

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

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

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 FOR
LIFELINE SUBSCRIBERS RESIDING IN TRIBAL LANDS UNTIL APRIL 30, 2023**

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 July 12, 2016, the Commission issued an Order Opening Docket; Soliciting Comments; Procedural Matters and Schedule (Order), soliciting comments for possible changes to the Kansas Lifeline Service Program (KLSP) as a result of changes to the federal Lifeline program since the Commission last modified the KLSP in Docket No. 10-GIMT-658-GIT (10-658 Docket). The Order included Commission Staff's (Staff) Report and Recommendation (R&R) dated June 29, 2016, examining federal Lifeline changes since the 10-658 Docket. In relevant part, Staff's analysis addressed Program Eligibility and Income Criterion and Recertification & De-enrollment.¹

2. On October 18, 2016, the Commission issued an Order Modifying Kansas Lifeline Service Program (KLSP) Requirements; and Soliciting Further Comment, concluding that it would, among other things, adopt the Federal Communications Commission's (FCC) re-

¹ Order Opening Docket; Soliciting Comments; Procedural Matters and Schedule, July 12, 2016.

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 for the KLSP.²

3. Beginning March 17, 2020, the FCC has waived certain Lifeline program rules in eleven previous Orders to provide necessary relief for low-income households.³ On June 30, 2022, in *In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42, the Wireline Competition Bureau (WCB) of the FCC found good cause exists to continue to waive the Lifeline recertification and reverification requirements for those Lifeline subscribers residing on Tribal lands until September 30, 2022.⁴ However, the WCB allowed the other Lifeline COVID-19 waivers to expire as scheduled on June 30, 2022.⁵

4. On January 30, 2023, in *In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42 and Affordable Connectivity Program, WC Docket No. 21-450, the WCB announced it finds good cause exists to continue to waive the Lifeline recertification and reverification requirements for those Lifeline subscribers residing on Tribal lands through April 30, 2023. The WCB's Order also noted that because many Lifeline participants are also enrolled in the Affordable Connectivity Programs (ACP), it found that it is also in the public interest to temporarily waive sections 54.1806(f)(1) and (5), and 54.1809(d), of the Federal Communications Commission's rules for Lifeline subscribers on Tribal lands that also participate in the ACP.

5. Since the Commission has previously determined it would adopt the FCC's recertification and de-enrollment regulations and timelines for the KLSP, the Commission finds

² Order Modifying Kansas Lifeline Service Program (KLSP) Requirements; Soliciting Further Comment, October 18, 2016, ¶ 11.

³ *In the Matter of Lifeline and Link Up Reform and Modernization*, WC Docket No. 11-42, June 30, 2022, ¶ 1.

⁴ *Id.*

⁵ *Id.*

it should waive the KLSP program's recertification and de-enrollment rules for Lifeline Subscribers residing in Tribal Lands until April 30, 2023, to coincide with the FCC's actions. If the FCC issues additional delays to these regulations and timelines, the Commission will follow suit.

THEREFORE, THE COMMISSION ORDERS:

A. The waiver KLSP program's recertification and de-enrollment rules for Lifeline Subscribers residing in Tribal Lands is extended until April 30, 2023, to coincide with the FCC's actions.

B. The parties have 15 days from the date this Order was electronically served to petition for reconsideration.⁶

BY THE COMMISSION IT IS SO ORDERED.

Duffy, Chair; Keen, Commissioner; French, Commissioner

Dated: 02/07/2023



Lynn M. Retz
Executive Director

BGF

⁶ K.S.A. 66-118b; K.S.A. 77-529(a)(1).

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 02/07/2023.

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