

Federal Communications Commission

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working loops reported in § 36.611(h) for the study area;

(2) Thirty percent of the study area average unseparated loop cost per working loop as calculated pursuant to § 36.622(b) in excess of 160 percent of the national average for this cost but not greater than 200 percent of the national average for this cost as calculated pursuant to § 36.622(a) multiplied by the number of working loops reported in § 36.611(h) for the study area;

(3) Sixty percent of the study area average unseparated loop cost per working loop as calculated pursuant to § 36.622(b) in excess of 200 percent of the national average for this cost but not greater than 250 percent of the national average for this cost as calculated pursuant to § 36.622(a) multiplied by the number of working loops reported in § 36.611(h) for the study area; and

(4) Seventy-five percent of the study area average unseparated loop cost per working loop as calculated pursuant to § 36.622(b) in excess of 250 percent of the national average for this cost as calculated pursuant to § 36.622(a) multiplied by the number of working loops reported in § 36.611(h) for the study area.

(e) Beginning April 1, 1989, the expense adjustment calculated pursuant to § 36.631 (c) and (d) shall be adjusted each year to reflect changes in the size of the Universal Service Fund resulting from adjustments calculated pursuant to § 36.612(a) made during the previous year. If the resulting amount exceeds the previous year's fund size, the difference will be added to the amount calculated pursuant to § 36.631 (c) and (d) for the following year. If the adjustments made during the previous year result in a decrease in the size of the funding requirement, the difference will be subtracted from the amount calculated pursuant to § 36.631 (c) and (d) for the following year.

[52 FR 17229, May 6, 1987, as amended at 53 FR 33011 and 33012, Aug. 29, 1988; 63 FR 2125, Jan. 13, 1998; 64 FR 67430, Dec. 1, 1999; 64 FR 73428, Dec. 30, 1999]

TRANSITIONAL EXPENSE ADJUSTMENT

§ 36.641 Transition.

(a) The expense adjustment for 1993 and subsequent years shall be the

amount computed in accordance with § 36.631.

(b) The expense adjustments for 1988 through 1992 shall be as follows:

(1) Three-eighths of the amount computed in accordance with § 36.631 in 1988;

(2) One-half of the amount computed in accordance with § 36.631 in 1989;

(3) Five-eighths of the amount computed in accordance with § 36.631 in 1990;

(4) Three-quarters of the amount computed in accordance with § 36.631 in 1991; and

(5) Seven-eighths of the amount computed in accordance with § 36.631 in 1992.

Subpart G—Lifeline Connection Assistance Expense Allocation

§ 36.701 General.

(a) The Lifeline Connection Assistance Expense portion of the interstate apportionment shall consist of an expense adjustment computed in accordance with this subpart. The expense adjustment will be added to interstate expenses and deducted from state expenses for eligible study areas as defined in this subpart after all other steps required by this part have been completed.

(b) The expense adjustment will be computed as provided in § 36.741.

(c) This subpart shall be effective through December 31, 1997. On January 1, 1998, Lifeline Connection Assistance shall be provided in accordance with part 54, subpart E of this chapter.

[52 FR 17229, May 6, 1987, as amended at 62 FR 32948, June 17, 1997]

DEFINITIONS

§ 36.711 Lifeline connection assistance.

(a) For purposes of this subpart, Lifeline Connection Assistance shall describe the following lifeline telephone assistance for eligible residential subscribers as defined in § 36.711 (b) and (c):

(1) A reduction in the charges for commencing telephone service assessed for a single telephone line per household at the principal place of residence; and/or

(2) A deferred schedule for payment of the charges assessed for commencing

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service, for which the telephone company does not charge interest.

(b) In order to be eligible for assistance when income is verified, a residential subscriber must:

(1) Meet the requirements of a state established income test; and

(2) Not be a dependent for federal income tax purposes as defined in 26 U.S.C. Section 152 (1986) unless the subscriber is more than 60 years of age.

(c) In order to be eligible for assistance when income is not verified, a residential subscriber must meet the eligibility criteria in §36.711 (b)(1) and (b)(2) and:

(1) Have lived at an address where there has been no telephone service for at least three months immediately prior to the date that the assistance described in § 36.711 (a)(1) and/or (a)(2) is requested from the telephone company; and

(2) Not have received assistance pursuant to §36.711 (a)(1) and/or (a)(2) within the last two years, with receipt of such assistance to be measured from the date of initiation of the telephone service for which assistance was provided.

(d) Charges assessed for commencing service include any state tariffed charges levied for connecting a subscriber to the network. These charges do not include security deposit requirements.

[52 FR 17229, May 6, 1987, as amended at 54 FR 16111, Apr. 21, 1989]

TELEPHONE COMPANY ELIGIBILITY

§36.721 Telephone company eligibility for lifeline connection assistance expense allocation.

(a) In order to be entitled to the additional interstate expense adjustment described in this subpart a telephone company:

(1) Must provide Lifeline Connection Assistance as defined in §36.711 (a)(1) and/or (a)(2) to eligible subscribers as defined in §36.711 (b) or (c);

(2) Shall verify that subscribers meet the eligibility criteria set out in §36.711(b) or (c) provided that:

(i) Verification of subscriber eligibility by designated State officials may be substituted for verification by the telephone company;

(ii) If the eligibility criterion in §36.711(b)(1) is verified, then the criteria in §36.711(c) shall not apply;

(iii) If the eligibility criterion in §36.711(b)(1) is self-certified, then the eligibility criteria in §36.711(c)(1) and (c)(2) shall apply and must be verified;

(iv) In all cases, the eligibility criterion in §36.711(b)(2) may be self-certified.

(3) Shall file information with the Commission Secretary demonstrating that it is eligible for the additional interstate expense adjustment.

(4) Shall file information with the Commission Secretary demonstrating that it is eligible for the additional interstate expense adjustment.

(b) The additional interstate expense adjustment shall be effective as soon as the Commission certifies that the State or local telephone company is eligible for the additional interstate expense adjustment, the local exchange company files the data required by §36.731 with the National Exchange Carrier Association, and the relevant tariff provisions become effective.

[52 FR 17229, May 6, 1987, as amended at 54 FR 16111, Apr. 21, 1989]

DATA COLLECTION

§36.731 Submission of information to the National Exchange Carrier Association.

(a) In order to allow calculation of the lifeline expense adjustment each local telephone company wishing to receive the additional interstate expense allocation provided for in this subpart shall provide the National Exchange Carrier Association established pursuant to Part 69 of the Commission's rules with the information listed below for each of its study areas. The information for the succeeding calendar year is to be filed with the Association on June 30th of each year after certification of the plan by the Commission pursuant to §36.721(b). The information filed on June 30th of each year will be used in the jurisdictional allocations underlying the cost support data for the access tariffs to be filed the following October.

(1) An estimate of the number of eligible households which will receive the lifeline assistance described in