

3. Commission rule 20 CSR 4240-31.015.4 states that relinquishment of ETC status is accomplished by providing a letter signed by an authorized company official or representative to the Commission at least 60 days prior to the relinquishment of the ETC status. The rule also requires compliance with 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." 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 serviced 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 in its initial request for relinquishment reported that other ETCs will continue to serve the area for which it is currently designated as an ETC, including mobile Lifeline service providers. It further stated that it has provided notice to its current Lifeline customers of the relinquishment and will provide guidance to the customers as to how to obtain Lifeline services from another provider. The Company filed a supplement to its request, pursuant to the Commission's Order,

stating that it does ultimately intend to cease all operations in Missouri, although the process may be staggered due to its retail and wholesale operations in Missouri. It further states that at least four other wireless companies provide service to the area for which Chariton Valley is designated as an ETC and that customers can obtain service and keep their phone numbers with any of those companies. It goes on to say some customers may not be able to retain their wireless devices due to the transition, but most should. The Company again says it has provided notice of all of this information to its customers. Finally, the Company states that due to the various wireless companies already providing service in the area, the Commission does not need to direct the construction of additional facilities pursuant to 47 U.S.C. Section 214(e)(4).

5. Staff recommends the Commission revoke the ETC status of Chariton Valley Wireless based on the Company's request and the supporting information it has provided. 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).

WHEREFORE, Staff respectfully recommends the Commission cancel the ETC status in Missouri of Missouri RSA 5 Partnership d/b/a Chariton Valley Wireless 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 14th day of December, 2021, to all counsel of record.

/s/Whitney Payne

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. RD-2022-0121

From: Kari Salsman, Senior Research/Data Analyst, Telecommunications Dept.
John VanEschen, Utility Regulatory Manager, Telecommunications Dept.

Subject: Staff's Recommendation for Missouri RSA No. 5 Partnership d/b/a
Chariton Valley Wireless's Notice of Relinquishment of Its Eligible
Telecommunication Carrier Designation.

Date: December 14, 2021

On October 29th, Missouri RSA No. 5 Partnership d/b/a Chariton Valley Wireless (CV Wireless) filed a request for the Missouri Public Service Commission (Commission) to relinquish its Eligible Telecommunications Carrier (ETC) designation in the State of Missouri, effective December 31, 2021. If approved, the company will no longer receive federal universal service funding from the high-cost program and the Lifeline program.

The requirements for relinquishment of ETC status is contained in Commission Rule 20 CSR 4240-31.016. This rule indicates a company can relinquish its ETC designation by providing a letter signed by an authorized company official or representative at least sixty (60) days prior to relinquishing ETC status demonstrating compliance with 47 U.S.C. section 214(e)(4). These federal requirements are codified in FCC rule 47 CFR 54.205 and essentially are intended to ensure the affected area will continue to be served by at least one ETC.

The company's ETC's designation is limited to an area located in north central Missouri.¹ According to the company's filing, other ETCs will continue to serve the area. The company provided a list of other wireless ETCs offering Lifeline service in the area. In addition, Staff is aware of landline ETCs operating within certain portions of this area.² CV Wireless is in the process of informing its Lifeline customers thru text messages, and the company website, that it will no longer provide Lifeline service and how to locate and transfer service to another Lifeline provider. At Staff's request, the Commission ordered Chariton Valley to supplement its request with information as to whether the company is ceasing all operations in Missouri; the ability of all existing CV Wireless customers to switch service to another provider, including the ability to retain their phone numbers and wireless devices; and whether the purchase or construction of additional facilities by any of the remaining ETCs will be necessary to continue to serve the customers in the CV Wireless service area. CV Wireless supplemented the filing and, in Staff's opinion, the company has satisfied these federal requirements.

¹ Appendix C of the company's ETC application in Case No. TO-2006-0172.

² Windstream, CenturyLink, Chariton Valley Telephone Company, GRM Networks, Mark Twain Rural and Northeast Missouri Rural Telephone Company.

Staff recommends the Commission approve the relinquishment of Missouri RSA No. 5 Partnership d/b/a Chariton Valley Wireless's ETC designation in Missouri, effective December 31, 2021.