

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

In the Matter of the Application of Q Link )  
Wireless, LLC, for Designation as an ) **File No. RA-2012-0205**  
Eligible Telecommunications Carrier in the )  
State of Missouri )

**STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission and for its recommendation, states as follows:

1. On January 4, 2012, Q Link Wireless, LLC (“the Company”), a wireless carrier, filed an application with the Missouri Public Service Commission seeking designation as an Eligible Telecommunications Carrier (“ETC”) for the purpose of receiving federal universal service fund support for low income customers through Lifeline and Link Up programs (after the Company filed its Application, the Link Up program was eliminated: the Staff’s recommendation is to grant ETC status for low-income support only).

2. On April 30, 2012, the Staff recommended that the Commission grant the Company’s request. The Staff noted in its Memorandum that, in the Staff’s opinion, the Company had met all the requirements, both state and federal, to become designated as an eligible telecommunications carrier for receipt of federal universal service fund low-income support. The Company was not delinquent or non-compliant with any of the Commission’s reporting or assessment requirements; the Company is a mobile wireless telecommunications provider whose operations are not regulated by the Commission. As the Company will provide service using its own facilities (at least in part), it is not

required by the recent FCC Order to have an FCC-approved compliance plan prior to designation as an ETC in Missouri.

3. On May 11, 2012, the Staff requested a delay due to confusion about the Company's filing of a proposed compliance plan with the FCC. The Staff now understands that, although the Company is a facilities-based carrier, it voluntarily submitted a compliance plan to the FCC, which has now been approved.

4. The Staff recommends that the Commission condition the ETC designation by requiring the following:

A. The Company shall notify the Staff within 30 days of any matter brought in the last ten years by any state or federal regulatory or law enforcement agency against the ETC, any person or entity that holds more than a 10% ownership interest in the ETC, any affiliated company (any company under common management ownership or control or that, by contract or other agreement performs any of the functions necessary to the ETC's Lifeline Service) that involves any aspect of the provision of Lifeline Service or any aspect of state or federal Universal Service funds, or any matter involving fraud, deceit, perjury, stealing or the omission or misstatement of material fact in connection with a commercial transaction. Such matters include formal or informal notices of investigation, indictment, the filing of a complaint, a civil lawsuit, revocation or suspension proceeding, action for penalties or damages, or criminal charges. Such details include, but are not limited to, copies of complaints or other such pleadings and the filed responses thereto, as well as any orders, decisions or other determinations of culpability, including those that exonerate the subject of any wrongdoing.

B. The Company will only use the MoUSF Board-approved form when enrolling Lifeline subscribers in Missouri.

C. The Company will only use its full name or "d/b/a" registered with the Missouri Secretary of State when enrolling Lifeline subscribers in Missouri.

D. The Company has an obligation to update its application with new information when any statement therein becomes untrue or could mislead the reader to an inference that is untrue.

WHEREFORE, Staff recommends that the Commission grant Q Link Wireless, LLC's Application to be designated an Eligible Telecommunications Service for the receipt of low-income support from the federal Universal Service Fund, under the conditions listed above.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 11<sup>th</sup> day of September, 2012.

