April 9, 2020

Filed Via ECFS
Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: Bridging the Digital Divide for Low-Income Consumers, WC Docket No. 17-287; Federal-State Joint Board on Universal Service – Lifeline and Link-Up Reform and Modernization, WC Docket No. 11-42; Telecommunications Carriers Eligible to Receive Universal Service Support, WC Docket No. 09-197

Dear Ms. Dortch:

The undersigned, on behalf of WTA – Advocates for Rural Broadband, submits this letter in the above referenced proceedings in regard to its previously filed Petition for Reconsideration as well as the record developed since public comment was sought via Public Notice on January 30, 2020.

WTA thanks the Wireline Competition Bureau for its fastidious response in delaying mandatory registration for enrollment representatives with the Representative Accountability Database (“RAD”) to May 25, 2020 from March 26, 2020 as a result of the COVID-19 pandemic.1 WTA agrees with the Bureau that the delay reduces the burden of WTA’s members and allows them “to focus their efforts on assisting customers.”2 WTA also applauds the Commission’s efforts to gather service provider commitments to maintain service to their customers affected by the pandemic.

WTA wishes to update the Bureau on the public comments that were filed in the record regarding the Petition. Of note, no parties opposed the Petition while USTelecom and NTCA supported it. USTelecom stated that the Commission has successfully investigated fraud in a Universal Service program before without collecting personally identifiable information of ETC employees.3 It also highlighted the fact that the Commission has failed to provide a clear justification for the policy “given that the Commission has other means for finding the personnel responsible for enrolling a Lifeline consumer without collecting the information.”4 Meanwhile, NTCA correctly pointed out that “differentiated treatment is justified for ETC employees as compared to independent contractors or agents that may serve on behalf of multiple ETCs.”5 It also noted that the Commission did not mandate collection of specific kinds of information and that collecting more detailed information

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1 Lifeline and Link Up Reform and Modernization, Order, WC Docket No. 11-42, released March 17, 2020.
2 Id. ¶ 8.
4 Id. at 3-4.
upfront from sales agents rather than ETC employees (whose identity can be traced through their employment) would still meet the Commission’s objectives.\(^6\)

Due to this consensus, WTA requests that the Commission expeditiously revise its RAD policy. Throughout the proceeding, WTA and others have argued that the RAD should be targeted towards sales agents and independent contractors that enroll Lifeline customers for multiple ETCs and have previously been identified as the chief source of fraud in the Lifeline program.\(^7\) As WTA noted, enrollment representatives directly employed by LECs, and especially RLECs, perform a multitude of duties related to the general customer database rather than just Lifeline enrollment. In fact, Lifeline enrollment represents a small fraction of their overall job responsibilities, and as such, their risk for Lifeline fraud is limited. This is opposite of Lifeline-only ETCs whose business practices largely center on Lifeline enrollment. With this in mind, WTA argued in its Petition that the Commission erred when placing the same registration requirements on both Lifeline-only and facilities-based ETCs. One group warrants more attention and regulation than the other based upon a documented history of waste, fraud, and abuse. Therefore, WTA requests that the Commission revise its RAD policy so that it focuses on preventing fraud by parties that have a history of committing such fraud and allowing parties without such a history to continue operating their businesses with less interruption.

WTA again proposes that USAC collect less intrusive information from enrollment representatives directly employed by facilities-based ETCs such as the employee’s name or worker ID number, work telephone, work email, and work mailing address, which would still allow USAC to trace any waste, fraud, and abuse back to an individual ETC employee in the rare instances it occurs. Should fraud occur by a facilities-based ETC, WTA supports placing stricter RAD requirements on the ETC and its enrollment representatives. WTA also supports placing stricter RAD registration requirements on any sales agents employed by facilities-based ETCs.

Pursuant to Section 1.1206(b) of the Commission's Rules, this submission is being filed for inclusion in the public record of the referenced proceeding.

Respectfully submitted,
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\(^6\) Id. at 3.