

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

In the Matter of the Application of Easy Telephone Service Company, d/b/a Easy Wireless for Designation as an Eligible Telecommunications Carrier on a Wireless Basis (Low Income Only). )  
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) **File No. TA-2011-0164**  
)  
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**ORDER EXTENDING TIME FOR EASY TELEPHONE SERVICE  
COMPANY TO RESPOND AND DIRECTING STAFF TO PROVIDE  
FURTHER EXPLANATION**

Issue Date: March 10, 2011

Effective Date: March 10, 2011

On December 7, 2010, Easy Telephone Service Company, d/b/a Easy Wireless, applied for designation as an Eligible Telecommunications Carrier (ETC) on a wireless basis throughout the non-rural Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri exchanges described in its application. Easy Wireless is seeking ETC status solely to participate in the low-income programs of the Universal Service Fund. On February 4, 2011, the Commission's Staff filed a recommendation advising the Commission to approve Easy Telephone's application. However, on February 28, Staff filed an additional report and withdrew its recommendation, indicating it had received allegations of fraudulent activity by Easy Telephone or companies affiliated with Easy Telephone. The Commission allowed Easy Telephone until March 22 to respond to Staff's allegations.

Staff indicates the allegations of fraud that led it to withdraw its recommendation are contained in an e-mail it received from Tanea Foglia, an employee of the Universal Service Administrative Company (USAC), the administrator of the Universal Service Fund. The e-mail from USAC passes along information received from a whistleblower who has had

dealings with Easy Telephone or affiliated companies. Staff attached a copy of that e-mail to its February 28 report, but redacted nearly all relevant information from the filed copy.

On March 8, Easy Telephone filed a motion asking the Commission to direct Staff to provide it with an unredacted copy of the e-mail that Staff relied upon to withdraw its favorable recommendation about Easy Telephone's application. Easy Telephone explains that with so much information removed from the e-mail, it is unable to prepare a response to the allegations described in the e-mail. Because the Commission has directed Easy Telephone to respond to those allegations by March 22, Easy Telephone asks the Commission to direct Staff to produce the unredacted e-mail by March 11, to allow the company sufficient time to prepare a response.

Staff filed a response to Easy Telephone's motion for disclosure on March 9, and suggests the Commission release the e-mail to legal counsel for Easy Telephone, but designate the currently redacted information as either proprietary or highly confidential. Either designation would limit Easy Telephone's ability to utilize that information as provided in the Commission's confidential information rule, 4 CSR 240-2.135.

The Commission will not be able to rule on Easy Telephone's motion for disclosure before its next agenda meeting on March 16 and therefore will not be able to comply with the company's request for expedited consideration. The Commission established a March 22 deadline for Easy Telephone's response to the allegations of fraud to move this case along, not to make it difficult for the company to prepare an adequate response. Therefore, the Commission will extend the date by which Easy Telephone is to respond to the allegations identified by Staff to allow the company sufficient time to respond after the Commission rules on its motion for disclosure.

In addition, the Commission notes that the e-mail from Tanea Foglia at USAC states that the whistleblower is “happy to provide more information and does not wish to remain anonymous.” Given that the whistleblower apparently does not wish to protect his or her identity, the Commission would like Staff to explain why it believes the whistleblower’s name and allegations should be treated as confidential.

**THE COMMISSION ORDERS THAT:**

1. The time in which Easy Telephone Service Company, d/b/a Easy Wireless may respond to Staff’s February 28, 2011 Report, is extended until April 21, 2011.
2. No later than March 11, Staff shall further explain its reasons for treating as confidential the names and allegations contained in the e-mail attached to its February 28, 2011 Report.
3. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



**Steven C. Reed  
Secretary**

( S E A L )

Morris L. Woodruff, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 10<sup>th</sup> day of March, 2011.