

2009 SEP 1 11:53  
Debra McGuire Mercer  
Tel 202.331.8194  
Fax 202.261.0194  
mercercdm@gtlaw.com

August 31, 2009

**OVERNIGHT DELIVERY**

Hon. Jaclyn A. Brilling  
Secretary to the Commission  
New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, New York 12223-1350

2009 SEP - 1 AM 9:53

Re: TracFone Wireless Inc. – Annual Lifeline Certification & Verification

Dear Secretary Brilling:

In accordance with the Notice Regarding Lifeline Verification issued by the Commission on July 27, 2006, in Case 06-C-0890, TracFone Wireless, Inc. ("TracFone") files its Annual Lifeline Certification & Verification form. This form was also filed with the Universal Service Administrative Company on August 31, 2009. As indicated on the enclosed form, TracFone certifies its compliance with this Commission's verification requirements and discloses the results of its verification process.

Please contact me if you have any questions about this submission.

Sincerely,



Debra McGuire Mercer

*Counsel for TracFone Wireless, Inc.*

Enclosure

Safe

August 31, 2009

Low Income Programs  
Universal Service Administrative Company  
2000 L Street, NW, Suite 200  
Washington, DC 20036

In accordance with FCC Rule 54.410 (47 C.F.R. § 54.410), TracFone submits the attached certification and verification of its SafeLink Wireless® Lifeline consumers' qualification for Lifeline. In addition, by this letter, TracFone advises USAC of its compliance with a condition contained in Petition of TracFone Wireless, Inc. for Forbearance from 47 USC § 214(e)(1)(A) and 47 CFR § 54.201(i), 20 FCC Rcd 15095, ¶ 19 (2005) ("Forbearance Order"), that TracFone's Lifeline customers self-certify annually that they are the head of the household and receive Lifeline-supported service only from TracFone.

#### **Annual Lifeline Certification & Verification**

The statistically-valid random sample was taken on July 7, 2009, by the TracFone Wireless team, for all subscribers (program-based and income-based) participating in the sixteen states, launched between August 2008 and July 7, 2009. It was determined that these states followed the Federal Guidelines for Annual Verification. The total sample size base is 685.

For Florida, Florida's Office of Public Counsel (OPC) handles the income-based qualified subscriber verifications for all Eligible Telecommunications Carriers in the State. Therefore, Florida's Annual Verification Form only addresses program-based eligibility verification.

TracFone notified all 685 subscribers in the random sample about the verification requirement multiple times via electronic mail, direct mail, SMS messages, and voicemail. After allocating most of our resources and efforts to contacting each of the subscribers in the random sample, the following results were obtained: ineligible 13% (90); verified 47% (323); and not verified 40% (272). For purposes of this letter, "verified" subscribers are those subscribers in the sample who were contacted and provided valid documentation to prove they are qualified to continue to receive Lifeline service. "Not verified" subscribers are those subscribers in the sample who TracFone attempted to contact, but did not respond to TracFone's request for documentation. Due to the fact that 120 subscribers or 18% of the

base were not able to be contacted because of the transient nature of our subscribers, TracFone believes the actual percent of verified customers to be higher. The subscribers who TracFone was unable to contact (and therefore, from whom TracFone did not receive any response) are included in the "not verified" percentage. Finally, "ineligible" subscribers are those subscribers in the sample who were contacted, but did not provide valid documentation. Subscribers who advised TracFone that they wished to be de-enrolled from TracFone's Lifeline service for any reason are included in the ineligible percentage. In addition, subscribers who were contacted and who provided documentation that did not prove continued eligibility to receive Lifeline service are included in the ineligible percentage. Only five percent (5%) of the subscribers in the sample size were found to be ineligible due to their inability to provide valid documentation of continued eligibility to receive Lifeline service.

Random Sample (88%)		
	Quantity	Percent (%)
Ineligible	90	13%
Verified	323	47%
Not Verified	272	40%
Total	685	100%

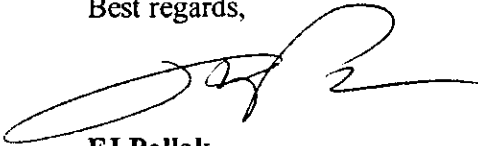
#### **Annual Verification for Head of Household and Only Receiving Lifeline from TracFone**

The FCC's Forbearance Order requires TracFone to verify annually verify that all of its SafeLink Wireless® Lifeline subscribers are the head of household and receive Lifeline-supported service only from TracFone. TracFone's SafeLink Wireless® operations personnel have been proactively contacting the SafeLink Wireless® subscribers via direct mail and electronic mail between 90 and 120 days before each subscriber's service anniversary date. Through these contacts, TracFone requests the SafeLink Wireless® subscribers to self-certify under penalty of perjury that they are the head of household and receive Lifeline service only from TracFone. If TracFone does not receive the requested self-certification from a customer, TracFone terminates the customer's Lifeline benefits on the customer's anniversary month. TracFone has completed the annual verification process required by the Forbearance Order for subscribers who have a service anniversary date in August and September 2009. The results of that process are listed below.

Customer Satisfaction		
	Verified	Not verified*
August	43%	57%
September	48%	52%

\*Not verified are customers who did not respond or who TracFone was unable to contact

Best regards,



**FJ Pollak**  
**President and Chief Executive Officer**

TracFone Wireless, Inc.  
 9700 NW 112th Avenue  
 Medley, Florida 33178

# Annual Lifeline Certification & Verification

Complete Section 1, 2, or 3. Then complete the chart below.

1. ☐ Eligible Telecommunications Carrier (ETC) serving **Federal Default State** (complete columns A through E and sign below)

I certify that the company listed below has procedures in place to verify the continued eligibility of a statistically valid random sample of its Lifeline customers. Results are provided in the chart below. I certify that the company listed below, has procedures in place to review income documentation and that, to the best of my knowledge, the company was presented with documentation of the consumer's household income. I am an officer of the company named below. I am authorized to make this certification for the Study Area(s) listed below.

OR

2. ☒ Eligible Telecommunications Carrier (ETC) serving **Non-Federal Default State** (complete columns A through C and sign below; complete columns D and E if required by your state commission)

I certify that the company listed below is in compliance with the Lifeline and Link Up verification procedures in place in the state(s) listed below. If any Lifeline customers of the company listed below qualify based on income, I certify that the company listed below is in compliance with state Lifeline income certification procedures and that, to the best of my knowledge, documentation of income was presented. I am an officer of the company named below. I am authorized to make this certification for the Study Area(s) listed below.

OR

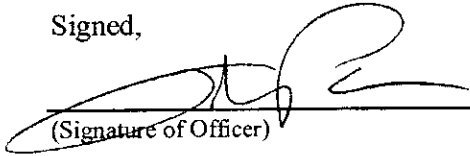
3. ☐ I certify that my company has not claimed federal Low Income support for any Lifeline customers in \_\_\_\_\_ (insert current year).

A	B	C	D	E
Company Name	SAC (6 digit number)	State	Customers Surveyed or Verified	Customers Found to be Ineligible*
TracFone Wireless, Inc	159016	NY	24	19


\* Include customers who did not respond to the survey in the ineligible column.

Signed,

(Printed Name of Officer)

  
(Signature of Officer)

FJ Pollak - President & CEO

(Title of Officer)

July 2008 Edition

(Person Completing this Sample Letter)  
Gina Jasman  
305-715-6755

(Date) 08/31/09

Submit to USAC using only ONE method:

(Contact Phone Number)  
TracFone Wireless, Inc  
9700 NW 112<sup>th</sup> Avenue  
Medley, FL 33178  
(Company Address)

Fax to: (202) 776-0080  
E-mail to: [LiVerifications@usac.org](mailto:LiVerifications@usac.org)  
Mail to: Low Income Program  
2000 L Street, NW, Suite 200  
Washington, DC 20036

## ***Deadline: August 31st***

NOTICE: To implement Section 254 of the Communications Act of 1934, as amended, the Federal Communications Commission has adopted changes to the federal low-income programs. The Commission has expanded the availability of these programs and the level of funding for discounts to low-income customers.

The following worksheet provides a means by which eligible telecommunications carriers may provide their annual Lifeline verification survey results and annual low-income certifications to the Universal Service Administrative Company.

We have estimated that each response to this collection of information will take, on average, four (4) hours for each respondent. Our estimate includes the time to read this data request, review existing records, gather and maintain required data, and complete and review the response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Washington, D.C. 20554, Paperwork Reduction Project (3060-0819). We will also accept your comments on the burden estimate via the internet if you send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). Please DO NOT SEND the data requested to this e-mail address.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it has been approved by the Office of Management and Budget (OMB) and displays a currently valid OMB Control Number. This collection has been assigned OMB Control Number: 3060-0819.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. Section 3501, *et seq.*