

Massachusetts Lifeline Requirements¹

A. Reporting Requirements

1. Each newly designated ETC (those ETCs the Department designates following the implementation of these requirements) shall, within 60 days of designation and prior to offering Lifeline service, submit to the Department:
 - a. a copy of the Lifeline application form that it will use for consumers in Massachusetts;
 - b. copies of all advertising and marketing materials that it plans to use in Massachusetts, including but not limited to print, audio, video, Internet (including e-mail, web, and social networking media), and outdoor signage;
 - c. rates, terms, and conditions of its Lifeline service offering(s) in Massachusetts;
 - d. contact information for the ETC's customer service designee; and
 - e. the ETC's proposed method(s) and timing of annual recertifications and a sample recertification notice.
2. By March 1 of each year, each ETC shall submit to the Department:
 - a. a copy of the certifications filed annually with USAC pursuant to 47 C.F.R. § 54.416(a) (to be filed on FCC Form 555);
 - b. the number of subscribers de-enrolled for non-usage, by month, pursuant to 47 C.F.R. § 54.405(e)(3), if applicable, and the results of the ETC's annual recertification of Massachusetts subscribers as required by 47 C.F.R. § 54.416(b) (to be filed on FCC Form 555, including any revisions); and
 - c. a report of marketing or promotional activities for the previous calendar year, to include a description of media services used; methods of marketing; samples of advertisements published in Massachusetts from a variety of media; event appearances and zip codes of those events; and any other mass marketing activities conducted.
3. By July 1 of each year, each ETC shall submit to the Department:
 - a. the company name; names of the company's holding company, operating companies and affiliates; and any branding (a "dba," or "doing-business-as company" or brand designation) as well as relevant universal service identifiers for each such entity by Study Area Code, as required by 47 C.F.R. § 54.422(a)(1) (to be filed on FCC Form 481, including any revisions);
 - b. information describing the terms and conditions of any voice telephony service plans offered to Lifeline subscribers, including details on the number of minutes provided as part of the plan, additional charges, if any, for toll calls, and rates for each such plan, as required by 47 C.F.R. § 54.422(a)(2). If the ETC offers plans to Lifeline subscribers that are generally available to the public, it may provide summary information regarding such plans, such as a link to a public website outlining the terms and conditions of such plans (to be filed on FCC Form 481, including any revisions); and

¹

Unless otherwise noted, these requirements shall apply only to ETCs receiving low-income support from USAC for Massachusetts subscribers during the relevant reporting period.

- c. a report of the number of complaints related to the Lifeline program during the previous calendar year per 1,000 Lifeline subscribers in Massachusetts (if not provided on FCC Form 481).
- 4. Each ETC shall notify the Department of the following events within 30 days of the event's occurrence:
 - a. its ETC designation has been suspended, revoked, relinquished, or in any way withdrawn or removed in any jurisdiction;
 - b. the FCC, a state utilities commission, a court, or any government agency has rendered or entered a finding, civil judgment, or settlement (including consent decrees and money judgments) related to the Lifeline program, or a criminal conviction (including plea agreements) related to a dishonest act, false statement, or misuse of the Lifeline program against the ETC, its executive(s), or its senior manager(s);
 - c. any change(s) to the ETC's corporate ownership structure or principal address; and
 - d. any material change(s) to the ETC's method(s) or timing of annual recertifications, or to the sample recertification notice filed pursuant to Requirement A(1)(e).
- 5. Each ETC shall provide to the Department a copy of any final audit report generated pursuant to 47 C.F.R. § 54.420(b) within 30 days of the issuance of the final audit report.
- 6. By July 1 of each year, each wireless ETC shall submit to the Department all information specified in 47 C.F.R. § 54.422(b) (to be filed on FCC Form 481, including any revisions), including:
 - a. detailed information on any outage in the prior calendar year, as that term is defined in 47 C.F.R. § 4.5(a), of at least 30 minutes in duration for each service area in which the ETC is designated for any facilities it owns, operates, leases, or otherwise utilizes that potentially affect:
 - i. at least ten percent of the end users served in a designated service area; or
 - ii. a 911 special facility, as defined in 47 C.F.R. § 4.5(e).
 - iii. Specifically, the ETC's annual report must include information detailing:
 - (A) the date and time of onset of the outage;
 - (B) a brief description of the outage and its resolution;
 - (C) the particular services affected;
 - (D) the geographic areas affected by the outage;
 - (E) steps taken to prevent a similar situation in the future; and
 - (F) the number of customers affected.
 - b. certification of compliance with applicable service quality standards and consumer protection rules; and
 - c. certification that the carrier is able to function in emergency situations as set forth in 47 C.F.R. § 54.202(a)(2).
- 7. Each wireless ETC shall notify the Department of any material change(s) to the rates, terms, or conditions of the ETC's Lifeline service in Massachusetts at least five business days prior to the implementation of the change(s).

8. By March 1 of each year, each non-facilities-based ETC shall submit to the Department:
 - a. a public safety answering point (PSAP) self-certification, confirming that the ETC provides its subscribers with 911 and E911 access; and
 - b. a certification that the ETC paid all applicable 911 fees in the Commonwealth for the previous year.

B. Consumer Safeguards

1. Each wireless ETC shall:
 - a. work in good faith with Department staff to resolve Lifeline subscriber disputes;
 - b. include the Department's Consumer Division contact information on the ETC's website, Lifeline marketing materials (except for television and radio advertising), Lifeline applications, initial sales receipts for Lifeline service, and Lifeline terms and conditions; and
 - c. include information about the availability of the Department's Consumer Division for handling Lifeline complaints on the ETC's website and in its Lifeline terms and conditions.
2. Each ETC that will discontinue offering Lifeline service in Massachusetts shall, at a minimum:
 - a. notify its Lifeline subscribers and the Department 60 days in advance of the ETC's planned discontinuance of Lifeline service in Massachusetts; and
 - b. work in good faith with its Lifeline subscribers and the Department in order to facilitate smooth transition of subscribers to alternative ETCs of the subscribers' choice.
3. Each ETC shall update its Massachusetts Lifeline application within 30 days of changes in eligibility criteria, including Federal Poverty Guideline calculations.