

S T A T E O F N E W Y O R K

3446--B

2009-2010 Regular Sessions

I N S E N A T E

March 19, 2009

Introduced by Sens. PERKINS, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to providing for the identification of federal and state assistance programs which qualify recipients for telephone Lifeline service

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The public service law is amended by adding a new section
2 92-g to read as follows:
3 S 92-G. QUALIFICATION FOR TELEPHONE LIFELINE SERVICE. 1. THE COMMIS-
4 SION SHALL ADOPT RULES AND REGULATIONS, IN ACCORDANCE WITH FEDERAL LAWS
5 AND REGULATIONS, WHICH WOULD REQUIRE THAT EVERY TELEPHONE CORPORATION
6 OFFERING A RETAIL LOCAL SERVICE THAT IS DEFINED PURSUANT TO SUBPART E OF
7 PART FIFTY-FOUR OF TITLE FORTY-SEVEN OF THE CODE OF FEDERAL REGULATIONS
8 AS A LIFELINE SERVICE AND RECEIVING FEDERAL UNIVERSAL SERVICE SUPPORT
9 PURSUANT TO SUCH SUBPART FOR SUCH SERVICE PROVIDE SUCH SERVICE TO ALL
10 CUSTOMERS WHO ARE IDENTIFIED BY SUCH COMPANY THROUGH CUSTOMER SUPPLIED
11 INFORMATION OR THROUGH INFORMATION SUPPLIED BY A THIRD PARTY AS A
12 PARTICIPANT OR ELIGIBLE TO BE A PARTICIPANT IN:
13 (A) ANY OF THE FOLLOWING FEDERAL OR STATE ASSISTANCE PROGRAMS:
14 (I) MEDICAID,
15 (II) FOOD STAMPS,
16 (III) SUPPLEMENTAL SECURITY INCOME,
17 (IV) LOW-INCOME HOME ENERGY ASSISTANCE,
18 (V) STATE FAMILY ASSISTANCE,
19 (VI) STATE SAFETY NET ASSISTANCE,

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 (VII) VETERAN'S DISABILITY PENSION,
2 (VIII) VETERAN'S SURVIVING SPOUSE PENSION,
3 (IX) NATIONAL SCHOOL LUNCH PROGRAM,
4 (X) STATE EARNED INCOME TAX CREDIT, OR
5 (XI) CHILD HEALTH PLUS, AS A RECIPIENT OF FREE OR SUBSIDIZED HEALTH
6 COVERAGE, OR FAMILY HEALTH PLUS; OR
7 (B) SUCH ADDITIONAL FEDERAL OR STATE ASSISTANCE PROGRAMS AS MAY BE
8 DESIGNATED BY THE COMMISSION AS A PROGRAM THAT WILL QUALIFY THE PARTIC-
9 IPANT FOR SUCH LIFELINE RATE.

10 2. THE COMMISSION SHALL ADOPT RULES AND REGULATIONS, IN ACCORDANCE
11 WITH FEDERAL LAWS AND REGULATIONS, ESTABLISHING ELIGIBILITY CRITERIA FOR
12 CONSUMERS THAT ARE NOT ENROLLED IN FEDERAL OR STATE ASSISTANCE PROGRAMS
13 THAT WOULD QUALIFY SUCH CONSUMERS FOR SUCH LIFELINE RATE. FOR THE
14 PURPOSES OF THIS SECTION, THE COMMISSION SHALL USE SOLELY INCOME OR
15 OTHER FACTORS DIRECTLY RELATED TO INCOME IN DETERMINING THE ELIGIBILITY
16 CRITERIA.

17 3. THE COMMISSION WILL ALSO ESTABLISH RULES REQUIRING EVERY CABLE
18 TELEVISION COMPANY, AS DEFINED IN SECTION TWO HUNDRED TWELVE OF THIS
19 CHAPTER THAT PROVIDES TELEPHONE SERVICE TO CUSTOMERS IN NEW YORK, TO
20 CONTRIBUTE TO THE TARGETED ASSISTANCE FUND TO HELP SUPPORT COMPANIES
21 THAT CHOOSE TO OFFER LIFELINE SERVICE TO THEIR CUSTOMERS.

22 4. FOR PURPOSES OF THIS SECTION, THE "TARGETED ASSISTANCE FUND" IS A
23 FUND CREATED IN PUBLIC SERVICE COMMISSION CASE 06-02-1998, AND WAS
24 DESIGNED BY THE COMMISSION TO FUND PROGRAMS SUCH AS LIFELINE, EMERGENCY
25 SERVICES (E911), AND THE TELECOMMUNICATIONS RELAY SERVICE FOR THE HEAR-
26 ING IMPAIRED (TRS), ON A COMPETITIVELY NEUTRAL BASIS.

27 S 2. This act shall take effect January 1, 2011.