

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 1<sup>st</sup> day of  
May, 2013.

In the Matter of the Application of Total Call                     )  
Mobile, Inc. for Limited Designation as an Eligible                )  
Telecommunications Carrier   )

**File No. RA-2013-0348**

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

Issue Date: May 1, 2013

Effective Date: May 11, 2013

**Syllabus:** The Missouri Public Service Commission grants eligible telecommunications carrier ("ETC") status to Total Call Mobile, Inc., ("Total Call") solely for the purpose of receiving federal universal service fund support for low-income customers through the Lifeline program as a wireless carrier in Missouri.

**Procedural History**

On December 28, 2012, Total Call applied to the Commission for designation as an eligible telecommunications carrier ("ETC"), for the purpose of receiving wireless low-income customer support. Total Call's application is limited to a request to receive only low-income federal Universal Service Fund support. Total Call is not requesting federal high-cost USF support or Missouri state USF support.

Staff filed its Recommendation on April 16, 2013, requesting that the Commission grant Total Call the requested relief. No parties responded to Staff's pleading.

## **Discussion**

The application is within the Commission's jurisdiction to decide.<sup>1</sup> Because no party objects to Total Call's application, no evidentiary hearing is required.<sup>2</sup> Thus, the Commission deems the hearing waived<sup>3</sup>, and bases its findings on the verified filings, and makes its conclusions as follows.

Total Call is a Delaware corporation authorized to do business in Missouri. The federal Universal Service Fund was established in the Telecommunications Act of 1996. The stated purpose of the fund is to ensure that telephone customers in rural and high cost areas, as well as low-income customers, 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 rural and high cost parts of the country. Before a telecommunications service provider is eligible to receive funding from the Universal Service Fund, it must be designated as an Eligible Telecommunications Company, referred to by the acronym ETC.

The Telecommunications Act established two factual criteria for determining whether an applicant may be designated as an ETC. First, the applicant must offer the services that are supported by the Universal Service Fund throughout the service area for which the

---

<sup>1</sup> 47 U.S.C. § 214(e)(2).

<sup>2</sup> *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494 (Mo.App. 1989).

<sup>3</sup> Section 536.060, RSMo 2000.

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

designation is received.<sup>5</sup> The applicant can offer those services either through its own facilities, or a combination of its own facilities and the resale of another carrier's services. Second, the applicant must advertise the availability of such services and the charges therefore using media of general distribution.<sup>6</sup>

The Commission finds the allegations in the Application and its supplements, and Staff's Memorandum and Recommendation to be true. The Commission may grant Total Call eligible telecommunications carrier designation if it offers the services set out in Section 254 of the Act and if it advertises the availability of those services using media of general distribution.<sup>7</sup> The Commission finds that Total Call has met those requirements. Therefore, the Commission will designate Total Call as a wireless eligible telecommunications carrier.

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

1. Total Call Mobile, Inc., is designated as a wireless eligible telecommunications carrier solely for the purpose of receiving Lifeline support throughout Missouri, under the provisions of 47 U.S.C. §§ 214 and 254.

2. Total Call Mobile Inc., is not authorized to receive Missouri Universal Service Fund support.

---

<sup>5</sup> 47 CFR 54.101(a) (which requires ETCs to offer (1) Voice grade access to the public switched network; (2) Local usage; (3) Dual tone multi-frequency signaling or its functional equivalent; (4) Single-party service or its functional equivalent; (5) Access to emergency services; (6) Access to operator services; (7) Access to interexchange service; (8) Access to directory assistance; (9) Toll limitation for qualifying low-income consumers; and (10) Access to telecommunications relay services by dialing 711.

<sup>6</sup> 47 U.S.C. 214(e)(1).

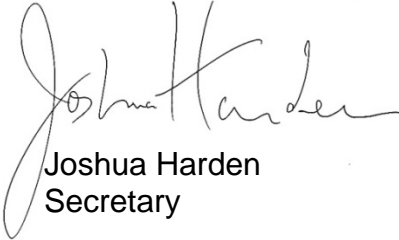
<sup>7</sup> 47 U.S.C. § 214(e)(1), (2).

3. Total Call Mobile, Inc., shall advertise the availability of Lifeline services using media of general distribution, in compliance with 47 U.S.C § 214(e)(1).

4. This order shall become effective on May 11, 2013.

5. This case shall be closed on May 12, 2013.

**BY THE COMMISSION**



Joshua Harden  
Secretary

R. Kenney, Chm., Jarrett, Stoll,  
and W. Kenney, CC., concur.

Pridgin, Senior Regulatory Law Judge