



FEDERAL COMMUNICATIONS COMMISSION

April 25, 2012

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Edolphus Towns  
U.S. House of Representatives  
2232 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Towns:

Thank you for your letter urging the Commission to make payphone service eligible for support from the Universal Service Fund (USF). I will ensure that your letter is included in the record of the Commission's USF reform proceedings.

On December 6, 2010, the American Public Communications Council (APCC) filed a Petition for Rulemaking and an Emergency Petition for Interim Relief requesting that the Commission make payphone service eligible for Lifeline USF support. After careful consideration, the Commission unanimously denied the APCC petitions in its January *Lifeline Reform Order*. The Commission questioned whether the requested relief was consistent with Section 254 of the Communications Act and reaffirmed its longstanding policy that Lifeline is intended to benefit low-income consumers, not service providers. It also noted that the declining demand for payphone service acknowledged by APCC in its petitions conflicted with the requirement in Section 254 that the Commission define services eligible for USF support as those that "have, through the operation of market choices by customers, been subscribed to by a substantial majority of residential customers."

I appreciate your concern about the availability of reliable communications during periods of emergency, and the important role that the public payphone system has played in times of crisis. As the use of public payphones declines, the Commission continues its work to ensure that the public and first responders have the communications systems that they need. Although the Commission denied the petitions to make payphone service eligible for Lifeline support, this support is available for eligible low-income consumers for both wireline and wireless service. Commission staff also conducts ongoing outreach with industry and first responders, seeking solutions and industry best practices on public safety issues that you highlight, including loss or overload of wireless networks. The Commission issued a *Notice of Inquiry* in April 2011 on a range of issues to ensure the reliability and resiliency of the Nation's communications networks. This proceeding has received substantial public participation.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to be "Julius Genachowski", is written over a horizontal line. The signature is fluid and cursive.

Julius Genachowski