

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. TA-2011-0164
Company Name: Easy Telephone Service Company d/b/a Easy Wireless

From: Dana Parish
Telecommunications Department

John Van Eschen (4/11/11) Cully Dale (4/11/11)
Utility Operations Division General Counsel's Office

Subject: Staff Recommendation Regarding Easy Telephone Service Company's
Application for ETC Status

Date: April 11, 2011

On December 7, 2010 Easy Telephone Service Company (Easy Wireless or Applicant) certificated in Case No. TA-2011-0164, filed an application with the Missouri Public Service Commission (PSC) seeking designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving federal universal service fund support for low income customers exclusively.

On February 4, 2011 Staff filed a recommendation to grant ETC status; but later withdrew its recommendation on February 28, 2011 due to a February 17, 2011 email from the Universal Service Administrative Company (USAC) the entity that administers the federal universal service fund. USAC's email describes how a person contacted USAC stating concerns of Easy Wireless claiming support for phones not distributed to Lifeline customers and the company may be falsifying certification forms. On March 11, 2011 the Applicant filed a detailed response to the allegations. In Staff's opinion, Easy Wireless has adequately responded to the concerns expressed in USAC's email. Therefore, Staff recommends the PSC grant ETC status to Easy Wireless for the sole purpose of receiving federal support for Lifeline and LinkUp purposes.

As previously stated in Staff's February 4, 2011 Recommendation; a company must receive ETC designation in order to receive either high-cost support and/or low-income funding from the federal USF. Low-income funding is associated with the federal Lifeline and LinkUp programs. These programs provide funding to companies in offering discounts to monthly charges and installation charges for local voice service subscribed to by consumers meeting certain criteria. The Missouri USF can also provide funding support to low-income consumers as well as qualifying disabled consumers, but ETC status is only necessary for federal USF funding.¹ In this regard Easy Wireless'

¹ Missouri PSC rule 4 CSR 240-31.050(1) identifies the separate process used by carriers seeking Missouri USF funding.

pending ETC request is limited to receiving federal low-income support for Lifeline and LinkUp programs.

Easy Wireless proposes to offer a wireless service for qualifying low-income consumers. The proposed service will provide essentially a free wireless handset to qualifying consumers with no monthly fees. The proposed service will provide 75 minutes of local and long distance usage per month with additional airtime replenishment cards in \$10, \$20 and \$30 denominations. The company does not intend to seek Missouri USF funding for this service. Company officials state the company will require applicants to submit proof of eligibility.

ETC application requirements are identified in rules established by the FCC and the Missouri PSC. Attachment A identifies Staff's interpretation of the ETC application requirements for companies only seeking low-income support. Staff has inserted citations within Attachment A showing citations for why Staff concludes the company meets the requirement.

In Staff's opinion, Easy Wireless meets all requirements for ETC designation in order to receive low-income support from federal USF funding as a wireless carrier, including the receipt of Lifeline and LinkUp support, for discounts offered on Company service plans to eligible customers.

Attachment A

Easy Telephone Service Company d/b/a Easy Wireless

Compliance with ETC Application Requirements
(Lifeline/LinkUp Assistance)

Requirement (rule citation)		Description	Comply? (Paragraph)
FCC	MoPSC		
54.201	-	Defines ETC as a carrier providing service using at least a portion of its own facilities. <i>(Note: a carrier solely providing service via UNEs is OK but a carrier solely providing service via resale is not.)</i>	Sufficient ² Pg. 4, #8 and #9
54.101	3.570 (3)(C)1	Ensures certain service features are provided (touchtone, single-party, access to 911, IX service, relay (711), DA, operators, toll limitation)	Sufficient Pg. 4, #10 Pg. 8, Sect. A Pg. 12, Sect. C Pg. 17, #14 Pg. 19, #20A
-	3.570 (3)(D)	<i>Wireless providers: Within 30 days of receiving ETC status will make an informational filing describing all service offerings.</i>	Sufficient Pg. 21, #20J
54.202(a) (1)	-	Commit to provide service throughout proposed service area	Sufficient Pg. 3, #6
54.202(a)(1)(B)	-	Commit to provide service in a timely manner.	Sufficient Pg. 19, #20B
54.202(a)(2)	3.570 (2) (A)4	Commit to remain functional in emergencies.	Sufficient Pg. 14, Sect. E Pg. 19, #20B
-	3.570 (2)(A)9	Statement it will provide equal access if all other ETCs in that service area relinquish their ETC designations.	Sufficient Pg. 11, Sect. B
54.202(a)(3)	3.570 (2)(B)	Commit to satisfy consumer protection & quality of service standards. <i>(Wireless ETCs commit to CTIA code of conduct + attach copy of current CTIA code)</i>	Sufficient Pg. 13, Sect. E Pg. 20, #20H Exhibit C
54.202(a)(4)	3.570 (2)(A)10	Commit to offering a comparable usage plan as ILEC.	Sufficient Pg. 11, Sect. B Pg. 19, #20C
54.202(c)	3.570 (2)(A)5	Demonstrates granting ETC status is in public interest.	Sufficient Pgs. 7-22
-	3.570 (3)(A)	Clear bill design.	Sufficient Pg. 21, #20I

² The company proposes to provide service primarily via resale basis; however the company will route calls to directory assistance and operator service through a Class 5 central office switch owned by the company and located in Boca Raton, Florida.

-	3.570 (3)(B)	Customer service contact information online and on billing statements.	Sufficient Pg. 21, #20I
-	3.570 (3)(E)	Commit to maintain record of customer complaints.	Sufficient Pg. 14, Sect. E Pg. 21, #20I
54.401(c)	-	Not collect a deposit from a Lifeline subscriber if consumer voluntarily elects toll limitation service.	Sufficient Pg. 20, #20D
54.401(e)	-	Not charge a Lifeline subscriber a monthly number portability charge.	Sufficient Pg. 20, #20E
54.403	3.570 (2)(A)7	Discounts consistent with federal plan: Tier 1: \$1.75 (fed discount) Tier 2: \$6.50 (waive subscriber line charge)* Tier 3: \$1.75 (half of a state's or carrier's contribution) - <u>\$3.50 state MoUSE</u> - \$13.50 max. * Limited to ILEC's subscriber line charge amount.	Sufficient Pg. 20, #20F
54.405 (b)	3.570 (2)(A)6	Publicize Lifeline.	Sufficient Pg. 10, Sect. B Exhibit C
54.409 54.410	31.050	FCC rules state ETC must comply with state verification procedures in states that mandate state Lifeline support. MoPSC rules require a company to verify customer's eligibility; develop a process for documentation received; plus verify a customer's continued eligibility.	Sufficient See Supplement to Application filed 2/2/2011.
-	3.570 (2)(A)8	Statement will satisfy consumer privacy protection standards.	Sufficient Pg. 20, #20H
-	3.570 (3)(F)	Notify PSC of any changes to contact info.	Sufficient Pg. 2, #3

Compliance with Other Funding/Filing Requirements		
Item	Yes	No
Missouri USF Assessment	N/A	
PSC Assessment		
Relay Missouri		
Annual Report		

**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))

Case No. TA-2011-0164

AFFIDAVIT OF DANA PARISH

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

Dana Parish of lawful age, on oath states: that she participated in the preparation of the foregoing Staff Recommendation in memorandum form, to be presented in the above case; that the information in the Staff Recommendation was provided to her; that she has knowledge of the matters set forth in such Staff Recommendation; and that such matters are true to the best of her knowledge and belief.


Dana Parish

Subscribed and sworn to before me this 11th day of April, 2011.

SUSAN L. SUNDERMEYER
Notary Public - Notary Seal
State of Missouri
Commissioned for Callaway County
My Commission Expires: October 03, 2014
Commission Number: 10942086


Notary Public