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June 3, 2011

**BY FEDERAL EXPRESS PRIORITY OVERNIGHT AND EMAIL**

Luly Massaro  
Commission Clerk  
Rhode Island Public Utilities Commission  
89 Jefferson Boulevard  
Warwick, RI 02888

Re: Petition of Nexus Communications, Inc. for Designation  
as an Eligible Telecommunications Carrier in the State of  
Rhode Island for Low Income Support Only

Dear Luly:

Enclosed please find for filing an original and nine (9) copies of the Responses of Nexus Communications, Inc. to the Commission's First Set of Data Requests. Copies are being provided by first class mail and email to the service list. Please forward me a date stamped copy of this transmittal letter in the enclosed self-addressed stamped envelope.

Do not hesitate to contact me if the Commission has any questions concerning this filing.

Thank you for your assistance.

Sincerely yours,



Alan D. Mandl, Bar No. 6590

Enclosures  
cc: Service List

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION**

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	)	
<b>IN RE: PETITION OF NEXUS</b>	)	
<b>COMMUNICATIONS, INC. FOR</b>	)	
<b>DESIGNATION AS AN ELIGIBLE</b>	)	
<b>TELECOMMUNICATIONS CARRIER</b>	)	<b>DOCKET NO. 4238</b>
<b>IN THE STATE OF RHODE ISLAND</b>	)	
<b>FOR LOW INCOME SUPPORT ONLY</b>	)	
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**RESPONSES OF NEXUS COMMUNICATIONS, INC.  
TO THE COMMISSION'S FIRST SET OF DATA REQUESTS**

**DATA REQUEST NO. 1-1:** Please provide the details of Nexus Communications' lifeline offering, including the number of minutes included in the cost of the plan, whether there is any activation charge to customers, whether the plan includes a free handset, and the ability to add minutes.

**RESPONSE:** (1) Nexus will offer the following three calling plans:

PLAN #1: Two hundred fifty (250) minutes of free airtime each month. Free minutes will automatically be added to each subscriber's prepaid account each month. Minutes are "anytime" nationwide minutes and can be used for domestic calls, including local or intrastate/interstate long distance calls. Unused minutes or Domestic Short Message Service ("SMS") text messaging does not carry over to the following month if unused. SMS text messaging will be available at a rate of one text per minute of airtime.

PLAN #2: One hundred twenty five (125) minutes of free airtime each month. Free minutes will automatically be added to each subscriber's prepaid account each month. Minutes are "anytime" nationwide minutes and can be used for domestic calls, including local or intrastate/interstate long distance calls. Unused minutes/SMS text messaging will carry over to the following month if unused. Domestic SMS text messaging will be available at a rate of one text messages per each minute of airtime. International SMS text messaging will be available at a rate of



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TO THE COMMISSION'S FIRST SET OF DATA REQUESTS**

**DATA REQUEST NO. 1-1  
(CONTINUED):**

<b>Airtime Card</b>	<b>Standard Minutes</b>	<b>Lifeline "Bonus" minutes</b>	<b>Total Minutes</b>	<b>Cost per Minute</b>
\$5	25	15	40	\$0.13
\$10	50	70	120	\$0.08
\$20	100	200	300	\$0.07
\$30	150	350	500	\$0.06
\$50	250	700	950	\$0.05

**RESPONSIBLE PERSON:** Steven Fenker  
**DATE:** 6/3/2011



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**RESPONSES OF NEXUS COMMUNICATIONS, INC.  
TO THE COMMISSION’S FIRST SET OF DATA REQUESTS**

**DATA REQUEST NO. 1-3:** Please explain which method of verification and recertification of lifeline participants Nexus Communications will employ.

**RESPONSE:** Nexus will comply with Part V of the Commission’s ETC Regulations<sup>1</sup> and the FCC’s requirements for determining consumers’ eligibility to participate in the Low Income program as well as verify customer eligibility annually as described in 47 C.F.R. § 54.410 and Part VI of the Commission’s ETC Regulations.

In addition to following the specific requirements listed in the FCC’s rule and the Commission’s ETC Regulations itself and in line with recent commitments made by other petitioners to the FCC, Nexus commits (i) to require each customer in Nexus’ service area to self-certify at the time of service activation and annually thereafter, that he or she is the head of household and receives Low Income-supported service only from Nexus, (ii) to establish safeguards to prevent its customers from receiving multiple Low Income subsidies at the same address, and (iii) to deal directly with the customer to certify and verify the customer’s Low Income eligibility (except where certain information is more appropriately available from the Department of Human Services or the Department of Administration,

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<sup>1</sup> *Rules and Regulations Governing the Certification and Verification Procedures for Telecommunications Carriers Eligible to Receive Payments from the Federal Universal Service Fund and Certification and Verification Processes for Compliance with Providing Lifeline and Linkup Service*, adopted by the Commission, effective February 4, 2010 (“Commission ETC Regulations”).

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**DATA REQUEST NO. 1-3**      Division of Planning).  
**(CONTINUED):**

Nexus will clearly indicate that customers sign their Low Income certification forms under penalty of perjury, and will monitor its Low Income customers' stated primary residential address to prevent duplicate support. Nexus will maintain the customer's self-certification and provide copies of the certifications upon request. Except as noted above, Nexus will deal directly with customers to certify and verify the customer's eligibility, including telephone, facsimile, Internet and in-person consultations.

Moreover, Nexus has an established, voluntary policy of de-enrolling from the Low Income program the account of any Low Income customer who has not used his or her phone in 60 days and has not responded to Nexus' repeated attempts to verify the customer's continued use of the service. If it appears that a prepaid Low Income customer's account has not been used for 60 days, Nexus will notify the customer immediately that the customer is no longer eligible for Nexus Low Income service unless the customer takes steps to re-enroll within a 30-day grace period. The customer's account will remain active during the grace period, and Nexus will try to determine whether the customer intends to continue using Nexus' Low Income service. If Nexus' attempts are unsuccessful, and if there is no evidence that the customer has used the service (such as to make or receive a call), Nexus will altogether deactivate services for that customer after the 30-



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**RESPONSES OF NEXUS COMMUNICATIONS, INC.  
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**DATA REQUEST NO. 1-4:** Has Nexus Communications experienced any problems in any jurisdictions in which it has received ETC certification regarding customer "gaming" or "double dipping" in Lifeline programs between wireline and wireless service despite the self-certification under penalties of perjury that were accepted by the FCC?

**RESPONSE:** To minimize these types of problems Nexus has established unique safeguards that prevent subscribers from receiving multiple Nexus subsidies at the same address. Nexus' Lifeline Self-Certification form requires each applicant to list a primary residential address and a contact telephone number. Nexus's safeguards are incorporated in the Company's relational data base used to process Lifeline applications and assign phone numbers. When reviewing completed applications, Nexus's data base vets the address provided against all addresses in the Company's subscriber data base and identifies when an address on an application matches an address that is already associated with a Lifeline customer. The computer program will then alert Nexus of the existence of a duplicate subsidy request including an address similar to an address already associated with a current Lifeline customer. For example, the program will look for addresses that only differ by an apartment number, such as 100 Main Street and 100 Main Street, Apartment A. When the program informs Nexus of any situations that constitutes a duplicate request for subsidy, Nexus will contact the Lifeline applicant to verify or obtain any necessary information prior to approving the applicant for Lifeline service. If an address submitted by a Lifeline applicant is

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**DATA REQUEST NO. 1-4 (CONTINUED):** associated with a customer that already receives Lifeline service, Nexus will deny the Lifeline application and advise the applicant of the basis for the denial. Nexus's process of verifying applicants' information will ensure that only qualified individuals receive Lifeline service and that only one Nexus Lifeline supported service is provided to each qualified household.

While Nexus is unable to compare its subscriber list with the list of other ETCs to prevent and eliminate duplicates between Nexus and another ETC, Nexus has been an active participant in an FCC process to do just that in certain states selected by the FCC and USAC. This process involves ETCs providing subscriber lists to USAC, which will identify the duplicates and then notify each ETC in an appropriate manner so that duplicate support may be eliminated.<sup>2</sup> Nexus fully supports this effort and has engaged time and resources to making it a successful one.

**RESPONSIBLE PERSON:** Steven Fenker  
**DATE:** 6/3/2011

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<sup>2</sup> See e.g., Ex Parte Letter filed by Nexus et al. in WC Dockets 11-42, 03-109 and CC Docket 96-45 (April 15, 2011) available at <http://fjallfoss.fcc.gov/ecfs/document/view?id=7021341102>.