

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

In the Matter of the Application of)
)
Circle Fiber) Case No. _____
)
)
for Designation as an Eligible Telecommunications)
Carrier to Receive Federal Lifeline and)
State Lifeline Support)
_____)

**APPLICATION FOR ELIGIBLE TELECOMMUNICATIONS CARRIER
DESIGNATION AND REQUEST FOR WAIVER OF 20 CSR 4240-4.017**

COMES NOW Big River Broadband, LLC dba Circle Fiber (the “Company”), pursuant to Section 214(e)(2) of the federal Communications Act of 1934, as amended (the “Act”),¹ the rules and regulations of the Federal Communications Commission (“FCC”),² and Rules 2.060 and 31.016 of the Missouri Public Service Commission (the “Commission”),³ for the purpose of submitting this Application for Eligible Telecommunications Carrier Designation (“Application”) and Request for Waiver of 20 CSR 4240-4.017, and states:

BACKGROUND

1. The Company is a wholly owned subsidiary of Big River Telephone Company, LLC (“Big River Telephone”), which serves as the sole member of the Company. The Company provides Internet access, video, broadband, and voice services in the state of Missouri.

2. The Company intends to participate in the FCC’s Affordable Connectivity Program (“ACP”) pursuant to which eligible low-income households in Missouri may receive discounted

¹ 47 U.S.C. § 214(e)(2).

² 47 C.F.R. §§ 54.201, 54.202; *see also Lifeline and Link Up Reform and Modernization; et al.*, 27 FCC Rcd 6656 (2012) (“*Lifeline Reform Order*”).

³ 20 CSR 4240-2.060; 20 CSR 4240-31.016.

broadband Internet access service (or voice/Internet access bundles).⁴ The ACP is a longer term broadband affordability program that extended the life of the previous Emergency Broadband Benefit (“EBB”) Program.

3. To that end, the Company seeks ETC designation to ensure low-income Missouri consumers can continue to receive discounted broadband Internet access service (or voice/Internet bundles) during and after the conclusion of the ACP Program. The Company seeks ETC designation for federal and Missouri Lifeline-only support in the geographic areas set forth in **Exhibit 1** hereto, (the “Designated Service Area”). The Company is not seeking to participate in the Missouri disabled program.

4. The Company meets all of the statutory and regulatory requirements for designation as an ETC in the state of Missouri. Accordingly, the Company respectfully requests expedited review of this Application to ensure low-income Missouri consumers can continue to access the broadband they need to participate in virtual learning, complete their homework, and communicate with employers and healthcare providers.

INFORMATION REQUIRED UNDER COMMISSION RULE 2.060

5. Commission Rule 2.060(1)(A). The Company’s corporate headquarters is located at 24 S. Minnesota Ave., Cape Girardeau, MO, 63703, (573) 651-3373 (telephone), (573) 651-3605 (facsimile).

6. Commission Rule 2.060(1)(B) and (E). The Company is a Delaware limited liability company. The Company is duly registered to do business in the state of Missouri. A copy of the Company’s Certificate of Registration from the Missouri Secretary of State’s Office is

⁴ WC Docket No. 21-450, *Affordable Connectivity Program*, Report and Order, FCC 22-2 (rel. Jan. 21, 2022) (“*ACP Order*”). Additional information regarding the FCC’s ACP Program can be found at: <https://www.fcc.gov/affordable-connectivity-program>.

attached as **Exhibit 2**. The Company operates in Missouri under a fictitious name, Circle Fiber, which is also filed with the Missouri Secretary of State and is attached as **Exhibit 3**. The Company is seeking the ETC under the name Circle Fiber.

7. Commission Rule 2.060(1)(H). The Company currently offers interconnected Voice over Internet Protocol (“VoIP”) service in the state of Missouri. The Company is registered as an Interconnected VoIP Service Provider with the Commission which was effective June 8, 2019.

8. As noted above, the Company is a wholly owned subsidiary of Big River Telephone. Big River Telephone was designated as an ETC in the state of Kansas but has since ceased operating in that state.

9. Commission Rule 2.060(1)(I). The Company requests that all inquiries, correspondence, notices, orders, and decisions in this matter be directed to:

Carl J. Lumley, #32869MO
CURTIS, HEINZ, GARRETT & O’KEEFE, P.C.
130 S. Bemiston, Suite 200
Clayton, MO 63105
314-725-8788 (telephone)
clumley@chgolaw.com

10. Commission Rule 2.060(1)(K). The Company states it does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates within the past three (3) years.

11. Commission Rule 2.060(1)(L). The Company states that no annual reports or assessment fees due to the Commission are overdue.

12. Commission Rule 2.060(1)(M). The Company attaches an affidavit by an authorized officer of the Company.

INFORMATION REQUIRED UNDER FCC RULES

13. Section 214(e)(1) of the federal Act and the FCC’s rules set forth certain requirements for ETC designation.⁵ The Company meets each of these requirements.

14. Designated Service Area. The Company’s proposed Designated Service Area consists of the municipalities listed in **Exhibit 1**.

15. FCC Rule 54.201(c); FCC Rule 54.202(b). An ETC applicant must demonstrate the ETC designation is consistent with the public interest, convenience, and necessity, and in the case of an area served by a rural telephone company, demonstrate the public interest will be met by an additional designation.

16. The Company’s ETC designation will serve the public interest, convenience, and necessity. The ETC designation will permit the Company to provide Lifeline services to low-income consumers in Missouri, and ensure those consumers can continue to have access to discounted broadband services through the company’s Lifeline service offering. This will further the goals of the Commission and the FCC by expanding the reach of digital connectivity to promote economic growth and ensure quality communications services are available at “just, reasonable, and affordable rates.”⁶ As the FCC has observed, “an important goal of the [federal] Act is to open local telecommunications markets to competition. Designation of competitive ETCs promotes competition and benefits consumers in rural and high-cost areas by increasing customer choice, innovative services, and new technologies.”⁷

17. Further, the Company’s ETC designation will have no material impact on the federal or Missouri Lifeline funds. Lifeline support follows the customer, so a customer taking Lifeline service from either the Company or another provider will cause the identical amount of

⁵ 47 U.S.C. § 214(e)(1); 47 C.F.R. §§ 54.201, 54.202.

⁶ 47 U.S.C. § 254(b)(1).

⁷ *Federal-State Joint Board on Universal Service*, 16 FCC Rcd 48, ¶ 17 (2000).

impact upon the federal and state universal service funds. In addition, the Company is uniquely situated to provide the supported services in the Designated Service Area as a result of its fiber network that is being deployed in these communities. Coupled with the Company's long history of providing excellent service in these areas for many years, the Company is prepared to expand this service through the ACP Program and the ETC Program.

18. FCC Rule 54.201(d). An ETC applicant must be a "common carrier" as defined by federal law.⁸ The Company will provide broadband Internet access service and voice service in the Designated Service Area. The Company will continue to provide voice service as interconnected VoIP service in Missouri. The Company will provide its Lifeline voice service customers in the Designated Service Area on a common carrier basis.

19. FCC Rule 54.201(d)(1); FCC Rule 54.201(i). An ETC applicant must demonstrate that it is capable of providing and will continuously provide the supported services throughout the service area either by using its own facilities or a combination of its own facilities and the resale of another carrier's services. The Company will offer the services that are supported by the federal universal service support mechanisms in the Designated Service Area using a combination of its own facilities and the facilities of other providers.

20. Under current FCC rules, the two services supported by the federal universal service support mechanisms are (1) voice telephony services and (2) broadband Internet access services. Eligible voice telephony services must provide voice grade access to the public switched telephone network ("PSTN") or its functional equivalent, minutes of use for local service provided at no additional charge, access to emergency 911 and enhanced 911 service in locations where

⁸ 47 U.S.C. § 153(11).

implemented, and toll limitation service for qualifying low-income consumers.⁹ Eligible broadband Internet access services must provide the capability to transmit and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service.¹⁰

21. The Company certifies that it will offer voice and broadband services in the Designated Service Area that comply with the FCC's requirements. The Company's voice offering will provide voice grade access to the PSTN and will include unlimited local calling. In addition, the Company's voice offering will provide consumers with access to 911 and enhanced 911 to the extent local governments have implemented such services. The FCC eliminated the requirement to provide toll limitation services if the Lifeline offering provides a fixed number of minutes that do not distinguish between toll and non-toll calls.¹¹ The Company is not required to provide toll limitation service in connection with its Lifeline service offering because the Company offers unlimited voice calling within the United States for a fixed monthly price in the Designated Service Area. If a Lifeline customer chooses a calling plan that does not include unlimited voice calling within the United States, the Company will provide toll limitation service to that customer at no cost.

22. Similarly, the Company's broadband Internet access service offering will provide consumers with the capability to transmit and receive data from all or substantially all Internet

⁹ 47 C.F.R. § 54.101(a)(1).

¹⁰ 47 C.F.R. § 54.400(l).

¹¹ *Lifeline Reform Order* ¶ 49.

endpoints. The Company's broadband Internet access service offering will meet the minimum service standards required by the FCC's rules for Lifeline service offerings.¹²

23. The Company will use a combination of its own facilities and the facilities of other providers to offer Lifeline service in the Designated Service Area. The Company has its own broadband fiber from which it will offer its services. In addition, the Company's parent, Big River Telephone, has entered into a contract with a third-party telecommunications carrier to support its provision of interconnected VoIP service in Missouri. Pursuant to that contract, the third-party telecommunications carrier provides all services and functions related to the PSTN, the PSTN-related services and functions include providing access to 911/E911, obtaining telephone numbers for use by the Company's customers, converting interconnected VoIP service calls into the appropriate format for PSTN transmission, establishing relationships with other telecommunications companies for the exchange of traffic to and from the PSTN, and maintaining the necessary communications transmission facilities required to provide such services. Under FCC rules, facilities are the ETC's "own" if the ETC has exclusive right to use the facilities to provide the supported services or when service is provided by any affiliate within the holding company structure.¹³

24. FCC Rule 54.201(d)(2); FCC Rule 54.405(b)-(d). An ETC applicant must demonstrate that it will advertise the availability of its service offerings using media of general distribution. The Company will publicize the availability of its voice and broadband service offerings throughout the Designated Service Area using media of general distribution.¹⁴ The

¹² 47 C.F.R. § 54.408.

¹³ *WCB Reminds Connect America Fund Phase II Auction Applicants of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier*, 33 FCC Rcd 6696, nn. 23-24 (2018).

¹⁴ 47 C.F.R. § 54.201(d)(2).

Company will use a combination of digital and traditional media, such as outdoor advertising, radio advertising, newspaper and magazine advertising, and direct marketing materials. Additionally, the Company will work with local agencies providing a variety of services to households with low incomes to inform such households of the Company's Lifeline service.

25. In addition, the Company will publicize the availability of its Lifeline service offerings in the Designated Service Area in a manner reasonably designed to reach those likely to qualify for the service.¹⁵ Using easily understood language, the Company will indicate on all materials describing its Lifeline service that: (1) it is a Lifeline service; (2) Lifeline is a government assistance program; (3) the service is non-transferable; (4) only eligible consumers may enroll in the program; and (5) the program is limited to one discount per household.¹⁶ The Company will brand the marketing materials describing its Lifeline service.¹⁷

26. FCC Rule 54.201(h); FCC Rule 54.202(a)(4). An ETC applicant seeking to provide Lifeline services must demonstrate it is financially and technically capable of providing Lifeline service in compliance with the FCC's rules. The FCC has stated that the "relevant considerations" for satisfying this requirement would be whether the applicant previously offered services to non-Lifeline consumers, how long the applicant has been in business, whether the applicant intends to rely exclusively on universal service fund disbursements to operate, whether the applicant receives funds from other sources, and whether the applicant has been subject to enforcement action or ETC revocation proceedings in other states.¹⁸

¹⁵ 47 C.F.R. § 54.405(b).

¹⁶ 47 C.F.R. § 54.405(c). For these purposes, the term "materials describing the service" includes all print, audio, video, and web materials used to describe or enroll in the Lifeline service offering, including application and certification forms. *See id.*

¹⁷ 47 C.F.R. § 54.405(d).

¹⁸ *Lifeline Reform Order* ¶ 388.

27. The Company is financially and technically capable of offering Lifeline services in the Designated Service Area. The Company's parent has been offering services in Missouri and several other states for many years. The Company has provided non-Lifeline voice services in Missouri and other states for many years and has never relied on disbursements from the universal service fund for a significant portion of its revenues and has no plans to do so in the future. Finally, the Company has not been subject to enforcement action or ETC revocation proceedings in any state.

28. FCC Rule 54.202(a)(1). An ETC applicant must certify that it will comply with the service requirements applicable to the support it receives, and submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network throughout its proposed service area. A five-year network improvement plan is no longer necessary for entities seeking Lifeline-only designation.¹⁹ The Company certifies that it will comply with the service requirements applicable to Lifeline support in the Designated Service Area.

29. FCC Rule 54.202(a)(2). An ETC applicant must demonstrate that it can remain functional in emergency situations. The Company certifies it will have the ability to remain functional in emergency situations in the Designated Service Area. The Company has consistently built its networks with a reasonable amount of back-up power to ensure functionality without an external power source, and is able to re-route both voice and data traffic around damaged facilities or carriers that are experiencing any form of service interruption. The Company is also capable of managing sudden increases in traffic volumes resulting from emergency situations. The Company's network interconnects with transit and peering organizations via multiple locations

¹⁹ *Lifeline Reform Order* ¶ 386.

across the United States using multiple carriers; each element providing extra redundancy, which provides full failover capability should any site become unavailable.

30. Further, as a provider of interconnected VoIP service, the Company also is subject to FCC requirements regarding back-up power.²⁰ Under FCC Rule 9.20, any provider of a facilities-based, fixed voice service offered as residential service that is not line-powered must offer subscribers the option to purchase backup power for the voice service, and must make certain annual disclosures regarding the availability of such backup power options.

31. FCC Rule 54.202(a)(3). An ETC applicant must certify that it will comply with all applicable service quality standards and consumer protection rules. The Company certifies that it will comply with service quality standards and consumer protection rules applicable to its provision of service in the Designated Service Area. The Company commits to abide by all applicable Missouri and federal consumer protection and service quality standards to the extent applicable to the services provided by the Company in the Designated Service Area.

32. FCC Rule 54.202(a)(5); FCC Rule 54.202(a)(6). FCC rules require Lifeline applicants to provide information describing the terms and conditions of voice telephony service and broadband Internet access service plans to be offered to Lifeline subscribers. For Lifeline voice services, the FCC has determined that providers may satisfy the obligation to provide local usage via service offerings that bundle local and long distance minutes.²¹ If an ETC offers plans to Lifeline subscribers that are generally available to the public, the ETC may provide summary information regarding such plans, such as a link to a public Web site outlining the terms and conditions of such plans.²²

²⁰ 47 C.F.R. § 9.20.

²¹ *Lifeline Reform Order* ¶ 49.

²² 47 C.F.R. § 54.401(d).

33. At this time, the Company plans to offer service plans that include high-speed Internet access service and unlimited voice calling within the United States for a fixed monthly price in the Designated Service Area. The Company also will offer standalone voice services, but notes the federal Lifeline discount currently is scheduled to sunset as of December 1, 2022 for voice-only service.²³ The Company will apply the Lifeline discount to any voice, broadband, or bundled plans that meet the FCC’s minimum service requirements for Lifeline services.

34. The Company’s pricing is reasonably comparable to the price of similar services in urban areas pursuant to FCC requirements.²⁴ By way of example, the FCC’s 2021 urban average monthly rate is \$33.73, and the reasonable comparability benchmark for voice services, two standard deviations above the urban average, is \$54.75.²⁵ Accordingly, each ETC providing fixed voice service was required to certify to the FCC in July 2021 that the pricing of its basic residential voice services is no more than \$54.75. The monthly price of the Company’s basic residential voice service is not only substantially below the FCC’s upper limit of \$54.75, but the Company’s rate for basic residential voice service is also below the FCC’s \$33.73 urban average rate. The FCC has adopted similar benchmarks for broadband Internet access service, which vary based on the speed and usage allowance.²⁶

²³ <https://www.usac.org/lifeline/get-started/eligible-services/lifeline-supported-voice-service/>.

²⁴ 47 C.F.R. § 54.313(a)(2), (3).

²⁵ *Wireline Competition Bureau and Office of Economics and Analytics Announce Results of 2021 Urban Rate Survey for Fixed Voice and Broadband Services, Posting of Survey Data and Explanatory Notes, and Required Minimum Usage Allowance for Eligible Telecommunications Carriers*, 35 FCC Rcd 13667 (2020) (“Comparability PN”).

²⁶ *Comparability PN* at 3.

35. FCC Rule 54.405(a). An ETC providing Lifeline services must make Lifeline service available to qualifying low-income consumers. The Company certifies that its Lifeline service offering will conform to the definition of “Lifeline” in the FCC’s rules.²⁷

36. FCC Rule 54.405(e). An ETC providing Lifeline services must implement certain de-enrollment procedures for Lifeline customers. The Company certifies it will comply with the FCC’s de-enrollment procedures and has general de-enrollment procedures in place for Lifeline services. In accordance with FCC requirements, the Company will de-enroll Lifeline customers for: no longer qualifying for Lifeline service, duplicative support, non-usage, failure to re-certify, and when requested by the Lifeline customer.

37. FCC Rule 54.409; FCC Rule 54.410. The Company certifies that it will verify the eligibility of its Lifeline subscriber base in accordance with FCC rules using the Lifeline National Verifier and National Lifeline Accountability Database (“NLAD”). The Company has established processes for ensuring Lifeline services are provided only to eligible customers, including procedures for confirming consumer eligibility, enrolling eligible customers, re-certifying eligibility at regular intervals, and maintaining all requisite records administering the Lifeline service.

INFORMATION REQUIRED UNDER COMMISSION RULE 31.016

38. Commission Rule 31.016(2)(B)1. The sole member and 100% owner of the Company is Big River Telephone Company, LLC, a Delaware limited liability company. The following stockholders beneficially owned a ten percent (10%) or greater share of Big River Telephone’s outstanding common stock as of May, 2022 (and hold an indirect interest in the Company):

²⁷ 47 C.F.R. § 54.401(a).

(a) Gerard J. Howe, the CEO of Big River Telephone Company, beneficially owns 15.7% of Big River Telephone Company's outstanding common stock; and

(b) Kevin B. Cantwell, the President of Big River Telephone Company, beneficially owns 12.4% of Big River Telephone Company's outstanding common stock.

39. Commission Rule 31.016(2)(B)2. Attached as **Exhibit 4** is a list of the Company's officers, along with relevant biographical information.

40. Commission Rule 31.016(2)(B)3. Big River Telephone Company is the only entity sharing common ownership or management with the Company that may have received funds from the federal universal service fund (including Lifeline support, high-cost support, or the schools and libraries or rural health care funds) or any state universal service fund in the past (as stated above, in Kansas).

41. Commission Rule 31.016(2)(B)4. To the best of the Company's knowledge, there has been no matter brought in the last ten (10) years by any state or federal regulatory or law enforcement agency against any of the individuals, entities, managers, officers, or directors currently sharing common ownership or management with the Company involving fraud, deceit, perjury, stealing, or the omission or misstatement of material fact in connection with a commercial transaction.

42. Commission Rule 31.016(2)(B)5. Information concerning the Company's service offerings is available at www.circlefiber.com .

43. Commission Rule 31.016(2)(B)6.A. The Company will comply with the ETC requirements set forth in Commission Rule 31.015.

44. Commission Rule 31.016(2)(B)6.B. The Company does not seek support from the Missouri universal service fund for the Designated Service Area.

45. Commission Rule 31.016(2)(B)6.C. The Company commits to notify the Commission of any changes in its contact information, including through the Commission's online EFIS system.

46. Commission Rule 31.016(2)(B)6.D. The Company is in compliance with all reporting and assessment obligations imposed by the Commission.

47. Commission Rule 31.016(2)(B)6.E. The Company is in compliance with its contribution obligations under the federal universal service fund.

48. Commission Rule 31.016(2)(B)7. The Company has not sought or obtained a waiver of any ETC requirement from the FCC.

REQUEST FOR WAIVER OF RULE 4.017

49. Commission Rule 4.017 requires any person that intends to file a case to file a notice with the Secretary of the Commission a minimum of 60 days prior to filing such case. The rule, however, states a party may request a waiver of the requirement for good cause.

50. The Company respectfully requests a waiver of Commission Rule 4.017 for good cause to avoid a delay of 60 days to make this filing, which could delay Missouri consumers from continuing to receive discounted broadband Internet access service (or voice/Internet bundles).

51. The Company confirms it has had no communication with any office of the Commission within the prior 150 days regarding any substantive issue likely to be germane to this proceeding.

CONCLUSION

WHEREFORE, for the foregoing reasons, the Company respectfully requests that the Commission: (i) expeditiously approve its ETC designation for the provision of voice and broadband services in the Designated Service Area; (ii) waive 20 CSR 4240-4.017; and (iii) grant such other relief as this Commission deems to be just and equitable.

Respectfully submitted,

**BIG RIVER BROADBAND LLC DBA
CIRCLE FIBER**

/s/ Carl J. Lumley
Carl J. Lumley, Bar #32869MO
CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.
130 S. Bemiston, Suite 200
St. Louis, MO 63105-1913
314-725-8788 (telephone)
clumley@chgolaw.com

CERTIFICATE OF SERVICE


I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail, or hand delivery, on this ___th day of May 2022, to the following parties:

General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of Public Counsel
PO Box 7800
Jefferson City, MO 65102
opcservice@opc.mo.gov

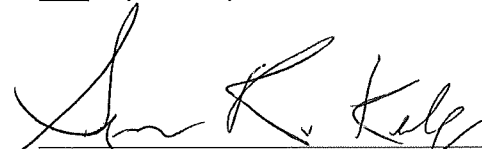
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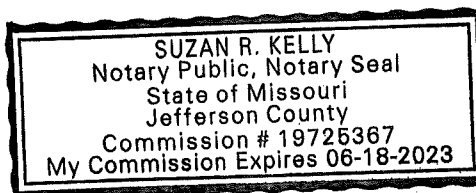
I, Gerard J. Howe, a natural person, do hereby swear and affirm that I am the Chief Executive Officer of Big River Broadband, LLC (the "Company"); that I am authorized to make this Affidavit on behalf of the Company; that the foregoing Application was prepared under my direction and supervision; and that the contents of the foregoing Application are true and correct to the best of my knowledge, information, and belief. I also hereby certify that neither I, nor any other member of this filing party, has had communications with a Commissioner, Commission Advisor, Regulatory Law Judge, member of the General Counsel, or any member of their support team in the 150 days prior to the filing date of this Application regarding any substantive issue included in this filing.


Gerard J. Howe
Chief Executive Officer

State of MISSOURI
County of ST LOUIS COUNTY

Subscribed and sworn before me this 27 day of May 2022.


Notary Public



EXHIBITS

- Exhibit 1 Designated Service Area**
- Exhibit 2 Missouri Registration to Conduct Business for Big River Broadband, LLC**
- Exhibit 3 Missouri Registration of Fictitious Names for Circle Fiber**
- Exhibit 4 Officers**

EXHIBIT 1
Designated Service Area

The Designated Service Area consists of the following municipalities:

Municipal Area
Jackson
Cape Girardeau
Poplar Bluff

County
Cape Girardeau
Cape Girardeau
Butler

EXHIBIT 2
Certificate of Registration

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

I, JOHN R. ASHCROFT, Secretary of State of the STATE OF MISSOURI, do hereby certify that the records in my office and in my care and custody reveal that

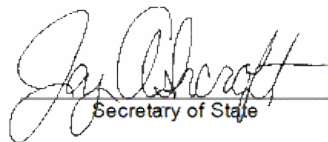
BIG RIVER BROADBAND, LLC

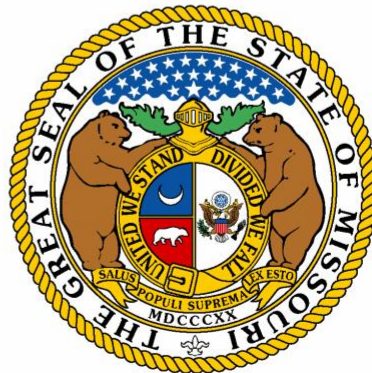
using in Missouri the name

BIG RIVER BROADBAND, LLC
FL0988072

a DELAWARE entity was created under the laws of this State on the 10th day of August, 2009, and is Active, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 9th day of May, 2019.


Secretary of State



Certification Number: CERT-05092019-0135

EXHIBIT 3
Registration of Fictitious Name



State of Missouri
John R. Ashcroft Secretary of State
Corporations Division
PO Box 778 / 600 W. Main St., Rm. 322
Jefferson City, MO 65102

Registration of Fictitious Name

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. The fictitious name registration expires 5 years from the filing date. (Chapter 417, RSMo)

Reference Number SR231128

Receipt Number TR666430

The undersigned is doing business under the following name and at the following address:

Business name to be registered: Circle Fiber

Business Address: 12444 Powerscourt Dr Suite 270

City, State and Zip Code: Saint Louis, Missouri, 63131

Owner Information:

If a business entity is an owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed. Please attach a separate page for more than three owners. The parties having an interest in the business, and the percentage they own are:

Charter #	Name of Owners, Individual or Business Entity	Address	If Listed, Percentage of Ownership Must Equal 100%
FL0988072	BIG RIVER BROADBAND, LLC	24 South Minnesota Avenue, Cape Girardeau, Missouri, 63703, United States	100

In Affirmation thereof, the facts stated above are true and correct:

The undersigned believes the statements presented in this filing are true and correct to the best of their knowledge and belief, they are subject to the penalties provided under section 575.040 RSMo. for making a false declaration under Section 575.060 RSMo

The undersigned agrees and represents that he/she is authorized to execute this document

Name John Jennings **On Behalf of** BIG RIVER BROADBAND, LLC
Title Owner
Date 02/05/2021

EXHIBIT 2
Officers of Big River Broadband, LLC a/k/a Circle Fiber

As of May 25, 2022, the following are the officers of the Company:

Gerard J. Howe, Chief Executive Officer

Mr. Howe has served as the Chief Executive Officer of Big River Telephone Company, LLC since its inception in 2001 and has served as the Chief Executive Officer of the Big River Broadband, LLC since its inception in 2009. Mr. Howe has worked in executive positions in the telecommunications industry for over 40 years. Mr. Howe has served in leadership positions in the areas of finance, regulatory, public affairs and operations. Mr. Howe was previously at Nuvox Communications, Brooks Fiber Properties and AT&T (formerly SBC Communications). Mr. Howe earned a Masters in Business Administration at St. Louis University and his Bachelor of Science at Southern Illinois University.

Kevin B. Cantwell, President

Mr. Cantwell has served as the President of Big River Telephone Company, LLC since its inception in 2001 and has served as the President of Big River Broadband, LLC since its inception in 2009. Mr. Cantwell has worked in executive positions in the telecommunications industry for over 35 years. Mr. Cantwell has served in leadership positions in the areas of business development, sales, marketing, public affairs and customer service. Mr. Cantwell was previously at WorldWide Technologies, Abiliti Solutions, Convergys, and AT&T. Mr. Cantwell earned his Masters in Business Administration at Lindenwood University and his Bachelor of Science from Central Methodist University.

John F. Jennings, Chief Financial Officer

Mr. Jennings has served as the Chief Financial Officer of Big River Telephone Company, LLC since 2003 and has served as the Chief Financial Officer of Big River Broadband, LLC since its inception in 2009. Mr. Jennings has worked in executive positions in the telecommunications industry for over 20 years, all in the areas of finance and accounting. Mr. Jennings previously worked at Nuvox Communications and Brooks Fiber Properties. Mr. Jennings is a Certified Public Accountant and earned his Bachelor of Science at University of Missouri.