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**FOR IMMEDIATE RELEASE**

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**AG Schimel Declares Victory in Challenge to “Designation Rule” in FCC’s  
“Lifeline Reform Program”**

Washington, D.C. – Last year, a coalition of 12 States, led by Wisconsin Attorney General Brad Schimel, filed a lawsuit in the U.S. Court of Appeals for the District of Columbia Circuit challenging part of the Federal Communication Commission’s (FCC) recent “Lifeline Reform Order.”

Today, Federal Communications Commission (FCC) Chairman Ajit Pai asked the D.C. Circuit Court for a voluntary remand, which will send the case back to the Commission for reconsideration so that it can undo its decision to preempt the State designation process. In his decision, Chairman Pai cited “a waste of judicial and administrative resources to defend the FCC’s unlawful action in court,” and noted the States’ “key” role in “policing against fraud” in the Lifeline program.

“The FCC’s decision to restore power that rightfully belongs to the States is a victory for all Wisconsinites and I thank the bipartisan coalition of States and state agencies that joined us in this important fight against federal overreach,” said Attorney General Schimel. “Chairman Pai’s deference to the rule of law and recognition of the States’ historical role, going back decades, in rooting out waste, fraud, and abuse in the Lifeline program is appreciated.”

The Lifeline program is intended to provide low-income consumers discounted rates on certain communications services, which, under the Lifetime Reform Order, include broadband internet services. However, that Order also denied to the States—and assigned to the FCC—primary authority to decide which companies operating within their borders are eligible to participate in the expanded Lifeline program. Wisconsin

and the State coalition objected to the Order's "designation rule," arguing that it violated two laws: the Communications Act and the Administrative Procedure Act.

The twelve states that challenged the legality of the FCC's order include: Arkansas, Idaho, Indiana, Michigan, Montana, Nebraska, South Dakota, Utah, the Connecticut Public Utilities Regulatory Authority, the Mississippi Public Service Commission, the Vermont Public Service Board, and Wisconsin.

A copy of Chairman Pai's statement is attached.