

**THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Susan K. Duffy

In the Matter of a General Investigation to)
Address Issues Concerning the Kansas Lifeline) Docket No. 16-GIMT-575-GIT
Service Program.)

**ORDER WAIVING KLSP RECERTIFICATION AND REVERIFICATION RULES
AND REVISING THE INCOME DOCUMENTATION REQUIREMENT
UNTIL DECEMBER 31, 2021**

This matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and decision. Having reviewed the pleadings and record, the Commission makes the following findings:

1. On October 18, 2016, the Commission issued an Order Modifying Kansas Lifeline Service Program (KLSP) Requirements; and Soliciting Further Comment.¹ On October 18, 2016, the Commission concluded that it would, among other things, adopt the Federal Communications Commission's (FCC) re-certification rules in 47 C.F.R. § 54.410(f) and de-enrollment rules in 47 C.F.R. § 54.405(e), including deadlines and timelines contained therein for the KLSP.²

2. On March 30, 2020, in *In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42, the FCC announced that due to the COVID-19 outbreak: (1) the Wireline Competition Bureau temporarily waived the Lifeline program's usage requirements and general de-enrollment procedures until May 29, 2020; (2) the FCC extended its previous waiver of the Lifeline program's recertification and reverification rules to May 29,

¹ Order Modifying Kansas Lifeline Service Program (KLSP) Requirements; Soliciting Further Comment, October 18, 2016.

² *Id.*, ¶ 11.

2020, to ensure that all of the waiver periods for Lifeline’s de-enrollment rules would have the same duration; and (3) the FCC directed the Universal Service Administrative Company (USAC), which administers the federal Lifeline program, to pause any involuntary de-enrollment of existing subscribers. As a result, on April 14, 2020, the Commission issued an Order Waiving KLSP Recertification and Reverification Rules Until May 29, 2020 (April 14 Order).

3. Since the Commission previously adopted the FCC’s recertification and de-enrollment regulations and timelines for the KLSP, in its April 14 Order, the Commission waived the KLSP’s re-certification and de-enrollment rules to May 29, 2020, to coincide with the FCC’s actions and stated it would follow suit if the FCC issued additional delays to these regulations and timelines.³

4. Since the April 14 Order, due to the COVID-19 pandemic, the FCC has issued several orders extending its recent waivers of the Lifeline program’s recertification, reverification, general de-enrollment, usage requirements, and the requirement for consumers seeking to demonstrate income-based qualification for the Lifeline program to provide at least three consecutive months of documentation to confirm their income and authorized consumers to submit an official document, such as notice of unemployment benefits payments or notice of a successfully submitted application for unemployment benefits, confirming their current income to demonstrate their income-based eligibility for Lifeline support.

5. As a result of the FCC’s actions, the Commission waived the KLSP’s re-certification and de-enrollment rules to September 30, 2021, to coincide with the FCC’s actions and, until September 30, 2021, waived the requirement for consumers seeking to qualify for the Lifeline program based on income to present documentation covering three consecutive months

³ Order Waiving KLSP Recertification and Reverification Rules Until May 29, 2020, Apr. 14, 2020, ¶ 5.

and, instead, allow customers to submit an official document, including notice of unemployment benefits, to confirm their current income to demonstrate their eligibility for KLSP.⁴ In granting the limited waiver, service providers remain otherwise subject to audits and investigations to determine compliance with Lifeline program rules and requirements.⁵

6. On September 22, 2021, *In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42, the FCC extended its waivers of the Lifeline program's recertification, reverification, general de-enrollment, and usage requirements until December 31, 2021. The FCC also extended its waiver of the requirement for consumers seeking to demonstrate income-based qualification for the Lifeline program to provide at least three consecutive months of documentation to confirm their income and authorized consumers to submit an official document, such as notice of unemployment benefits payments or notice of a successfully submitted application for unemployment benefits, confirming their current income to demonstrate their income-based eligibility for Lifeline support until December 31, 2021.

7. Applying the rationale from the Commission's prior Orders, the Commission waives the KLSP's re-certification and de-enrollment rules to December 31, 2021, to coincide with the FCC's actions and, until December 31, 2021, waives the requirement for consumers seeking to qualify for the Lifeline program based on income to present documentation covering three consecutive months and, instead, allow customers to submit an official document, including notice of unemployment benefits, to confirm their current income to demonstrate their eligibility for KLSP.

⁴ Order Waiving KLSP Recertification and Reverification Rules Until September 30, 2021, July 1, 2021, ¶ 16.

⁵ *Id.*, ¶ 17.

THEREFORE, THE COMMISSION ORDERS:

A. The KLSP's re-certification and de-enrollment rules are waived until December 31, 2021, to coincide with the FCC's actions.

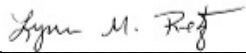
B. The Commission waives the requirement, for consumers seeking to qualify for the KLSP based on income to present documentation covering three consecutive months and allows customers to submit an official document, including notice of unemployment benefits payments or notice of a successfully submitted application for unemployment benefits, to confirm their current income to demonstrate their eligibility for KLSP, until December 31, 2021. The income documentation must satisfy the requirements outlined by the FCC and further defined by the USAC.

C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).⁶

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Duffy, Commissioner

Dated: 09/30/2021



Lynn M. Retz
Executive Director

BGF

⁶ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

CERTIFICATE OF SERVICE

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I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 09/30/2021.

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