

March 30, 2012

Nicholas A. Fraser
Office of Management and Budget
Office of Information and Regulatory Affairs
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By Electronic Mail:
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Re: OMB Control Number 3060-0819; WC Docket Nos. 12-23, 11-42, 03-109, and
CC Docket No. 96-45

Dear Mr. Fraser:

Alaska Communications Systems Group, Inc., on behalf of its operating subsidiaries (“ACS”),¹ hereby comments on the emergency request submitted by the Federal Communications Commission (“FCC” or “Commission”) for Office of Management and Budget (“OMB”) approval, under the Paperwork Reduction Act (“PRA”), of the regulations pending under the above control number.²

The FCC adopted the Lifeline Reform Order³ in February 2012 to implement expansive and comprehensive reforms to the Universal Service Fund’s Lifeline program, and the FCC is continuing its efforts to modernize the Lifeline program as it proceeds with its Further Notice of

¹ In this proceeding Alaska Communications Systems Group, Inc. represents four local exchange carriers, ACS of Alaska, Inc., ACS of Anchorage, Inc., ACS of Fairbanks, Inc., and ACS of the Northland, Inc. (the “ACS ILECs”), as well as ACS Long Distance, Inc., ACS Cable, Inc., ACS Internet, Inc., and ACS Wireless, Inc. Together, these companies provide retail and wholesale wireline and wireless telecommunications, information, broadband, and other services to residential and business customers in the State of Alaska and beyond, using ACS’s intrastate and interstate facilities.

² See 77 Fed. Reg. 13319 (March 6, 2012).

³ See *Lifeline and Link Up Reform and Modernization, Lifeline and Link Up, Federal-State Joint Board on Universal Service, Advancing Broadband Availability Through Digital Literacy Training*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 11-42, WC Docket No. 03-109, CC Docket No. 96-45, WC Docket No. 12-23 (rel. Feb. 6, 2012) (“Lifeline Reform Order”).

Proposed Rulemaking in these dockets. The Lifeline Reform Order revises a host of rules that require detailed changes in carrier processes, billing systems, employee training, subscriber forms, marketing materials, and record retention. Many of these rule changes are scheduled to go into effect less than four months, and in some cases less than two months, after the nearly 170-page order was released. Carriers have barely had time to read and digest the requirements of the order, much less prepare to implement the changes. Further, even in such a short time it is clear that many of the rules will impose significant burdens on carriers with little perceived benefits. Yet, the FCC is rushing to obtain OMB approval so as to set the effective date for many of the sweeping rule changes without having justified the voluminous paperwork requirements that the Lifeline Reform Order will impose, particularly on individuals, small businesses, and state governments.⁴

ACS submits these comments in support of the comments filed by General Communication Inc. (“GCI”), submitted on March 23, 2012, in the above-referenced control number.⁵ Specifically, ACS concurs that the FCC has not justified the paperwork requirements for three particular aspects of the Lifeline Reform Order: (1) verification every 90 days of the address for subscribers listing temporary addresses on their Lifeline forms; (2) submission of two audit reports performed by outside auditors from carriers meeting a certain Lifeline support threshold regarding carrier compliance with Lifeline regulations; and (3) lengthy disclosures in all marketing materials regarding Lifeline program requirements and support.⁶ ACS agrees with GCI that the burdens imposed by these three requirements are “clearly contrary to the PRA and

⁴ The core purpose of the Paperwork Reduction Act is to “minimize the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government.” 44 U.S.C., §3501(1).

⁵ See Letter from John T. Nakahata, Counsel to General Communication Inc., to Nicholas A. Fraser, Office of Management and Budget, referencing OMB Control Number 3060-0819, and WC Docket Nos. 12-23, 11-42, 03-109, and CC Docket No. 96-45, dated March 23, 2012 (“GCI Letter”).

⁶ See GCI Letter at 2.

should be disapproved in the expedited emergency review requested by the Commission” and further that the OMB should “undertake a more searching review of the entire set of Lifeline paperwork burdens during the subsequent regular review period so that it can identify and disapprove all of the information collections on which the Commission has failed to carry its burden under the PRA.”⁷

Emergency approval of the rules associated with the three requirements identified by GCI in its comments is not necessary to implement the fundamental revisions to the Lifeline program. However, implementing these particular requirements without further consideration and reform by the FCC will necessitate that carriers implement the requirements at great cost and with significant employee resources that cannot be justified if the requirements are subsequently eliminated or amended. ACS urges the OMB to reject the FCC’s emergency request and to allow further time for the FCC to address industry concerns related to these requirements.

Respectfully submitted,

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GCI Letter at 3.