

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE UNIVERSAL) CASE NO.
SERVICE FUND) 2016-00059

ORDER

The Commission issues this Order to provide guidance to service providers who are participating in the Federal Communications Commission's (FCC) Emergency Broadband Benefit (EBB) Program. Specifically, this Order will provide guidance regarding Eligible Telecommunications Carriers (ETC) who participate in the EBB and how the EBB discount should be applied.

The FCC, on February 25, 2021, adopted by Order the EBB program.¹ In order to participate, a provider must be designated as an ETC or the FCC may approve a provider's participation.² Participating providers will make available to eligible households a monthly discount up to \$50 per month off the standard rate for an Internet service offering and associated equipment. Participating providers may also offer a one-time discount up to \$100 to eligible households to purchase a device, such as a laptop, desktop computer, or a tablet, if the eligible household contributes more than \$10 and less than \$50 towards the purchase. Eligible Kentucky Lifeline participants do not need to apply

¹ *In the Matter of Emergency Broadband Benefit Program*, Report and Order, WC Dkt 20-445, (FCC 21-29), adopted Feb 25, 2021, rel. Feb 26, 2021. (EBB Order).

² *Id.* at paragraph 10.

for the EBB program but must affirmatively opt into the EBB program with their existing service provider or another participating broadband provider.³

The Commission finds that Kentucky ETC's participating in the EBB program should file with the Commission in this docket a letter that details the service plans offered to Kentucky Lifeline customers, the total cost of the program offered through the EBB, and a description of how the EBB, federal and state Lifeline supports, will be applied to eligible Lifeline plans.

As noted in prior Commission Orders in this docket, the Kentucky Universal Service Fund (KUSF) balance has decreased faster than the Commission anticipated, causing the Commission to increase the per line KUSF monthly surcharge from \$0.07 to \$0.15,⁴ and decreased the KUSF support for providing unlimited voice service from \$8.00 to \$6.00.⁵ Despite these measures, the KUSF balance continues to decrease and, in order to maintain the KUSF's solvency, further measures need to be taken. The Commission, accordingly, finds that for ETCs participating in the EBB Program, where applicable, the ETCs should first seek reimbursement from the federal Lifeline fund, followed by the EBB Program, and seek reimbursement from the KUSF last. For example, if an ETC is seeking \$60 of total EBB and Lifeline reimbursements, it should first apply the \$9.25 FCC Lifeline subsidy, then the \$50 EBB Program subsidy, followed by \$0.75 for the KUSF subsidy.

³ *Id.* at paragraph 52.

⁴ Order (Ky. PSC Jan. 22, 2021) at 2.

⁵ Order (Ky. PSC Apr. 6, 2021) at 2.

The Commission acknowledges that this decision regarding order of reimbursement may not affect all Kentucky ETCs participating in the EBB program, particularly those whose costs to participate in the EBB program exceed the combined reimbursement from the FCC Lifeline program and the EBB program. Nevertheless, the Commission anticipates that this will affect at least some Kentucky ETCs currently receiving KUSF support, and that this temporary reduced draw on the KUSF will allow it to remain solvent and continue to provide support for enhanced voices services in Kentucky.

Based upon the foregoing, IT IS THEREFORE ORDERED that:

1. No later than August 1, 2021, ETCs that are participating in the EBB Program shall file a letter in this docket that details the service plans offered to Kentucky Lifeline customers, the total cost of the program offered through the EBB, and a description of how the EBB, federal and state Lifeline support will be applied to eligible Lifeline plans.
2. For service provided on and after the date of entry of this Order, Kentucky ETCs that participate in the EBB Program shall first seek reimbursement from the FCC Lifeline fund, followed by the EBB Program, and seek reimbursement from the KUSF last.
3. Nothing contained in this Order shall prohibit the Commission from issuing further Orders in this matter.

By the Commission

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JUL 22 2021 rcs
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2016-00059

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