California LifeLine Program Examination

Air Voice Wireless, LLC (U-4451-C)

For July 1, 2016 to June 30, 2017

Utility Audit, Finance and Compliance Branch

December 23, 2019

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Acknowledgement

The following California Public Utilities Commission staff contributed to the completion of this report:

Angie Williams, Tracy Fok, and Jeff Walter

Executive Summary

The Utility Audit, Finance and Compliance Branch (UAFCB) of the California Public Utilities Commission (CPUC) conducted an examination on Air Voice Wireless, LLC's (Air Voice Wireless or the carrier) compliance with applicable rules and regulations[1] with respect to the California LifeLine (LifeLine) Program for July 1, 2016 through June 30, 2017. As a result of our examination procedures, we noted one finding related to Air Voice Wireless' non-compliance with the applicable rules and regulations as described in the ***Finding and Recommendations*** section of this report.

The following is a summary of the finding:

- Air Voice Wireless was not in compliance with (1) Decision (D.)14-01-036, Conclusion of Law (COL) 41, as it failed to correctly account for the subscribers' program start dates that should have been based on the later of the LifeLine program approval date or the LifeLine service activation date and (2) 47 Code of Federal Regulations (CFR), section 54.407(c)(3) as it failed to de-enroll its subscribers with non-usage of LifeLine services. Consequently, Air Voice Wireless over-claimed and was over-paid by the LifeLine Fund in the amount of $136,638 and incurred an associated interest penalty of $5,278.

  Air Voice Wireless is required to return a total of $141,916[2] ($136,638 overclaimed reimbursement amount and $5,278 in the associated interest penalty) to the LifeLine Fund. In addition, the carrier should do the following:

  1. Strengthen its oversight over its reporting to the LifeLine third party administrator (TPA or Conduent) regarding subscribers' service activation date for the TPA to properly determine subscribers' program start date using the later of the LifeLine program approval date or the service activation date.

  2. Strengthen its internal controls over its de-enrollment process with respect to terminated LifeLine subscribers and LifeLine subscribers with inactivity of LifeLine service usage to ensure proper and timely de-enrollment of these types of subscribers.

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[1] Please refer to Appendix A – Rules and Regulations for the specific CPUC directives with respect to California LifeLine Program.

[2] Per Air Voice Wireless' response dated December 12, 2019 (see Appendix B), it agrees to pay back $142,667, a difference of $751. The minor difference is due to UAFCB's correction of its calculation error in the finding. Air Voice is required to pay $141,916 back to the LifeLine Fund as indicated in the Executive Summary.

Background

California LifeLine (LifeLine) Program

In 1984, the California Public Utilities Commission (CPUC) created the Universal Lifeline Telephone Service (ULTS) program[3] (now known as California LifeLine Program) pursuant to the Moore Universal Service Telephone Act[4] to provide discounted telecommunications services to eligible low-income California households. The goal of the California LifeLine Program (LifeLine) is to make high quality, residential telephone services affordable to all qualified California households through discounts on eligible telecommunications services. The program is funded by a surcharge on all-end-user customer billings for intrastate telecommunications services, except for those enrolled in the LifeLine program. The surcharge is billed and collected by telecommunication carriers which, in turn, remit the surcharge monies to the CPUC.

The CPUC is responsible for the oversight and supervision of the LifeLine program and maintaining an independent TPA to provide clearinghouse services for the LifeLine program.[5] During the examination period, Conduent was hired by the CPUC as the TPA. Conduent received and processed new program subscribers' applications and required supporting documentation to determine their eligibility. Conduent also performed recertification of existing LifeLine subscribers and determined their continued eligibility. Finally, Conduent collected, maintained, generated, and provided important information such as, among other things, the LifeLine subscriber weighted average counts, new connection counts, disconnection and de-enrollment counts for eligible telecommunication carriers (ETC) to prepare and submit their monthly LifeLine reimbursement claims to the CPUC for the costs or revenue loss of providing discounted wireless services to LifeLine subscribers.

In 2010, the CPUC initiated revisions to the LifeLine program due to significant technological and regulatory changes in the telecommunications industry. In D. 10-11-033, the CPUC addressed the most prominent problems confronting the LifeLine program and approved numerous changes including, but are not limited to, the following:

1. "de-linked" of California LifeLine from the AT&T basic rate structure.

2. Adopted a Specific Subsidy Amount (SSA) methodology for reimbursing LifeLine providers and set the SSA at $11.50 effective July 1, 2011.

3. Capped the then current California LifeLine flat service rate of $6.84 and measured service rate of $3.66 until January 1, 2013.

4. Allowed non-traditional carriers, such as wireless carriers and Voice-Over-Internet-Provider (VoIP) companies, to participate in the LifeLine program.

In January 2014, the CPUC adopted further revisions to the LifeLine program to reaffirm its goal of providing "high-quality basic telephone service at affordable rates to the greatest number of California

[3] D.84-11-028
[4] Public Utilities (PU) Code section 871 *et. seq.*
[5] Procedures for the administration of the California LifeLine Program are outlined in General Order (GO) 153.

residents…by making residential service affordable to low-income citizens…"[6] In D.14-01-036, the CPUC adopted rules that authorized the addition of wireless services to the LifeLine program as to enable eligible low-income Californians access wireless voice, text, and data services. The decision requires all program service providers to have a valid Certificate of Public Convenience and Necessity, Wireless Identification Registration, and/or Franchise operating authority from the CPUC. The decision also requires all wireless service plans offered by carriers to the LifeLine program subscribers to be approved by the CPUC. Moreover, this decision approves:

1. The SSA of $5.75 per month and per subscriber to the LifeLine providers that offer qualifying wireless service plans with 501-999 voice minutes.

2. The SSA of $12.65 per month and per subscriber to the LifeLine providers that offer qualifying wireless service plans with 1,000 or more voice minutes.

3. The reimbursement amount for service connection/activation and service conversion charges, which are capped at $39.00 per participant per instance.

The SSA for wireless service plans with 1,000 or more voice minutes increased to $13.20 per month in 2016 and $13.75 per month in 2017 respectively. When combining the subsidies from the LifeLine Fund and the federal universal service fund for carriers that provide Lifeline discounted services to eligible subscribers, the affordability of voice, text, and data plans to eligible low-income Californians has improved significantly.

Air Voice Wireless

Air Voice Wireless, a Michigan-based limited liability company, is an ETC that provides both federal and California Lifeline wireless services to qualifying customers. The carrier offers wireless Lifeline services under the brand name of "Feel Safe Wireless." During the examination period, the carrier offered five types of plan to its LifeLine customers. However, its customers chose only its plan B - unlimited voice and text with 200 Megabytes (MB) data at $22.45 per month (raised to $23 in 2017). Since Air Voice Wireless receives Lifeline subsidies from both federal and California governments to fully cover the costs and revenue loss of the Lifeline discounted services, the carrier did not bill its customers for such services and offered them for free of charges.

Air Voice Wireless received a total of $4,648,190 in California subsidy from the LifeLine Fund in the examination period, July 1, 2016 through June 30, 2017. The carrier had a total of 62,111 LifeLine subscribers as of June 30, 2017.

[6] See PU Code section 871.7(a)

Examination Engagement Process

CPUC Examination Statutory Mandate

Pursuant to the California Public Utilities Code (PU Code), section 274, the CPUC shall conduct a financial and compliance audit (or examination) of program-related costs and activities at least once every three years. Furthermore, pursuant to PU Code, sections 314.5 and 314.6, D.14-01-036, Ordering Paragraph (OP) 30, and the General Order (GO) 153, section 13, the CPUC shall inspect and examine the books and records of the wireless service providers to ensure regulatory compliance.

Examination Objectives and Scope

The overall objective of this examination is to determine whether Air Voice Wireless complied with the applicable rules, regulations, and requirements with respect to the LifeLine Program's related costs, subsidies, and activities for the period of July 1, 2016 through June 30, 2017. Specifically, UAFCB examined the LifeLine reimbursement claims that Air Voice Wireless submitted to the CPUC for the examination period to verify whether the costs included in these claims were in compliance with all applicable CPUC rules and regulations, including but not limited to, GO 153, D.10-11-033, and D.14-01-036.

We focused our examination on the following specific objectives:

1. Determining whether the LifeLine reimbursement claims that Air Voice Wireless submitted to the CPUC were accurate.

2. Evaluating Air Voice Wireless' internal controls pertaining to the following aspects of its LifeLine program operation:

    a. Subscriber enrollment and de-enrollment process.

    b. Subscriber data collection, compilation, monitoring, and retention processes.

    c. Subscriber data exchange process between Air Voice Wireless and the TPA (or Conduent).

    d. Process of determining and accounting for subscriber service usage data that impacted LifeLine reimbursement received by Air Voice Wireless.

    e. Process of preparing the LifeLine reimbursement claims.

3. Determining whether the carrier included in its LifeLine reimbursement claims only those subscribers who were approved by the TPA for meeting the eligibility criteria for obtaining and retaining the program benefits as specified in GO 153, section 5.

4. Determining whether the carrier incorrectly claimed against the LifeLine Fund for revenue loss and costs from providing the LifeLine program discounts to any subscribers who had more than one

program telephone service line, but were not eligible to receive more than one LifeLine service lines in accordance with GO 153, section 5.1.7.

5. Determining whether the carrier incorrectly claimed reimbursement from the LifeLine Fund for connection charges of the LifeLine subscribers who failed to qualify for the LifeLine discounts in accordance with D.14-01-036, COL 41.

6. Determining whether the carrier correctly claimed reimbursement for the discount of the pre-paid wireless telephone services based on the date of Lifeline program approval or the Lifeline service activation date, whichever is later, in accordance with D.14.01-036, COL 41.

7. Determining whether the carrier correctly claimed reimbursement in accordance with D.14-01-036, OPs 7 and 8 for providing the LifeLine discounts on recurring charges.

8. Determining whether the carrier correctly claimed reimbursement in accordance with D.14-01-036, OP 10 for providing the LifeLine discounts on connection and activation charges.

9. Determining whether the carrier correctly claimed reimbursement for administrative expenses in accordance with D.14-01-036, p. 38, footnote 22 and D.10-11-033, OP 18.

10. Determining whether the carrier only offered LifeLine plans approved by the CPUC in accordance with D.14-01-036, p. 45, 2nd Paragraph and OPs 18 and 24(b)(iii).

11. Determining whether the carrier promptly removed the LifeLine subscribers with inactivity (no service used) for a continuous 90-non-usage days (for period prior to December 2, 2016) or 45-non-usage days (for period on and after December 2, 2016) in accordance with 47 CFR Section 54.405(e)(3).

12. Assessing a correct amount of interest penalty on any applicable program overpayments that the carrier received from the LifeLine Fund in accordance with GO 153, sections 9.9.1 and 13.4.

Both the CPUC and the carrier depend on the TPA (or Conduent) to verify and determine the LifeLine eligibility and the continuity of such eligibility for subscribers to enroll and remain in the LifeLine program. Because these responsibilities rest on the TPA (or Conduent), verifying and determining the subscribers' LifeLine eligibility or the continuity of such eligibility were not part of the scope of this examination.

Records Examined

We requested, obtained, and examined the following records of Air Voice Wireless for our examination of the LifeLine program related costs and activities and the LifeLine reimbursement claims that Air Voice Wireless submitted to the CPUC for the examination period.

1. The carrier's weighted average reports (WAR), new connection reports, and disconnection reports.

2. The carrier's monthly LifeLine reimbursement claims submitted to the CPUC.

3. The carrier's written policies and procedures related to the LifeLine program.

4. The carrier's contracts entered with third-party vendor related to the LifeLine program activities.

5. The carrier's third-party vendor's written policies and procedures related to the LifeLine program activities.

6. The carrier's responses to the UAFCB's internal control questionnaires (ICQ).

7. Samples of records (e.g. daily feeds and return feeds) exchanged between Air Voice Wireless and the TPA (or Conduent).

8. The carrier's usage activity data with respect to service activation dates, last usage or activity dates, disconnection dates, and program removal dates.

9. Supporting call detail records (CDRs) and/or usage and activity records for the sampled records/transactions.

10. Supporting documentation (e.g. approved CPUC advice letters) indicating the CPUC's approved LifeLine plans that Air Voice Wireless could offer to subscribers.

11. Supporting documentation substantiated administrative expenses included in the LifeLine reimbursement claims.

12. Three-month nonfinancial commercial paper rates from Federal Reserve website for interest to be assessed on claim overpayments from the LifeLine Fund.

Procedures Performed

To achieve the aforementioned examination objectives, we performed the following procedures for our examination of Air Voice Wireless' compliance with respect to its LifeLine program-related costs and activities and its LifeLine reimbursement claims submitted to the CPUC for the period of January 1, 2017 through December 31, 2017:

Planning/Risk Assessment

1. Gathered and reviewed the carrier's responses to the Internal Control Questionnaire, including reviewing the carrier's relevant policies and procedures with respect to its LifeLine program operation and information system, to determine if there were any internal control weaknesses and other high-risk areas that require audit attention.

2. Performed the following procedures with respect to the Air Voice Wireless' monthly LifeLine reimbursement claims to determine if any material anomaly existed:

    a. Reconciled new connections and weighted average counts between the carrier's monthly LifeLine reimbursement claim forms and the new connection reports and the WAR generated by the TPA.

    b. Verified the rates of SSA and new subscriber connection charges reported in the Air Voice Wireless' monthly LifeLine reimbursement claim forms to applicable CPUC's directives for accuracy.

    c. Verified the LifeLine service plans offered by the carrier to applicable CPUC advice letters to determine whether the service plans were approved by the CPUC.

Sampling and Testing

3. Stratified the whole LifeLine subscriber population with respect to the new connection and weighted average counts reported in the carrier's monthly LifeLine reimbursement claims submitted for the examination period into four groups with each group shared similar characteristics and risk factors. These four groups were: New and Active Subscribers, New and Terminated Subscribers, Existing and Active Subscribers, Existing and Terminated Subscribers. Using a non-statistical sampling (random) methodology, we selected 60 sampled transactions from each of the four stratified groups, a total of 240 sampled transactions. We designed our sample in such a way that we believe would enable us to detect systemic errors and provide a high level of assurance for our conclusions about the population.

4. Verified the sampled transactions to relevant supporting documentation obtained from Air Voice Wireless, such as CDR and usage and activity records to determine the correct program benefit start and end dates for compliance with the applicable regulatory requirements and accounting of proper LifeLine reimbursement.

a. The correct program benefit start dates were determined based on the LifeLine benefit approval dates or the service activation dates (e.g. 1st usage dates), whichever were later.

b. The correct program end dates were determined based on program removal dates or LifeLine service disconnection dates, whichever were earlier.

c. The correct program end dates were also determined based on subscribers' inactivity of LifeLine service usage in accordance with 47 CFR, Section 54.407(c)(3).

5. Verified the carrier's usage activity data, which was obtained to perform 100 percent of data analytic for the whole LifeLine subscriber population, for completeness. The usage activity data contained service activation dates (e.g. 1st usage dates), last usage or activity dates, disconnection dates, and program removal dates.

6. Performed 100 percent of data analytic for the whole LifeLine subscriber population in the examination period by comparing program benefit start and end dates determined by the TPA (or Conduent) to Air Voice Wireless' usage activity data in order to determine the correct program benefit start and end dates for compliance with the applicable regulatory requirements and accounting of proper LifeLine reimbursement.

7. Verified Air Voice Wireless' administrative expenses included in its LifeLine reimbursement claim forms to relevant supporting documentation for reasonableness.

8. Determine the amount of claim overpayment to Air Voice Wireless based on the finding derived from the above testing procedures.

9. Assessed interest on the claim overpayment by applying the applicable interest rates of the three-month nonfinancial commercial paper (compounded daily) starting from the date of the overpayment to the audit completion date.[7]

The above procedures performed resulted in the finding and recommendations identified in the Finding and Recommendations section of this report. Finally, we conducted an exit conference on September 25, 2019 upon completion of our fieldwork to communicate the results.

[7] For practical purpose, the period used in calculating the accrued interest amount started from the date of the overpayment to June 30, 2019.

Finding and Recommendations

Finding 1: Air Voice Wireless over claimed $136,638 in LifeLine program subsidy amount and incurred $5,278 in interest penalty

Condition:

UAFCB performed data analytics on the entire LifeLine subscriber population (in excess of 100,000 transactions) in the examination period by comparing program benefit start and end dates determined by the TPA (Conduent) to Air Voice Wireless' usage activity data in order to determine the correct program benefit start and end dates for compliance with the applicable regulatory requirements and accounting of proper LifeLine reimbursement. This data comparison disclosed the following:

1. The carrier overstated its weighted average counts by 62.6 in its claims for reimbursement due to the incorrect LifeLine subscribers' program start dates that were not properly determined based on the later of LifeLine program approval dates or service activation dates. If the program start dates were determined based on the later of LifeLine program approval dates or service activation dates, the carrier would have had 1,878 fewer eligible days than it had claimed, an equivalent of 62.6 weighted average counts or a total of $859 in overclaimed subsidy. In addition, the carrier overclaimed an additional $156 ($39 x 4 = $156) in new connection fees for four of the aforementioned subscribers with incorrect program start dates. These subscribers had never activated their LifeLine services within the regulatory timeframe in accordance with 47 CFR, Section 54.407(c)(3), and so they should not be eligible for the connection charge discount of $39 per subscriber.

2. The carrier incorrectly included subscribers with inactivity of LifeLine service usage that exceeded the respective claimable 90 continuous non-usage-days (for transactions occurring before December 2, 2016) and 45 continuous non-usage-days (for transactions occurring on or after December 2, 2016) for LifeLine reimbursement. Based on the additional documents provided by the carrier in response to the draft examination report, we determined that the carrier overstated the overall LifeLine eligible days by 305,159 days, an equivalent of 10,172 weighted average counts or a total of $135,623 in overclaimed subsidy.

3. Based on the combined overclaimed subsidy, we calculated the interest penalty to be $5,278.

Criteria:

1. 47 CFR, Section 54.407(c)(3) – de-enrollment for non-usage and timing of de-enrollment, states in part, '... if a Lifeline sub-scriber fails to use, as "usage" is defined in Section 54.407(c)(2),8 for 30

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[8]47 CFR, §54.407(c)(2) Reimbursement for offering Lifeline:
After service activation, an eligible telecommunications carrier shall only continue to receive universal service support reimbursement for such Lifeline service provided to subscribers who have used the service within the last 30 days [or 60 days for period prior to 12/2/2016], or who have cured their non-usage as provided for in §54.405(e)(3). Any of these activities, if undertaken by the subscriber, will establish "usage" of the Lifeline service:

consecutive days [or for 60 consecutive days for period prior to December 2, 2016] a Lifeline service that does not require the eligible telecommunications carrier to assess and collect a monthly fee from its sub-scribers, an eligible telecommunications carrier must provide the subscriber 15 [or 30] days' notice, using clear, easily understood language, that the subscriber's failure to use the Lifeline service within the 15-day [or 30-day] notice period will result in service termination for non-usage under this paragraph...'

2. D.14-01-036, COL 41 – For pre-paid LifeLine participants, LifeLine discounts should begin with the date of approval notification or the date California LifeLine service is activated, whichever is later.

3. General Order (GO) 153, Section 9.11 - California LifeLine Service Providers have the burden of supporting and justifying any costs and lost revenues that they seek to recover from the California LifeLine Fund. Failure to provide information requested by the CPUC or CD is reasonable grounds to deny costs and lost revenues claimed by the California LifeLine Service Provider.

4. GO 153, Section 13.4 - California LifeLine Service Providers that promptly reimburse the California LifeLine Fund for an overpayment of California LifeLine claims found by a Commission audit shall pay interest on the amount of overpayment based on the Three-Month Commercial Paper Rate.

Cause:

The carrier has internal control deficiencies to track and report subscribers' service activation dates to the TPA (or Conduent) for the TPA to properly determine the program start date in accordance with D.14-01-036, COL 41. Moreover, the carrier has internal control deficiencies to track terminated subscribers and subscribers with inactivity of LifeLine service usage that exceeded the claimable days in accordance with 47 CFR, Section 54.407(c)(3). The carrier asserted that it has procedures in place with respect to reporting both the subscribers' service activation dates and inactive/terminated subscribers to the TPA for proper determination of LifeLine service eligible days and removal of terminated and inactive subscribers from the LifeLine program. However, our testing revealed that the procedures in place were not implemented effectively. Consequently, the program start date were incorrectly accounted for and the terminated and inactive subscribers were not completely captured and timely removed from the LifeLine program for proper claim reimbursement.

(i) Completion of an outbound call or usage of data;
(ii) Purchase of minutes or data from the eligible telecommunications carrier to add to the subscriber's service plan;
(iii) Answering an incoming call from a party other than the eligible telecommunications carrier or the eligible telecommunications carrier's agent or representative;
(iv) Responding to direct contact from the eligible communications carrier and confirming that he or she wants to continue receiving Lifeline service; or
(v) Sending a text message.

Effect:

The carrier has over claimed a total of $136,638 in program subsidy and incurred $5,278 in total interest penalty. The carrier received $136,638 in LifeLine subsidy for subscribers not eligible for the California LifeLine services from the LifeLine fund, which could have been used to subsidize other subscribers eligible for the California LifeLine services. In addition, if Air Voice does not effectively improve its internal controls on tracking and reporting subscribers' service activation and termination dates and inactivity to the TPA, the carrier will likely to continue overclaiming the LifeLine program subsidy.

Recommendations:

1. The carrier should pay back $141,916 to the LifeLine Fund.

2. The carrier should do the following:

   a) Strengthen its oversight over its reporting to the LifeLine TPA (or Conduent) regarding subscribers' service activation date for the TPA to properly determine subscribers' program start date using the later of the LifeLine program approval date or the service activation date.

   b) Strengthen its internal controls over its de-enrollment process with respect to terminated LifeLine subscribers and subscribers with inactivity of LifeLine service usage to ensure proper and timely de-enrollment of these types of subscribers.

Carrier's Response:

See Appendix B of this report for Air Voice Wireless' response.

Conclusion

In conducting our examination, UAFCB obtained a reasonable understanding of Air Voice Wireless' internal controls related to the California LifeLine program, where we considered relevant and significant within the context of our examination objectives. UAFCB does not provide any assurance on Air Voice Wireless' internal controls.

Air Voice Wireless' management is responsible for the development of its policies and procedures to ensure that its California LifeLine program related costs, subsidies, and activities adhere to the applicable CPUC directives. UAFCB examined the carrier's California LifeLine program related activities and reimbursement claims submitted to the CPUC to determine whether the program related costs, activities, and subsidies claimed and received by the carrier are in compliance with the applicable CPUC directives and supported by appropriate documentation.

UAFCB conducted this examination in accordance with PU Code, Sections 274, 314.5 and 314.6, D.14-01-036, OP 30, and the GO 153, Section 13. We planned and performed the examination to obtain sufficient and appropriate evidence to afford a reasonable basis for our conclusion based on our examination objectives. UAFCB believes that the evidence obtained provides a reasonable basis for our conclusion.

As a result of our procedures, UAFCB determined that except for Finding 1 noted in the Finding and Recommendations section, Air Voice Wireless was compliant with the CPUC directives with respect to the California LifeLine program related costs, subsidies, and activities in all material respects for the examination period of July 1, 2016 through June 30, 2017.

The report is intended solely for the information and use of the CPUC and Air Voice Wireless and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

Angie Williams, Director
Utility Audit, Finance, and Compliance Branch and
Enterprise Risk Compliance Office

Cc: See next page

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Appendix A – Rules and Regulations

Rule/Regulations	Reference	Description
PU Code	Section 274	The CPUC may on its own order, whenever it determines it to be necessary, conduct compliance audits on the compliance with CPUC orders regarding each program subject to this chapter.
	Section 581	Guidance providing the CPUC the authority to require a utility to file complete and correct reports in prescribed form and detail.
	Section 582	Guidance providing the CPUC the authority to require a utility to timely provide applicable records.
	Section 584	Guidance providing the CPUC the authority to require a utility to furnish reports to the CPUC.
	Section 871	This article shall be known and may be cited as the Moore Universal Telephone Service Act.
GO 153	Section 5	Guidance regarding eligibility criteria for obtaining and retaining California LifeLine.
	Section 6	Guidance regarding the California LifeLine Administrator.
	Section 8	Guidance regarding California LifeLine rates and charges.
	Section 9	Guidance regarding reports and claims for reimbursement of California LifeLine-related costs.
	Section 13	Guidance regarding audits and records.
Decisions	D.84-11-028	Investigation on the CPUC's own motion into the method of implementation of the Moore Universal Telephone Service Act.
	D.10-11-033	Decision adopting forward looking modifications to California LifeLine in compliance with the Moore Universal Telephone Service Act.
	D.14-01-036	Decision adopting revisions to modernize and expand the California LifeLine program.
Advice Letters	AL No. 5	LifeLine Service Plans Offered by Air Voice Wireless and approved by CPUC.
47 CFR	§54.405(e)(3)	Guideline for de-enrolling Lifeline subscribers for non-usage.
	§54.407(c)	List of subscriber's activities constituting a LifeLine usage service.

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December 12, 2019

Angie Williams, Director
Utility Audits Branch
Utility Audits & Risk Compliance Division
California Public Utilities Commission
505 Van Ness Avenue
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RE: Air Voice Wireless, LLC's Response to Draft Audit Report

Dear Ms. Williams,

Air Voice Wireless, LLC ("Air Voice" or "Company") hereby submits comments in response to the examination completed by the Utility Audit, Finance and Compliance Branch of the California Public Utilities ("CPUC") and the findings set forth in the draft audit report issued to Air Voice Wireless on November 25, 2019.

As noted in the attached comments, Air Voice provides a response to the one finding noted in the draft audit report.

Thank you for your consideration of Air Voice's comments. If I may provide you with additional information, please do not hesitate to contact our office.

Sincerely,

Jim Bahri

Finding 1

Cause

The carrier has internal control deficiencies to track and report subscribers' service activation dates to the TPA (or Conduent) for the TPA to properly determine the program start date in accordance with D.14-01-036, COL 41. Moreover, the carrier has internal control deficiencies to track terminated subscribers and subscribers with inactivity of LifeLine service usage that exceeded the claimable days in accordance with 47 CFR, Section 54.407(c)(3). The carrier asserted that it has procedures in place with respect to reporting both the subscribers' service activation dates and inactive/terminated subscribers to the TPA for proper determination of LifeLine service eligible days and removal of terminated and inactive subscribers from the LifeLine program. However, our testing revealed that the procedures in place were not implemented effectively. Consequently, the program start date were incorrectly accounted for and the terminated and inactive subscribers were not completely captured and timely removed from the LifeLine program for proper claim reimbursement.

Effect

The carrier has over claimed a total of $148,810 in program subsidy and incurred $5,752 in total interest penalty. In addition, if Air Voice Wireless does not effectively improve its internal controls on tracking and reporting subscribers' service activation and termination dates and inactivity to the TPA, the carrier will likely continue overclaiming the LifeLine program subsidy.

In an email to Air Voice Wireless, dated December 11, 2019 the CPUC revised the total over claimed amount to $137,389.00 and the interest penalty to $5,278.00.

Recommendation

The carrier should pay back $154,562 to the LifeLine Fund. In an email to Air Voice Wireless, dated December 11, 2019, the CPUC revised this amount to $142,667.00.

The carrier should also do the following:

a) Strengthen its oversight over its reporting to the LifeLine TPA (or Conduent) regarding subscribers' service activation date for the TPA to properly determine subscribers' program start date using the later of the LifeLine program approval date or the service activation date.

b) Strengthen its internal controls over its de-enrollment process with respect to terminated LifeLine subscribers and subscribers with inactivity of LifeLine service usage to ensure proper and timely de-enrollment of these types of subscribers.

Response of Air Voice Wireless

Pursuant to the finding in this draft audit report Air Voice Wireless shall reimburse $142,667.00, which includes $137,389.00 in program subsidy overpayment and interest of $5,278.00, to the LifeLine Fund.

Air Voice Wireless has improved its internal control procedures for accurately reporting the subscribers program start dates and for de-enrolling subscribers with non-usage of LifeLine services.

Specifically, Air Voice Wireless reviews a percentage of new enrollments on a monthly basis to ensure the subscriber's program start date occurs after the LifeLine service activation date or LifeLine program approval date, whichever occurs later.

The issues surrounding de-enrollment occurred because even though the subscribers had been de-enrolled in Air Voice's system, some of the de-enrollment updates performed by Air Voice Wireless were either not successfully processed or not successfully communicated to Conduent. Air Voice Wireless has improved this communication process by changing from a third-party OSS billing system to an internal operating system built for Air Voice in late 2017. In addition to the newly built and enhanced internal operating system, Air Voice Wireless has implemented a twice per month comparison between its internal subscriber database and that of the TPA. This bi-monthly comparison ensures the data is consistent between the two parties and allows Air Voice to identify and de-enroll any account that has already been de-enrolled in Air Voice's internal database but is still active in the TPA's database, or vice versa.

CONCLUSION

Air Voice Wireless has made system improvements since the July 2016-July 2017 audit period. Air Voice Wireless has strengthened its oversight over its reporting to the TPA regarding subscribers' service activation date so that the TPA can properly determine subscriber's program start date.

Air Voice Wireless has strengthened its internal controls over its de-enrollment process with respect to terminated LifeLine subscribers with inactivity of LifeLine service usage to ensure proper and timely de-enrollment of subscribers.

Tim Bahn

Signature

Member - CEO

Title

12/12/19

Dated