



PUBLIC NOTICE

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COMMENT SOUGHT ON TRACFONE REQUEST FOR MODIFICATION OF CONDITION ADOPTED IN COMMISSION ORDER GRANTING TRACFONE FORBEARANCE FROM ELIGIBLE TELECOMMUNICATIONS CARRIER REQUIREMENTS

CC Docket No. 96-45

Comment Date: July 6, 2009
Reply Comment Date: July 20, 2009

In 2005, the Commission conditionally granted a petition for forbearance filed by TracFone Wireless, Inc. (TracFone) so that TracFone could seek limited designation as an eligible telecommunications carrier (ETC) for the provision of universal service Lifeline support only without providing service at least in part over its own facilities.¹ As a condition of the grant of forbearance, among other requirements, TracFone was ordered to require each of its Lifeline customers to annually self-certify that the customer is the head of household and that the customer receives Lifeline-supported service only from TracFone.²

On April 27, 2009, TracFone filed a petition to modify the condition that TracFone must require each of its Lifeline customers to annually self-certify that they are the head of their household and receive Lifeline-supported service only from TracFone.³ Specifically, TracFone requests that it be allowed to verify annually that its Lifeline customers are heads of households and receive Lifeline-supported service only from TracFone through use of a statistically valid sample of those customers.⁴

¹ See *Federal-State Joint Board on Universal Service, Petition of TracFone Wireless, Inc. for Forbearance from 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(i)*, CC Docket No. 96-45, Order, 20 FCC Rcd 15095, 15098, para. 6 (2005) (*TracFone Forbearance Order*).

² *Id.* at 15103, para. 18. This condition was re-affirmed in the 2008 order designating TracFone as an ETC in certain jurisdictions. *Federal-State Joint Board on Universal Service, TracFone Wireless, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the State of New York, et al.*, CC Docket No. 96-45, Order, 23 FCC Rcd 6206, 6214-15, para. 21 (2008) (*TracFone ETC Designation Order*).

³ Petition for Modification of Annual Verification Condition; CC Docket No. 96-45 (filed Apr. 27, 2009) (TracFone Petition); see also Supplement to Petition for Modification of Annual Verification Condition, CC Docket No. 96-45 (filed Jun. 1, 2009).

⁴ See TracFone Petition at 3; see also 47 C.F.R. § 54.410(c)(2).