

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

Staff of the Missouri Public Service Commission)	
)	
)	
Complainant,)	
)	
v.)	<u>File No. RC-2012-0421</u>
)	
Cintex Wireless, LLC,)	
)	
Respondent.)	

**ADDENDUM TO STAFF COMPLAINT AND
MOTION FOR ORDER TO SHOW CAUSE WHY THE ETC
DESIGNATION OF CINTEX WIRELESS, LLC
SHOULD NOT BE PROVISIONALLY REVOKED**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") and for its Addendum to its Complaint and Motion for Order to Show Cause, states as follows:

1. In Count I, Paragraph 11 of the Complaint, the Staff stated that in its review of the first sample of 100 Lifeline application forms submitted pursuant to the Staff's request, at least nine customers presently receiving service are not located within Cintex's stated service territory. On or about June 7, 2012, Cintex provided an additional 1,157 application forms, which the Staff was unable to analyze prior to filing its initial Complaint and Motion. In addition to those already noted, at least 123 (over 10%) are in non AT&T wire centers. Three applications do not identify the city in which the applicant resides, so the Staff is unable to verify whether the applicant is located within an AT&T wire center.

2. The Staff adds ***Count V – Failure to Comply with 4 CSR 240-31.050***

which should be added into the complaint after paragraph 25 as set forth below:

26. The Staff hereby realleges the allegations set out in

Paragraphs 1 through 25, above.

27. 4 CSR 240-31.050(3)(D)(1) provides:

(D) Individuals who qualify for low-income or disabled support shall complete a board-approved application.

1. By completing the application, customers who qualify for low-income or disabled support shall:

A. Certify under penalty of perjury that the individual or a dependent residing in the individual's household receives benefits from one of the qualifying programs;

B. Identify the program or programs from which that individual receives benefits;

C. Sign an authorization allowing, for the duration of the applicant's participation in the low-income or disabled support program, the appropriate federal, state or local agency to confirm to the commission or its staff that the individual or a dependent residing in the individual's household participates in the qualifying program(s) at the time the application is made, and as subsequently deemed necessary for purposes of annual verification or other examinations of eligibility; and

D. Agree to notify the carrier if that individual ceases to participate in the program or programs.

In the process of reviewing the applications submitted by Cintex to demonstrate compliance with this section, 55 applications have no program identified that qualifies for support. Eighteen applications are not verified by Cintex. 870 applications are signed by a Cintex company representative, but are not dated by the representative. It is not clear if documentation was presented and verified by this representative.

28. 4 CSR 240-31.050(3)(D)(2) provides:

Customers who qualify for low-income or disabled support shall provide documentation of participation in the applicable program(s) as identified on the application.

A. The telecommunications company shall develop a process for recording the type of documentation received; and

B. The telecommunications company shall develop a process for returning or destroying the documentation once recorded.

In the process of reviewing the applications submitted by Cintex to demonstrate compliance with this section, four applications contained customer specific information related to the low income qualifying program (i.e., a copy of the Missouri EBT card or customer account numbers), indicating that the information had not been destroyed.

29. 4 CSR 240-31.050(3)(E) provides:

The telecommunications company shall establish state procedures to verify a customer's continued eligibility for the low-income or disabled customer program.

1. State verification procedures may include, but are not limited to, compliance with federal verification requirements, processes or guidelines.

In the process of reviewing the applications submitted by Cintex to demonstrate compliance with this section, one application indicates "invalid address," and one application appears to indicate customer already receives Lifeline service from another provider.

WHEREFORE, the Staff prays that the Commission will allow the Staff to amend its Complaint and Motion as set forth above and will, after notice and a hearing, find that Cintex's ETC designation is not in the public interest and therefore revoke the same;

and will grant such other and further relief as the Commission deems just in the premises.

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 10th day of July, 2012.

