

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

In the Matter of the Cancellation of the )  
Eligible Telecommunications Carrier )  
Status of Surety Wireless )

**File No. RD-2018-0XXX**

**MOTION TO CANCEL CERTIFICATE OF SERVICE AUTHORITY**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and moves for the Missouri Public Service Commission (Commission) to cancel the eligible telecommunications carrier (ETC) status of Surety Wireless, (Company) and states:

1. On June 14, 2010, the Commission granted the application of the Company for designation as an ETC in order to receive federal universal service support for Lifeline services in Case No. RA-2011-0298.

2. On May 18, 2018, the Company notified the Commission that it was ceasing operations in Missouri.

3. The Commission has no specific rules and there is no Missouri statute dedicated to relinquishment of ETC authority. In place of a guiding statute or Commission rule the Commission relies on 47 U.S.C. Section 214(e)(4), which states, "A State commission .. shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation to an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission ... of such relinquishment."

4. Staff would recommend the Commission issue notice of the Company's intention to relinquish its service to other ETC providers in Missouri and permit intervention in this matter of any interested parties. The Commission need not hold a hearing, if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989).

5. Staff in investigating this matter learned that the Company has not received a Lifeline disbursement since December 2017 and in its 2018 reporting of its continued eligibility on Form 555 filed with this Commission, the Company reported it presently had no Lifeline subscribers.

**WHEREFORE**, Staff respectfully recommends the Commission provide notice and permit interested parties to intervene in this matter; cancel the eligible telecommunications carrier status in Missouri of Surety Wireless; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Whitney Payne**

Whitney Payne

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 24<sup>th</sup> day of May, 2018, to all counsel of record.

**/s/Whitney Payne**