

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Application of True)
Wireless, LLC For Designation as an) Docket No. TA-2011-0265
Eligible Telecommunications Carrier)
Pursuant to 47 U.S.C. § 214(e))

TRUE WIRELESS, LLC'S NOTICE OF WITHDRAWAL OF APPLICATION FOR DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER WITHOUT PREJUDICE

True Wireless, LLC ("True Wireless") hereby notifies the Public Service Commission of the State of Missouri ("Commission") that it is withdrawing its Application for Designation as an Eligible Telecommunications Carrier ("ETC") without prejudice. True Wireless states as follows:

1. On February 18, 2011, True Wireless filed its Application requesting designation as an ETC for the purpose of receiving federal low-income universal service support (*i.e.*, Lifeline and Link-Up support) throughout the non-rural exchanges of Southwestern Bell Telephone Company.

2. During the pendency of its Application, and in light of changes to Federal Communications Commission ("FCC") rules with respect to the Lifeline universal service program, True Wireless was required to submit a Compliance Plan to the FCC pursuant to the FCC's Lifeline Reform Order¹. FCC approval of that Compliance Plan remains pending.

3. Logically, consideration of this Application should follow approval of the True Wireless Compliance Plan by the FCC.

¹ *Lifeline and Link Up Reform and Modernization et al.*, WC Docket No. 11-42 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-11 (rel. Feb. 6, 2012); *Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order*, Public Notice, DA 12-314 (WCB rel. Feb. 29, 2012). True Wireless submitted its Compliance Plan to the FCC on April 24, 2012, and pursuant to FCC staff requests has filed several amendments to its Compliance Plan.

4. True Wireless submitted its Fourth Amended Compliance Plan on December 7, 2012 and anticipates approval in the near future.

5. True Wireless greatly appreciates the deference shown to it by Commission staff and the patience of this Commission in permitting its Application to continue as an open docket while its Compliance Plan awaits approval, but it also recognizes that this may be an inconvenience for the Commission or needlessly complicate the Commission's docket.

6. For these reasons True Wireless wishes to provide the Commission with the opportunity to have this matter removed as an open docket by granting this motion.

7. True Wireless requests that this withdrawal be without prejudice, as it does intend to refile for the relief requested once its Compliance Plan is approved.

WHEREFORE, True Wireless respectfully withdraws its Application for Designation as an Eligible Telecommunications Carrier without prejudice.

Dated this 25th day of February 2013.

Respectfully submitted,

/s/ Mark W. Comley

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Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 25th day of February, 2013, to General Counsel's Office at staffcounsel@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov.

/s/ Mark W. Comley