

<sup>1</sup> Federal programs qualifying low-income consumers for participation in the Lifeline and Link-Up programs are: A consumer's household with income which must be at or below 135% of the Federal Poverty Guidelines, or a consumer must participate in one of the following federal assistance programs: Medicaid; Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps; Supplemental Security Income (SSI); Federal Public Housing Assistance (Section 8); Low-Income Home Energy Assistance Program (LIHEAP); National School Lunch Program's free lunch program; and Temporary Assistance for Needy Families (TANF). Low-income consumers living on Tribal lands may also qualify by participation in one of several additional assistance programs: Bureau of Indian Affairs general assistance; Tribally-administered TANF; Head Start (only those households meeting its income-qualifying standard); or Food Distribution Program on Indian Reservations (FDPIR). See 47 C.F.R. § 54.409(c).

living on Tribal lands. The FCC stated in the Lifeline Reform Order that, “ We amend our rules to require all states to utilize, at a minimum, the income and program criteria currently utilized by federal default states<sup>2</sup>. In doing so, we establish baseline eligibility requirements on top of which states may adopt additional program or income criteria to address the unique circumstances facing consumers in their states”. The addition in qualifying programs for consumers to participate in the Lifeline program criteria was to begin with April 2012 disbursements. On May 1, 2012, the FCC issued a Public Notice which delayed the implementation date for the regulations implementing changes to the Lifeline program to June 1, 2012. However, the criterion to participate in the Link-Up program, which is now restricted to Indian tribal lands, was effective on April 2, 2012. The effective dates for these changes are April 2, 2012, for Link-Up and June 1, 2012, for Lifeline.

Based on the aforementioned changes for participation in the Link-Up program the Commission shall amend Rule R9-6 as follows:

(2) In order to be eligible for assistance, a residential subscriber must be a **consumer with household income at or below 135% of the Federal Poverty Guidelines**, or a residential subscriber must be a current recipient of: Medicaid; Supplemental Nutrition Assistance Program (SNAP), formerly known as Food Stamps; Supplemental Security Income (SSI); Federal Public Housing Assistance Section 8); Low-Income Home Energy Assistance Program (LIHEAP); **National School Lunch Program’s free lunch program; Tribally-administered TANF; Head Start (only those households meeting its income-qualifying standards); or Food Distribution Program on Indian Reservations (FDPIR).**

Furthermore, the aforementioned criteria to participate in the Lifeline and Link-Up programs by participation in the respective federal qualifying programs are herein adopted for Lifeline and Link-Up benefits. The effective dates for these changes are April 2, 2012, *nunc pro tunc* for Link-Up and June 1, 2012, for Lifeline.

The Lifeline/Link-Up Task Force (Task Force) filed its Semi-Annual Report filed with the Commission on February 15, 2012. The Commission notes that in addressing the Lifeline Reform Order, the Task Force stated that, “Members of the Task Force will

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<sup>2</sup> North Carolina was not cited as a federal default state in the FCC Notice of Proposed Rulemaking, CC Docket No. 96-45 released March 4, 2011.

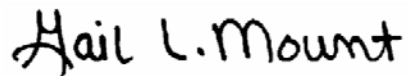
meet and discuss the effect of the changes on Lifeline/Link-Up efforts in North Carolina and make a report in July”.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 25<sup>th</sup> day of June, 2012.

NORTH CAROLINA UTILITIES COMMISSION

A handwritten signature in black ink that reads "Gail L. Mount". The signature is written in a cursive, flowing style.

Gail L. Mount, Chief Clerk

Commissioner Lucy T. Allen did not participate in this decision.

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