

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

<b>IN THE MATTER OF THE</b>	)	
<b>APPLICATION OF EASY TELEPHONE</b>	)	
<b>SERVICE COMPANY D/B/A EASY</b>	)	<b>Case No. TA-2011-0164</b>
<b>WIRELESS FOR DESIGNATION AS AN</b>	)	
<b>ELIGIBLE TELECOMMUNICATIONS</b>	)	
<b>CARRIER ON A WIRELESS BASIS</b>	)	
<b>(LOW INCOME ONLY)</b>	)	

**MOTION FOR DISCLOSURE OF UNREDACTED DOCUMENT AND MOTION FOR  
EXPEDITED TREATMENT**

Comes now Applicant Easy Telephone Service Company (“Applicant” or “Easy”), by its undersigned counsel, and pursuant to 4 CSR 240-2.090 and 4 CSR 240-2.080(16), moves the Commission to order Staff to disclose to the Applicant a document crucial to this proceeding, and to accord this Motion expedited consideration. In support of its pleading, the Applicant states the following:

1. The Applicant filed its Application for ETC designation on December 7, 2010. After the Applicant responded to Staff questions and amended its Application once to respond to an issue raised by Staff, a positive recommendation was filed by Staff on February 4, 2011. The matter was thus prepared for final Commission consideration. However, on February 28, 2011, Staff filed and served a pleading withdrawing its favorable recommendation and requesting that the docket be closed without action.

2. In support of its February 28 pleading Staff filed an email from Tanea Foglia of USAC dated February 17, 2011. The email accuses Easy of fraudulent activity with respect to receipt of Universal Service Funds and other activity. Easy believes that many of the allegations in the email are either inaccurate or flatly false. The email was provided in redacted form, referring, for example, to “Company 2 Name” and “Company 3 Name” in brackets, indicating

that the original email contains the actual names of relevant companies, but those names had been removed by Staff.

3. On March 1, 2011, the Commission entered an Order allowing Easy the opportunity to respond to the allegations in Staff's February 28 pleading and the attached email. According to the Order, that response must be filed no later than March 22, 2011.

4. The Applicant is preparing a response to the pleading and email. Counsel for the Applicant has informed Staff members of that fact, and has also requested an unredacted copy of the USAC email, which is crucial to Easy's preparation of a comprehensive response. Absent a complete copy of that email, Easy is at a substantial disadvantage, effectively guessing as to the identities of numerous companies and people referred to in the email. By email this day, Staff counsel informed Easy's counsel that she believes that Commission action is needed to disclose the unredacted email. Easy files this Motion as a consequence.

5. Following normal discovery timelines would render Easy's task of responding by March 22 impossible. Easy needs an unredacted copy of the email quickly. Under 4 CSR 240-2.090, discovery may be had in the same manner as in civil actions in circuit court. The email is clearly relevant and its production is necessary for Easy's response. The same may be said for the relevance and necessity of an unredacted copy of the email. Both the redacted and unredacted email would arguably be admissible as evidence, and their production would clearly be reasonably calculated to lead to the discovery of admissible evidence. Thus, discovery of the unredacted email through production of the document would be allowed in circuit court, and therefore should be allowed in this proceeding.

6. In addition, Easy requests that the Commission grant expedited consideration of this Motion, under 4 CSR 240-2.080(16). Easy requests that the Commission act on this Motion by March 11, 2011, so Easy may have sufficient time to review the document and finalize a

comprehensive response thereto by the Commission-imposed deadline of March 22. Absent expedited consideration of this Motion, Easy will be substantially prejudiced in its attempt to provide a persuasive response to the email. Easy has prepared and filed this Motion as early as it could have, because not until this day did Staff inform Easy's counsel that Commission action would be necessary to obtain an unredacted copy of the subject email.

Wherefore, for the reasons stated herein the Applicant requests that by March 11, 2011, the Commission order Staff to provide the Easy's counsel an unredacted copy of the February 17, 2011, email from USAC, and that the Commission consider this Motion in an expedited manner.

Respectfully submitted,

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Attorneys for Easy  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served electronically on this 8th day of March, 2011, on the following:

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/s/ Mark Johnson  
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