

**CHAPTER 26. SUBSTANTIVE RULES APPLICABLE TO TELECOMMUNICATIONS SERVICE PROVIDERS.**

**Subchapter P. TEXAS UNIVERSAL SERVICE FUND**

**§26.413. Link Up for Tribal Lands.**

- (a) **Scope and purpose.** Through this section, the commission seeks to extend Link Up Service to all eligible residents of Tribal lands seeking telecommunications service from a telecommunications carrier that is receiving federal high-cost support on Tribal lands and define the responsibilities of participating telecommunications carriers and qualified customers.
- (b) **Applicability.** This section applies to designated eligible telecommunications carriers (ETCs) as defined by §26.418 of this title (relating to Designation of Common Carriers as Eligible Telecommunications Carriers to Receive Federal Universal Service Funds) and designated eligible telecommunications providers (ETPs) as defined by §26.417 of this title (relating to Designation as Eligible Telecommunications Providers to Receive Texas Universal Service Funds (TUSF)) that are receiving federal high-cost support on Tribal lands as defined in 47 C.F.R. §54.400, collectively referred to in this section as participating telecommunications carriers.
- (c) **Definitions.**
- (1) **Income** -- As defined in §26.412(c)(6) of this title (relating to Lifeline Service Program).
- (2) **Eligible resident of Tribal lands** -- A “qualifying low-income customer,” as defined by §26.412(c)(1) of this title, living on Tribal lands, as defined in 47 C.F.R. §54.400.
- (d) **Link Up for Tribal Lands.** This is a program certified by the Federal Communications Commission (FCC), pursuant to 47 C.F.R. §54.413, that provides an eligible resident of Tribal lands with the following assistance:
- (1) **Services.**
- (A) An eligible resident of Tribal lands shall receive a reduction in the participating telecommunications carrier’s customary charge for commencing telecommunications service for a primary single line connection at the customer’s principal place of residence. The reduction shall be 100 percent of the customary charge or \$100, whichever is less.
- (B) An eligible resident of Tribal lands may receive a deferred schedule for payment of the charges assessed for commencing service, for which the eligible resident of Tribal lands does not pay interest. Interest shall be waived for connection charges of up to \$200 that are deferred for a period not to exceed one year. Charges assessed for commencing service include any charges that the carrier customarily assesses to connect subscribers to the network. These charges do not include any permissible security deposit requirements. Deferred payment of these charges will not be subject to late fees or additional service fees.
- (2) **Eligible resident of Tribal lands choice.** A qualifying eligible resident of Tribal lands is eligible for both of the services set forth in paragraph (1)(A) and (B) of this subsection.
- (3) **Limitation on receipt.** A participating telecommunications carrier’s Link Up for Tribal lands shall allow an eligible resident of Tribal lands to receive the benefit of Link Up for Tribal lands on subsequent occasions only for a principal place of residence with an address different from the residence address at which the Link Up for Tribal lands was provided previously.
- (e) **Obligations of the customer.** Qualified eligible residents of Tribal lands who want Link Up for Tribal lands and do not have telephone service must initiate a request for service from a participating telecommunications carrier providing local service in their area.

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- (f) **Obligations of the participating telecommunications carrier.** Participating telecommunications carriers shall provide Link Up for Tribal lands to all eligible residents of Tribal lands in accordance with this section.
- (1) **Tariff requirement.** Each participating telecommunications carrier shall file a tariff to implement Link Up for Tribal lands, or revise its existing tariff for compliance with this section and with applicable law.
  - (2) **Notice of Link Up for Tribal Lands.** A participating telecommunications carrier shall publicize the availability of Link Up for Tribal lands in a manner reasonably designed to reach those likely to qualify for the service.
  - (3) **Confidentiality agreements.** The confidentiality agreement executed by participating telecommunications carriers with HHSC for Lifeline Service also extends to Link Up Service.