

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held by telephone  
and internet audio conference  
on the 23<sup>rd</sup> day of July, 2020.

|  |   |                              |
|--|---|------------------------------|
| In the Matter of the Application of      | ) |                              |
| AmeriMex Communications Corp. d/b/a      | ) |                              |
| SafetyNet Wireless for Designation as an | ) | <b>File No. RA-2020-0386</b> |
| Eligible Telecommunications Carrier      | ) |                              |

**ORDER GRANTING APPLICATION FOR DESIGNATION  
AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Issue Date: July 23, 2020

Effective Date: August 2, 2020

On May 28, 2020, AmeriMex Communications Corp. d/b/a SafetyNet Wireless (SafetyNet Wireless) requested designation as an Eligible Telecommunications Carrier (ETC) in the state of Missouri. This designation would allow SafetyNet Wireless to receive federal low-income support for providing Lifeline services to Missouri residents. SafetyNet Wireless is a wireless service provider and is not certificated or registered by the Commission. SafetyNet Wireless requested its ETC designation be statewide.

The Commission issued notice and set a deadline for intervention. No requests to intervene were received, and no party requested a hearing. On July 8, 2020, the Commission's Staff filed their *Recommendation* and *Memorandum*, which recommends that the Commission grant SafetyNet Wireless' application. No responses to Staff's filing were received.

The application is within the Commission's jurisdiction to decide.<sup>1</sup> Since no law requires a hearing, this is a non-contested case.<sup>2</sup> Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.<sup>3</sup> Consequently, the Commission bases its decision on the verified filings.

The federal Universal Service Fund was established in the Telecommunications Act of 1996 ("Act"). The stated purpose of the fund is to ensure that low-income telephone customers, as well as those in rural and high cost areas, have access to quality telecommunications services at reasonable and affordable rates.<sup>4</sup> To meet that goal, the Universal Service Fund redistributes money paid into the fund by telecommunications customers to telecommunications service providers who serve low-income customers or rural and high cost areas. SafetyNet Wireless' application is only to provide Lifeline service to low-income customers; it is not seeking to participate in the Link-Up program or provide service to high cost areas.

Before a telecommunications service provider is eligible to receive funding from the Universal Service Fund, it must be designated as an ETC. Section 214(e)(6) of the Act provides, in pertinent part:

In the case of a common carrier providing telephone exchange service and exchange access that is not subject to the jurisdiction of a State commission, the Commission shall upon request designate such a common carrier that meets the requirements of paragraph (1) as an eligible

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<sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>2</sup> Section 536.010(4), RSMo, defines a "contested case" as "a proceeding before an agency in which legal rights, duties or privileges of specific parties are required by law to be determined after hearing."

<sup>3</sup> *Sapp v. City of St. Louis*, 320 S.W.3d 159, 163 (Mo. App. 2010).

<sup>4</sup> 47 U.S.C. 254(b).

telecommunications carrier for a service area designated by the Commission consistent with applicable Federal and State law.

SafetyNet Wireless is authorized to do business in Missouri. SafetyNet Wireless is a wireless service provider whose operations are not regulated by the Commission. It is current with all Commission reporting or assessment requirements.

The Commission finds the assertions in the application and the *Recommendation* and *Memorandum* to be true. The Commission must grant SafetyNet Wireless eligible telecommunications carrier designation if it satisfies all federal and state requirements.<sup>5</sup> Based upon its review of the verified application and Staff's *Recommendation* and *Memorandum*, the Commission finds that SafetyNet Wireless has met all federal and state requirements and that it is in the public interest to grant the ETC application. Therefore, the Commission will designate SafetyNet Wireless as an eligible telecommunications carrier for the purpose of receiving federal universal service support funds under the Lifeline program.

SafetyNet Wireless requested expedited treatment in order to commence Lifeline services as soon as possible. The Commission finds the request reasonable and will grant it. The Commission will make this Order effective in less than thirty days.

#### **THE COMMISSION ORDERS THAT:**

1. SafetyNet Wireless is designated as an eligible telecommunications carrier to receive federal universal service support funds under the Lifeline program, for a statewide service area.

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<sup>5</sup> 47 U.S.C. § 214(e)(1),(2) and (6).

2. This order shall become effective on August 2, 2020.
3. This file shall be closed on August 3, 2020.



**BY THE COMMISSION**

A handwritten signature in dark ink, reading "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and  
Holsman CC., concur.

Hatcher, Regulatory Law Judge