



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 3rd Floor, Suite 314
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

TELECOMMUNICATIONS

ORDER

IN THE MATTER OF LIFELINE AND LINKUP REFORM)	
)	DOCKET NO. TO12050367
)	
IN THE MATTER OF THE APPLICATION OF VERIZON NEW JERSEY, INC. FOR APPROVAL (I) OF A NEW PLAN FOR AN ALTERNATIVE FORM OF REGULATION AND (II) TO RECLASSIFY MULTI-LINE RATE REGULATED BUSINESS SERVICES AS COMPETITIVE SERVICE, AND COMPLIANCE FILING)	
)	DOCKET NO. TO01020095
)	
IN THE MATTER OF THE APPLICATION OF UNITED TELEPHONE COMPANY OF NEW JERSEY, INC. D/B/A EMBARQ FOR APPROVAL OF A PLAN FOR ALTERNATIVE REGULATION)	
)	DOCKET NO. TO08060451
)	
IN THE MATTER OF THE APPLICATION OF WARWICK VALLEY TELEPHONE COMPANY D/B/A WVT COMMUNICATIONS FOR APPROVAL OF A PLAN FOR AN ALTERNATIVE FORM OF REGULATION)	
)	DOCKET NO. TO09010084

Parties of Record:

Stefanie A. Brand, Director, New Jersey Division of Rate Counsel
Richard C. Fipphen, Esq., for Verizon New Jersey, Inc.
William K. Mosca, Esq., for Alteva of Warwick, f/k/a Warwick Valley Telephone Co.
Sue Benedek, Esq., for United Telephone of New Jersey, Inc. d/b/a CenturyLink
Elaine Divelbliss, Esq., for Virgin Mobile USA
Stephen Athanson, Esq., for Tracfone

BY THE BOARD:

On March 31, 2016, the Federal Communications Commission ("FCC") adopted the Lifeline Modernization Order ("FCC Lifeline Order"), setting forth significant changes to the Federal

Lifeline program which are applicable to all states, including New Jersey.¹ Among various program administration changes, the FCC Order streamlined consumer eligibility for Lifeline support by revising the list of qualifying programs. (FCC Lifeline Order at ¶167) Effective December 1, 2016, the FCC removed the Low-Income Home Energy Assistance Program (“LIHEAP”), National School Lunch Program’s free lunch program (“NSLP”), and Temporary Assistance for Needy Families (“TANF”) from the default federal assistance eligibility for Lifeline. The FCC also removed state-specific eligibility criteria for Lifeline support. (FCC Lifeline Order at ¶212).² Eligibility for the federal Lifeline program includes households who qualify for and receive assistance from the Supplemental Nutrition Assistance Program (“SNAP”), Medicaid, Supplemental Security Income (“SSI”), Federal Public Housing Assistance (“FPHA”), and the Veteran’s Pension Program and Survivor’s Benefit Program, or who provide proof that their household income is at or below 135 percent of the Federal Poverty Guidelines.³

By letter dated November 14, 2016, the Board’s Office of Cable Television and Telecommunications provided notice to all Eligible Telecommunications Carriers (“ETCs”) operating in New Jersey that the existing New Jersey Lifeline Eligibility database would be modified to eliminate the state-specific programs which are no longer being used for eligibility, pursuant to the FCC Lifeline Order. The Board’s April 24, 2014 Order in this matter instructed all carriers designated as an ETC by the Board to provide Lifeline service in New Jersey to utilize the New Jersey Lifeline Eligibility database prior to enrolling any applicant for Lifeline service.

As part of previously approved Plans for Alternative Regulation (“PARs”), the Board required Verizon New Jersey Inc. (“Verizon”) (Docket No. TO01020095, August 19, 2003 Decision and Order), United Telephone Company of New Jersey Inc., d/b/a CenturyLink (“CenturyLink”), f/d/b/a Embarq (Docket No. TO08060451, August 20, 2008 Decision and Order), and Alteva of Warwick LLC f/k/a Warwick Valley Telephone Co. (“Alteva”) (Docket No. TO09010084 Order) to offer Lifeline service to eligible parties under expanded eligibility criteria as set forth in previous orders issued by the Board and the FCC.⁴ To avoid any conflicts with the streamlined eligibility requirements in the FCC Lifeline Order, the Board has determined that it must waive the prior eligibility requirements and state-specific criteria as currently delineated in the PARs for Verizon, CenturyLink and Alteva to the extent they are inconsistent with the FCC Lifeline Order.

Therefore, the Board **HEREBY AMENDS** the eligibility criteria for Lifeline service offered by all ETCs in New Jersey consistent with the programs as delineated in the FCC Lifeline Order. To the extent that the eligibility criteria for the Lifeline programs required to be offered pursuant to the PARs for Verizon, CenturyLink and Alteva are inconsistent with the FCC Lifeline Order, they are **HEREBY WAIVED**. This waiver is limited to the eligibility criteria for Lifeline applicants and does not relieve Verizon, CenturyLink and Alteva of any other obligations under their respective PARs, nor does it modify, amend or suspend any provisions of their respective PARs. Verizon, CenturyLink and Alteva are still required to maintain their Lifeline programs consistent with the changes outlined in the FCC Lifeline Order.

¹ The FCC Order is available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-38A1.pdf

² NJ-specific eligibility criteria included households receiving General Assistance (GA) and Pharmaceutical Assistance to the Aged and Disabled (PAAD).

³ The income based eligibility at or below 135 percent of the federal poverty level as well as certain tribal assistance programs were retained under the FCC Order. FCC Lifeline Order at ¶167.

⁴ Under the expanded Lifeline Programs approved under the PARs, eligibility included low-income senior customers (65 and over) at or below 150 percent of the federal poverty level.

The Board **HEREBY DIRECTS** all ETCs to file newly revised Tariff pages and/or Terms of Service of its Lifeline Program within 10 days of the effective date of this Order.

This Order shall be effective on December 22, 2016.

DATED: 12/12/16

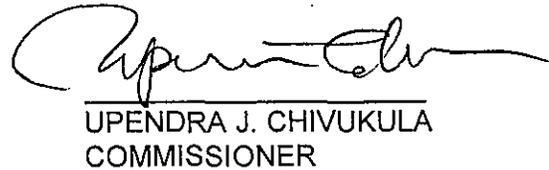
BOARD OF PUBLIC UTILITIES
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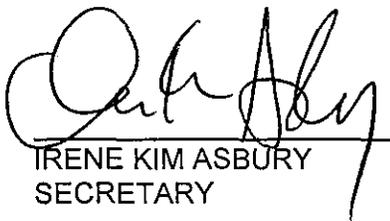

RICHARD S. MROZ
PRESIDENT


JOSEPH L. FIORDALISO
COMMISSIONER

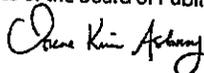

MARY-ANNA HOLDEN
COMMISSIONER


DIANNE SOLOMON
COMMISSIONER


UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST: 
IRENE KIM ASBURY
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



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