Affordable Telephone and Internet and Protections from Service Terminations During the COVID-19 Pandemic

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What is Telecommunication?

• Communication over a distance by cable, telegraph, telephone, or broadcast
  • Includes cell phones, landline telephones, cable telephones, internet (DSL and broadband)
• Federal Communications Commission (FCC) has jurisdiction over all interstate and foreign communications by wired and wireless systems
• In New York, the Department of Public Service regulates telecommunications (landline and cable telephone)
  • Not cellular telephone services or Voice over Internet Protocol (VoIP)
NYS Targeted Accessibility Fund (TAF)

- Applies to both wireless and wireline telephone companies
- Provides:
  - State-level funding for Lifeline to supplement federal funding
  - Subsidies for rural and "high-cost" phone service
- PULP Chairs the TAF currently
Lifeline

• Started in 1985 at the FCC to offer discounted phone service to low-income individuals
  • In 2005, Hurricane Katrina’s destruction created a need for wireless lifeline, which vastly enlarged the number of recipients
• In 2016, the FCC ordered changes to Lifeline that affected
  • Eligibility
    • State criteria ended, other criteria ended; annual certification process “federalized”
    • A focus on cost containment began shifting the program for “need-based”
    • The federal subsidy of $9.25 per month began lowering in 2019; it is $7.25 now, $5.25 for 2021 and $0 afterward
  • For wireless, voice requirements increased as did data; currently 1000 minutes of voice and 3gb of 3G speeds (2015 data speeds)
Lifeline (NYS)

- In New York, applies to:
  - Home phone
    - Landlines and Spectrum (fka Time Warner Cable) only
  - Cell phone service (not currently covered by New York’s added subsidy under TAF)
  - Internet
- Only one discount per household
- Broadband providers frequently upsell to “bundles” which eliminates Lifeline discounts
LifeLine Eligibility

• Income at or below 135% of the Federal Poverty Guidelines
• Receipt of:
  • Supplemental Nutrition Assistance Program (SNAP)
  • Supplemental Security Income (SSI)
  • Medicaid
  • Federal Public Housing Assistance
  • Tribal-specific programs (Bureau of Indian Affairs General Assistance, Tribally-Administered Temporary Assistance for Needy Families (TTANF), Food Distribution Program on Indian Reservations (FDPIR), Head Start)
Apply for LifeLine

- If you are eligible based on income or federal program participation:
  - Apply through the National Eligibility Verifier
  - https://www.lifelinesupport.org/national-verifier/
Low-Income Internet Programs from Spectrum, Altice, Verizon (via FiOS)

- Established in 2017 as a condition of Altice’s (fka Cablevision) and Spectrum’s (fka Time Warner) mergers
- Must be a new internet customer and not owe back arrears
- Eligibility varies by internet provider
  - For cable, seniors receiving SSI are eligible, and families with eligibility under the National School Lunch Program (either individual receipt or Community Eligibility Provision)
- Contact your internet provider directly to see if you’re eligible
Changes During COVID-19

- The FCC has temporarily eased its new restrictions on Lifeline;
- **This means that through November 30:**
  - Involuntary de-enrollments of existing subscribers should not occur.
  - There will be no new Lifeline Program integrity reviews announced.
  - Recertification is now on hold for subscribers with anniversary dates between April 14, 2020, and February 28, 2021.
- FCC’s Keep America Connected voluntary pledge ended on July 31, 2020
Changes During COVID-19 (NYS)

- June 17, 2020 Moratorium law signed by Governor Cuomo
  - The law prevents (water, telephone, gas and electric) utility companies from terminating service to residential customers during the pandemic; added municipals
  - Does not include internet; telephone and internet were briefly “voluntarily” covered under the federal Keep America Connected pledge, which ended on July 31, 2020
  - Altice/Optimum and Spectrum and Verizon have recently announced restarts of their low-income internet packages, but retaining prior barriers to eligibility that exclude many New Yorkers and any that owe arrears; some debt forgiveness and DPA expansion
Termination Moratorium Protections

• The moratorium on service terminations will either end: 180 days after the State of Emergency is lifted on October 4, 2020 or on March 31, 2021 (whichever date comes sooner)
  • Customers should self-certify with their telephone provider that they have been impacted by COVID-19 in order to take advantage of the moratorium and Safe Harbor provisions
• Note that the Moratorium allows Internet Service Providers to terminate customers for non-payment and no federal law protections exist
Who to Contact in Case of Issues

- Internet Service/ISPs/Cable Co's
  - FCC and the NYS Attorney General
- Cell phone
  - FCC and the NYS Attorney General
- Cable TV
  - FCC, NY PSC, and local municipality ("franchisor")
- Internet/VoIP Telephones (Ooma, Vonage, "Magic Jack" & most cable-phones
  - FCC and the NYS Attorney General
- Satellite Television
  - FCC and NYS Attorney General
Questions?

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