

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

In the Matter of Missouri RSA 5 Partnership a/k/a)
Missouri RSA No. 5 Partnership d/b/a Chariton) **File No. RD-2022-0121**
Valley Wireless Relinquishment of ETC)
Designation, Effective December 31, 2021)

STAFF MOTION FOR COMPANY TO SUPPLEMENT REQUEST

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its *Motion for Company to Supplement Request* states:

1. On October 1, 2006, in Case No. TO-2006-0172, the Missouri Public Service Commission granted the application of Missouri RSA 5 Partnership d/b/a Chariton Valley Wireless’s (Company) request for designation as an eligible telecommunication carrier (ETC) in order to receive federal universal service support. On October 29, 2021, the Company notified the Commission that it wished to relinquish its designation as an ETC in Missouri.

2. Staff began conducting an investigation of the request. The Company’s filing for relinquishment with the Commission is solely focused on federal support associated with the Lifeline program, but the Commission should be aware that the Company receives federal support from the high cost program as well.¹ Pursuant to Staff’s investigation, Staff became aware that the Company is selling its assets to Verizon Wireless and will ultimately cease providing retail wireless service.² All of Chariton Valley Wireless’ subscribers, and not simply the Company’s limited number of Lifeline subscribers, will need to switch service to another provider. If a subscriber fails

¹ For example in calendar year 2020 Chariton Valley Wireless received \$1,082,076 in frozen high cost support from the federal USF high-cost program.

² See company’s website at [Important Message Regarding Chariton Valley Wireless & Verizon - Chariton Valley \(cvalley.net\)](http://cvalley.net)

to take action, their service will eventually terminate. Further investigation reveals that there may be unresolved issues with telephone number porting as well as the potential that an existing subscriber's phone will not work on another provider's network. Staff would note that the Company did not include or address any of these matters in its letter of relinquishment to the Commission.

3. Federal requirements place a general obligation on any company desiring to relinquish its ETC status to ensure existing customers have the ability to obtain service from another ETC. 47 U.S.C. Section 214(e)(4), 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." It further states that, "Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State Commission ... shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier."

4. Chariton Valley Wireless needs to provide more information as to meeting the federal obligations for all of the Company's customers and not simply its Lifeline

subscribers. Staff would ask the Commission to require the Company to supplement its *Request* to explain its plan to cease operations in Missouri and address the ability of customers to easily switch to another provider and retain both their phone numbers and wireless devices. In addition, the Company should explain the basis for identifying alternative providers and the specific areas served by an alternative provider in the Company's area. Pursuant to 47 U.S.C. Section 214(e)(4), the Company should address whether the purchase or construction of additional facilities by one of the remaining ETCs will be necessary to continue to serve the customers in that service area. Staff also raises the prospect to the Commission of joining any identified Missouri ETCs as parties to this proceeding; however, Staff recommends simply providing notice to those companies at this time and the opportunity to intervene in this proceeding.

WHEREFORE, Staff prays that the Commission will provide notice to other Missouri ETCs of Missouri RSA 5 Partnership d/b/a Chariton Valley Wireless's request to relinquish its eligible telecommunications carrier status; require Chariton Valley Wireless to supplement its request with information: 1) as to whether the Company is ceasing all operations in Missouri, 2) the ability of all existing Chariton Valley Wireless customers to switch service to another provider including the ability to retain their phone number and wireless device and 3) pursuant to 47 U.S.C. Section 214(e)(4) explaining whether the purchase or construction of additional facilities by any of the remaining ETCs will be necessary to continue to serve the customers in that service area; set a filing date for Staff's recommendation at a date following Chariton Valley Wireless' supplemental filing; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ 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 19th day of November, 2021, to all counsel of record.

/s/ Whitney Payne