

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of a Proposed Rulemaking)
Regarding the Missouri Universal Service) **File No. TX-2013-0324**
Fund)

COMMENTS OF CRICKET COMMUNICATIONS, INC.

COMES NOW Cricket Communications, Inc. ("Cricket") and respectfully submits the following comments and suggestions to the Missouri Public Service Commission concerning the Proposed Rules in this matter. The Notice of Proposed Rulemaking published in the *Missouri Register* of September 16, 2013 required that comments be filed on or before October 16, 2013 and scheduled a hearing for October 21, 2013. These Comments are filed in response to that notice.

CUSTOMER APPLICATION FORM ISSUE

1. Since the proposed rules were drafted in the fall of 2012, numerous ETCs, including Cricket, have developed electronic customer application forms and systems. These electronic forms and systems have been shown to substantially reduce the risk of fraud and abuse in the Lifeline program since an electronic customer application cannot be completed without computerized verification of the legitimacy of names and addresses and cross-checks to assure no Lifeline customer is enrolled in the program more than once. The electronic systems ensure that no eligible household has more than one Lifeline service, and the electronic application process cannot be completed without the customer's signature having been obtained or without proper certification by authorized company personnel that proof of eligibility has been provided.

2. Staff has seen demonstrations of such computerized Lifeline customer application systems, has seen how they reduce the possibility of fraud and abuse in the application process, and has given tacit approval to their use.

3. The final rule needs to acknowledge the existence and legitimacy of electronic customer application systems.

4. Cricket proposes that language be added to the proposed rule, as follows:

4 CSR 240-31.120 (4) – New; currently-proposed (4) would become (5)

(4) Electronic Lifeline and Disabled Application Forms

1. ETCs may use an electronic Lifeline and/or Disabled application form.
2. If a company uses an electronic form, the following requirements shall apply.
 - A. The electronic form shall comply with all requirements of 47 CFR 54.410(d) and this rule.
 - B. The electronic form shall comport with any FCC-approved compliance plan applicable to that company.
 - C. The electronic form shall clearly delineate all customer obligations and provisions and all acknowledgements that must be provided subject to penalty of law.
 1. Customer obligations, provisions and acknowledgements shall be in a font that is at least as large as the font used in majority of the company-specific form.
 2. Customer obligations, provisions and acknowledgements shall receive no less emphasis than is provided for the majority of the language in the company-specific form.
 - D. An ETC using an electronic form shall, upon request, provide to Staff or the Office of Public Counsel a print-out, or a demonstration, of its electronic customer application form.

RULE WAIVERS

4 CSR 240-31.130 (4) (D)

5. During the collaborative process that led to this proposed rulemaking, various issues were raised, and different versions of language were proposed, concerning waiver provisions. Cricket strongly supports the inclusion of 4 CSR 240-31.130 (4) (D), as proposed, which ensures parties' rights to seek waivers or variances from the proposed rules for good cause shown and provides a process for seeking such waivers or variances.

6. Cricket Communications, Inc. urges the Commission to add to its final rule the language proposed above concerning electronic customer application forms.

Respectfully submitted,

/s/ William D. Steinmeier

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COUNSEL FOR CRICKET
COMMUNICATIONS, INC.

Dated: October 16, 2013

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been served electronically on the Office of Public Counsel at opcservice@ded.mo.gov and on the General Counsel's office at gencounsel@psc.mo.gov this 16th day of October 2013.

/s/ William D. Steinmeier

William D. Steinmeier