

## MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. RA-2011-0349  
Company Name: Aegis Telecom, Inc. d/b/a Off the Hook Telecom

From: Dana Parish  
Telecommunications Department

/s/ John Van Eschen 10/6/11      /s/ Cully Dale 10/6/11  
Utility Operations Division      General Counsel's Office

Subject: Staff Recommendation Regarding Aegis Telecom, Inc.'s Application for  
ETC Status on a Wireless Basis

Date: October 6, 2011

On April 20, 2011 Aegis Telecom, Inc. d/b/a Off the Hook Telecom (Off the Hook Telecom or company) filed an application with the Missouri Public Service Commission (PSC) seeking designation as an Eligible Telecommunications Carrier (ETC) in Case No. RA-2011-0349. The application was for the purpose of receiving federal universal service fund support for low income customers exclusively.

Off the Hook Telecom proposes to offer a wireless service for qualifying low-income consumers. The proposed service will provide essentially a free wireless handset to qualifying consumers with no monthly fees. The proposed service will provide 100 minutes of usage per month with additional usage available for additional fees. Since wireless companies are not eligible to participate in the Missouri Universal Service Fund Program (MoUSF), Off the Hook Telecom does not intend to seek MoUSF funding for this service.

The Staff has reviewed the ETC application submitted by the company. In addition, Staff has issued data requests to the company. The data requests attempt to gain certain information contemplated in the pending ETC rulemaking in Case Nos. TX-2011-0415 and TW-2012-0012. Attachment A identifies ETC application requirements for companies only seeking low-income support. In Staff's opinion, the company has met these requirements. Staff has inserted citations from data request responses and/or ETC Application responses within Attachment A showing citations for why Staff concludes the company meets these requirements. Therefore, Staff recommends the Commission grant ETC status to Off the Hook Telecom. The Commission's order should specifically limit ETC status to solely the receipt of federal Lifeline and LinkUp support.

Attachment A

Aegis Telecom, Inc. d/b/a Off the Hook Telecom

**Compliance with ETC Application Requirements**  
(Lifeline/LinkUp Assistance)

Requirement (Rule citation)		Description	Comply (Paragraph)
FCC	MoPSC		
54.201	-	Defines ETC as a carrier providing service using at least a portion of its own facilities. <i>(Note: a carrier solely providing service via UNEs is OK but a carrier solely providing service via resale is not.)</i>	Acceptable DR response 6
54.101	3.570 (3)(C)1	Ensures certain service features are provided (touchtone, single-party, access to 911, IX service, relay (711), DA, operators, toll limitation)	Acceptable DR response 5
FCC Docket No. 96-45 FCC/ <a href="#">TracFone decision</a>		Commits to remit 911 revenues to local authorities.	Acceptable Application pg. 13
-	3.570 (3)(D)	<i>Wireless providers: Within 30 days of receiving ETC status will make an informational filing describing all service offerings.</i>	Acceptable Application pg. 12
54.202(a) (1)	-	Commit to provide service throughout proposed service area	Acceptable DR response 7, 14
54.202(a)(1)(B)	-	Commit to provide service in a timely manner.	Acceptable DR response 8
54.202(a)(2)	3.570 (2) (A)4	Commit to remain functional in emergencies.	Acceptable DR response 9, 10, & 11
-	3.570 (2)(A)9	Statement it will provide equal access if all other ETCs in that service area relinquish their ETC designations.	Acceptable Application pg. 12-13
54.202(a)(3)	3.570 (2)(B)	Commit to satisfy consumer protection & quality of service standards. <i>(Wireless ETCs commit to CTIA code of conduct + attach copy of current CTIA code)</i>	Acceptable DR response 16
54.202(a)(4)	3.570 (2)(A)10	Commit to offering a comparable usage plan as ILEC.	Acceptable DR response 13
54.202(c)	3.570 (2)(A)5	Demonstrates granting ETC status is in public interest.	Acceptable Application pg. 16

-	3.570 (3)(A)	Clear bill design.	Acceptable DR response 26
-	3.570 (3)(B)	Customer service contact information online and on billing statements.	Acceptable DR response 26
-	3.570 (3)(E)	Commit to maintain record of customer complaints.	Acceptable Application pg. 14
54.401(c)	-	Not collect a deposit from a Lifeline subscriber if consumer voluntarily elects toll limitation service.	Acceptable DR response 18
54.401(e)	-	Not charge a Lifeline subscriber a monthly number portability charge.	Acceptable DR response 19
54.403	3.570 (2)(A)7	Discounts consistent with federal plan: Tier 1: \$6.50 (waive subscriber line charge)* Tier 2: \$1.75 (fed discount) Tier 3: \$1.75 (additional fed discount available to all companies in Missouri) - <u>\$3.50 state MoUSF (landline only)</u> - <b>\$13.50 max.</b> * Limited to ILEC's subscriber line charge amount.	Acceptable DR response 20
54.405 (b)	3.570 (2)(A)6	Publicize Lifeline.	Acceptable DR response 12
54.409 54.410	31.050	FCC rules state ETC must comply with state verification procedures in states that mandate state Lifeline support. MoPSC rules require a company to verify customer's eligibility; develop a process for documentation received; plus verify a customer's continued eligibility.	Acceptable DR response 23, 24 & 25
-	3.570 (2)(A)8	Statement will satisfy consumer privacy protection standards.	Acceptable Application pg. 12
-	3.570 (3)(F)	Notify PSC of any changes to contact info.	Acceptable Application pg. 14
	31.050(3)(D)	Acceptable Lifeline application form	Acceptable 9/26/11 EFIS Entry Supp. To Application
	3.540(2)(A)5	ETC destination would be consistent with the public interest. ( <i>Public interest may be</i>	Acceptable DR response

		<i>an issue if applicant has relationships with other companies/individuals under investigation for Lifeline program violations.)</i>	1, 2 & 3
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<b>Compliance with Other Funding/Filing Requirements</b>		
<b>Item</b>	<b>Yes</b>	<b>No</b>
Missouri USF Assessment	N/A	
PSC Assessment		
Relay Missouri		
Annual Report		

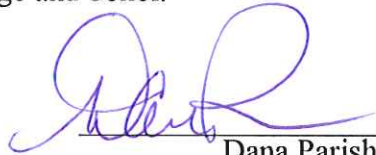
**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Aegis	)	
Telecom, Inc. d/b/a Off the Hook Telecom	)	
for Designation as an Eligible	)	Case No. RA-2011-0349
Telecommunications Carrier in the State of	)	
Missouri	)	

**AFFIDAVIT OF DANA PARISH**


STATE OF MISSOURI     )  
                                      ) ss  
COUNTY OF COLE     )

Dana Parish of lawful age, on oath states: that she participated in the preparation of the foregoing Staff Recommendation in memorandum form, to be presented in the above case; that the information in the Staff Recommendation was provided to her; that she has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true to the best of her knowledge and belief.



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Dana Parish

Subscribed and sworn to before me this 1<sup>th</sup> day of October, 2011.

  
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Notary Public