

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

In the Matter of the Application of Tempo )  
Telecom, LLC for Designation as an Eligible )  
Telecommunications Carrier in the State of ) **File No. TA-2013-0545**  
Missouri for the Limited Purpose of Offering )  
Prepaid Wireless Lifeline Service to Qualified )  
Households )

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission and for its recommendation, states as follows:

1. On July 22, 2013, Tempo Telecom, LLC (“the Company”), a wireless carrier, filed an application with the Missouri Public Service Commission seeking designation as an Eligible Telecommunications Carrier for the purpose of receiving federal universal service fund support for low income customers through the Lifeline program.

2. In lieu of a memorandum, the Staff herein states that it believes it appropriate to grant the requested ETC status, but to condition the ETC designation by the Commission, as follows:

A. The Company shall notify the Staff within 30 days of any event that falls within the following:

Please provide the details of any matter brought in the last ten years by any state or federal regulatory or law enforcement agency against the ETC, any person or entity that holds more than a 10% ownership interest in the ETC, any affiliated company (any company under common management ownership or control or that, by contract or other agreement performs any of the functions necessary to the ETC’s Lifeline Service) that involves any aspect of the provision of Lifeline Service or any aspect of state or federal Universal Service funds, or any matter involving fraud, deceit, perjury, stealing or the omission or misstatement of material fact in connection with a commercial transaction. Such matters include formal or informal notices of investigation, indictment, the filing of a complaint, a civil lawsuit, revocation or suspension proceeding, action for penalties or damages, or criminal charges. Such details include, but are not limited to, copies of

complaints or other such pleadings and the filed responses thereto, as well as any orders, decisions or other determinations of culpability, including those that exonerate the subject of any wrongdoing.

The Staff plans to include this disclosure requirement for new and renewing ETC applicants in its proposed comprehensive amendments to the Commission's ETC rules.

- B. The Company may only use the MoUSF Board-approved form when enrolling Lifeline subscribers in Missouri.
- C. The Company will use only the name Tempo Telecom, LLC, which is registered with the Missouri Secretary of State, when enrolling Lifeline subscribers in Missouri.

3. The Company has an obligation to update its application with new information when any statement therein becomes untrue or could mislead the reader to an inference that is untrue.

**WHEREFORE**, the Staff recommends that the Company be granted ETC designation, on the condition that it adheres to the above-listed conditions, as well as any other conditions in the Commission's rules concerning the provision of wireless Lifeline Service to low-income customers.

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 16<sup>th</sup> day of September, 2013.

A handwritten signature in black ink, appearing to be "All the Day".