**Section 139.105 - Title 17. Corporation Commission**

A. Each ~~local exchange~~ telecommunications ~~service provider~~ carrier or wireless carrier who receives funding from the Federal Lifeline Program shall be required, as part of being designated as an Eligible Telecommunications Carrier in Oklahoma, to participate in the Oklahoma Lifeline Fund and shall file tariffs with the Corporation Commission implementing a program to ~~provide a full waiver of the End User Common Line Charge on the monthly basic service rate of qualifying customers~~ apply appropriate Lifeline support amounts to reduce monthly charges for qualifying residential retail services provided directly to qualifying low-income consumers. ~~Eligibility~~ Qualification criteria for ~~this~~ the Oklahoma Lifeline Fund program shall comply with the provisions of 47 C.F.R.~~, Section 69.104(k)(1)~~ § 54.409 and shall be limited to customers who demonstrate eligibility under the requirements at 47 C.F.R. § 54.410.~~:~~

~~1. Are eligible for or receive assistance or benefits, as certified by the Department of Human Services, under programs providing:~~

~~a. Temporary Assistance to Needy Families,~~

~~b. Food Stamps,~~

~~c. Medical Assistance, or~~

~~d. Supplemental Security Income;~~

~~2. Are eligible for or receive assistance or benefits, as certified by the State Department of Rehabilitation Services, under programs providing vocational rehabilitation, including, but not limited to, aid to the deaf or hard-of-hearing; or~~

~~3. Are eligible for or receive assistance or benefits, as certified by the Oklahoma Tax Commission, pursuant to the Sales Tax Relief Act.~~

B. There is hereby created within the Corporation Commission the "Oklahoma Lifeline Fund" (“OLF”). The Commission shall administer and maintain the ~~Oklahoma Lifeline Fund~~ OLF to help ensure that low-income Oklahomans are provided financial assistance in maintaining ~~basic local exchange telecommunications service~~ qualifying residential voice telephony and / or Broadband Internet Services. Proceeds from the ~~Oklahoma Lifeline Fund~~ OLF shall be distributed to all ~~local exchange~~ telecommunications ~~service providers~~ carriers or wireless carriers who are ~~required to file lifeline tariffs~~ designated by the Commission as an Eligible Telecommunications Carrier (“ETC”) in Oklahoma and be based on the prices set forth in the ETC’s Lifeline tariff or informational tariff on file with the Commission.

C. The Oklahoma Lifeline Fund charges shall be levied, collected, and administered pursuant to Section 139.107 of this title. Telecommunications carriers may, at their option, recover from their retail customers who are not eligible for lifeline assistance, on an equitable basis, the amount of the ~~lifeline~~ Lifeline Fund charges paid by the carrier. The Oklahoma Lifeline Fund charges shall not be subject to state or local taxes or franchise fees.

D. An ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier may not receive reimbursements from the Oklahoma Lifeline Fund unless it demonstrates that its rates have been reduced by an amount equal to the amount of the Lifeline payments which would have otherwise been ~~previously~~ included in the rate structure of the carrier. A carrier shall be eligible for support from the Oklahoma Lifeline Fund for any amount ~~which is greater than the amount which has been previously included in the rate structure of the carrier~~ remaining after application of all federal Lifeline support to its retail rates up to the total amount of the retail rate or the maximum amount of Oklahoma Lifeline support, whichever is less.

E. After May 16, 2013, an ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier shall not receive reimbursements from the Oklahoma Lifeline Fund until it provides documentation in the approved format to the Director of the Public Utility Division of the Corporation Commission confirming its compliance with federal and state guidelines and rules and establishes an ongoing process for providing documentation in the approved format to the Director of the Public Utility Division of the Corporation Commission demonstrating that the ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier:

1. Is collecting and maintaining reliable records regarding the verification of initial and continued eligibility for Lifeline services; and

2. Is in compliance with the Corporation Commission and Federal Communications Commission rules and regulations for Lifeline services.

F. In order to satisfy the provisions of paragraph 1 of subsection E of this section, an ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier shall obtain in writing the following information from the customer seeking Lifeline service:

1. The customer's name;

2. The last four digits of the customer's social security number or tribal identification number if the customer does not have a social security number;

3. The customer's date of birth; ~~and~~

4. The customer's ~~billing~~ primary residential address and billing address, if different than the primary residential address; and~~.~~

5. Documentation of eligibility to be retained by eligible telecommunications carriers for as long as the subscriber receives Lifeline support from the carrier but for no less than the full three preceding calendar years.

G. Additionally, an ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier seeking reimbursement from the Oklahoma Universal Service Fund for the provisioning of Lifeline service must obtain a certified statement in writing from the customer at the time Lifeline services are initially requested and on an annual basis thereafter that:

1. The customer seeking Lifeline services participates in one of the programs listed in subsection A of this section;

2. The telephone service location to which the certification applies is the customer's primary residential service address rather than a second home or business;

3. If in the future the customer no longer participates in or qualifies for at least one of the programs listed in subsection A of this section, the customer will notify the eligible telecommunications carrier within thirty (30) days;

4. The telephone service which is being requested is listed in the customer's legal name;

5. The customer is eighteen (18) years of age or older and is not claimed as a dependent on another person's tax return; and

6. The customer's ~~residence~~ household, as that term is defined at 47 C.F.R. § 54.400(h), will only receive one Lifeline service benefit and, to the best of the customer's knowledge and verified by the Eligible Telecommunications Carrier through completion of a federal one-per-household worksheet as required by 47 C.F.R § 54.410(g), is not already receiving Lifeline service.

H. If the customer seeking Lifeline service does not have a primary residential address, the eligible telecommunications carrier seeking reimbursement from the Oklahoma Universal Service Fund for the provision of Lifeline service must obtain a certified statement in writing from the customer that the address provided is temporary and that the customer will recertify his or her temporary address every ninety (90) days.

I. ~~In~~ Until the National Verifier is responsible for the initial determination of a subscriber’s eligibility as well as the annual re-certification of a subscriber’s eligibility, order to obtain reimbursement from the Oklahoma Universal Service Fund, the ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier must also obtain a certified statement in writing from the customer, at the time Lifeline services are initially requested and on an annual basis thereafter, that the customer has read, understands and acknowledges the following:

1. The ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier or its duly appointed representative has authorization to access any records required to verify the statements made by the customer in order to confirm continued participation in any of the programs listed in subsection A of this section, and authorizes representatives of those programs to discuss with and/or provide copies to the ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier or its duly appointed representative to verify the customer's eligibility for and participation in any of the programs listed in subsection A of this section; and

2. The ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier is authorized to transmit to any governmental entity or its designee handling a Lifeline accountability database the customer's full name, full residential address, date of birth, and the last four digits of the customer's social security number or tribal identification number if the customer does not have a social security number, the telephone number associated with the Lifeline service provided, the date on which Lifeline service will or has begun, the date on which the Lifeline service ends, the amount of support sought by the company and the means through which one qualifies for program benefits. The customer must also acknowledge that transmission of this information is required to ensure the proper administration of the Lifeline program and that if the customer refuses to have this information transmitted to the administrator, he or she will be denied Lifeline service; and

3. The ~~eligible telecommunications carrier~~ Eligible Telecommunications Carrier seeking reimbursement from the Oklahoma Universal Service Fund for the provisioning of Lifeline services shall also note on the certified written statement obtained from the customer the name of the employee or representative who verified the customer's eligibility for Lifeline service and the type of documentation reviewed.

~~I.~~J. The Corporation Commission is authorized to promulgate rules necessary to implement the provisions of this section, including the establishment of fines of up to Ten Thousand Dollars ($10,000.00) per day per violation. A telecommunications carrier may be fined by the Corporation Commission for marketing practices determined by an administrative law judge to be in violation of the Corporation Commission's rules and noncompliance with other provisions of the Oklahoma Lifeline Fund program rules, as the Corporation Commission may deem proper after notice and opportunity for hearing.

~~J.~~K. The amount reimbursed from the Oklahoma Lifeline Fund for the provision of Lifeline service shall not exceed ~~two cents ($0.02) per month per Lifeline subscriber~~ ten dollars ($10.00) per month per Lifeline subscriber located in Non-Tribal areas and Federally designated Tribal areas that do not qualify for Federal enhanced support and one dollar ($1.00) per month per Lifeline subscriber located in Federally designated Tribal areas that qualify for Federal enhanced support as provided at 47 C.F.R. § 54.403(a)(3).