 Web sites up and running, we can send you the links to  
3 those, Scott, I hope, and you'll pass that along?

4                   MR. MARSHALL: Absolutely.

5                   MR. RUMELT: Great.

6                   MS. BERLYN: Good.

7                   MR. MARSHALL: Any comments from the phone?  
8 Could we pause for a moment in case someone on the  
9 phone --

10                  MS. BERLYN: For any questions or comments  
11 from CAC members on the phone?

12                  MS. HAMLIN: This is Lisa. I just wanted to  
13 make sure because I didn't see the URL on this here.  
14 Did you say, and I don't know if I missed it, that you  
15 will be sending us the link to it or some way for us to  
16 find where this is online?

17                  MR. RUMELT: We'll send it to Scott, and  
18 he'll make sure you get it.

19                  MS. HAMLIN: Thank you.

20                  MS. KRAVETZ: Scott, didn't you say you had  
21 sent these same materials out to the entire list this  
22 afternoon?

1 MR. MARSHALL: That's correct.

2 MR. RUMELT: But we'll send the link --

3 MS. BERLYN: You have them in electronic  
4 form.

5 MS. HAMLIN: I just checked. Yes, I see that  
6 I'm getting it electronically. But I also wanted to be  
7 able to direct other people to it if they want it.

8 MR. RUMELT: We'll send the link, and we do  
9 have hopes of setting up a calendar of events that are  
10 scheduled around the country so everyone will know.

11 MS. BERLYN: Great. Excellent.

12 MS. HAMLIN: Thank you.

13 MS. BERLYN: Thank you both so much.

14 Okay. That concludes our business. Is there  
15 any other business? Any new business?

16 [No response.]

17 MS. BERLYN: Hearing none, shall someone move  
18 to adjourn?

19 [No response.]

20 MS. BERLYN: Anyone still there?

21 [Laughter.]

22 MS. HAMLIN: I'll move.

1 MS. BERLYN: Hello.

2 FEMALE SPEAKER: Second.

3 MS. BERLYN: Okay. All those in favor of  
4 adjournment? Anyone opposed to adjournment? I think  
5 we are adjourned.

6 MR. MARSHALL: Thank you very much,  
7 everybody.

8 MS. BERLYN: Thank you all. We'll be in  
9 touch shortly about the next meeting.

10 [Whereupon, at 3:15 p.m., the meeting was  
11 adjourned.]

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