

**Before the  
MISSOURI PUBLIC SERVICE COMMISSION**

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In the Matter of )

Petition of TracFone Wireless, Inc. )  
for Designation as an Eligible Telecommunications )  
Carrier in the State of Missouri for the Limited )  
Purpose of Offering Lifeline and Link Up Service to )  
Qualified Households )

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File No. TA-2009-0327

**NOTICE OF FILING FEDERAL COMMUNICATIONS COMMISSION ORDER**

TracFone Wireless, Inc. (“TracFone”), by its counsel, asks the Commission to take official notice of and enter into the record of this proceeding an Order issued by the Federal Communications Commission (“FCC”) on March 5, 2009, in support of TracFone’s Petition for Designation as an Eligible Telecommunications Carrier in the State of Missouri (“ETC Petition”).<sup>1</sup>

1. As explained in TracFone’s ETC Petition, on September 8, 2005, the FCC exercised its forbearance authority under 47 U.S.C. § 160 with respect to the facilities-based service requirement for ETCs set forth in 47 U.S.C. § 214(1)(A) and 47 C.F.R. § 54.201(i). The FCC granted forbearance subject to certain conditions.<sup>2</sup> One of those conditions required TracFone to obtain a certification from each Public Safety Answering Point (“PSAP”) where TracFone provides Lifeline service confirming that TracFone provides its customers with access to 911 and E911 service without regard to activation status or availability of prepaid minutes.

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<sup>1</sup> Federal -State Joint Board on Universal Service, et al., CC Docket No. 96-45, FCC 09-17 (released March 5, 2009), attached as Exhibit 1.

<sup>2</sup> Petition of TracFone Wireless, Inc. for Forbearance from 47 USC § 214(e)(1)(A) and 47 CFR § 54.201(i), 20 FCC Rcd 15095 (2005).

2. On March 5, 2009, the FCC issued an Order granting TracFone's request to modify the PSAP certification requirement. (See attached Ex. 1). The FCC modified the PSAP certification to require the following: TracFone must still request such certification from each PSAP within its Lifeline service area; however, if within 90 days of TracFone's request, a PSAP has not provided the certification and the PSAP has not made an affirmative finding that TracFone does not provide its customers with access to 911 and E911 service within the PSAP's service area, TracFone may self-certify that it meets the basic and E911 requirements. TracFone intends to provide Lifeline service in Missouri in conformance with the FCC's PSAP certification condition, as modified by the FCC's March 5, 2009 Order.

Wherefore, TracFone respectfully requests that the Commission take official notice of the attached Order of the FCC.

Respectfully submitted,

/s/ Mark P. Johnson

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March 25, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served electronically on the following on this 25th day of March, 2009.

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/s/ Mark P. Johnson  
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