

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

In the Matter of the Application of Fidelity )  
Communications Services I Inc. for designation as an )  
Eligible Telecommunications Carrier for Purpose of ) **File No. CO-2012-0282**  
Receiving Low-Income and Disabled Customer )  
Support in Missouri. )

## STAFF RECOMMENDATION

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

1. On February 22, 2012 Fidelity Communications Services, Inc. (“the Company”), a facilities-based competitive local exchange telecommunications carrier, filed an application with the Missouri Public Service Commission seeking designation as an Eligible Telecommunications Carrier (“ETC”) for the purpose of receiving federal and Missouri universal service fund support for low-income and disabled customers in areas in addition to those granted previously in TA-2002-122.

2. In the attached Memorandum, labeled Appendix 1, the Staff recommends that the Commission grant the Company's request. In the Staff's opinion, the Company has met all the requirements, both state and federal, to become designated as an eligible telecommunications carrier for receipt of state and federal universal service fund low-income and disabled support. The Company is not delinquent or non-compliant with any of the Commission's reporting or assessment requirements.

**WHEREFORE,** Staff recommends that the Commission grant Fidelity Communications Services, Inc.'s Application to be designated an Eligible Telecommunications Service in the additional requested areas for the receipt of low-income and disabled support from the state and federal Universal Service.

Respectfully submitted,



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Attorney for the Staff of the  
Missouri Public Service Commission  
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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 22nd day of March, 2012.



## MEMORANDUM

To: Missouri Public Service Commission  
Case No. CO-2012-0282  
Company Name: Fidelity Communications Services I Inc.

From: Dana Parish  
Telecommunications Department

John Van Eschen (3/22/12)                      Cully Dale (3/22/12)  
Utility Operations Division                      General Counsel's Office

Subject: Staff Recommendation Regarding Fidelity Communications  
Services I Inc.'s Application to Amend and Expand Designation as an  
Eligible Telecommunications Carrier

Date: March 22, 2012

On February 22, 2012 Fidelity Communications Services I Inc. (Fidelity), a competitive local exchange carrier (CLEC), filed an application with the Missouri Public Service Commission (PSC) in Case No. CO-2012-0282 to amend and expand its designation as an Eligible Telecommunications Carrier (ETC) for the purpose of receiving low-income and disabled customer support in the CenturyLink Lebanon and Salem service areas. On February 23, 2012 the Commission ordered the Staff to file its recommendation no later than March 22, 2012. Fidelity is requesting waivers of 4 CSR 240-3.570(2)(A)1-3, 4 CSR 240-3.570(2)(C), and 4 CSR 240-3.570(3)(C)3. Fidelity was previously granted ETC status in Case No. TA-2002-122 in the Rolla, Missouri exchange.

A company must receive state 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 the program 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. In this regard, Fidelity's pending ETC request is limited to receiving federal low-income/disabled customer support only.

Attachment A identifies ETC application requirements for companies only seeking low-income support. In Staff's opinion, the company has met these requirements. Staff has inserted citations from the company's ETC Application within Attachment A showing citations for why Staff concludes the company meets these requirements. Therefore, Staff recommends the Commission grant Fidelity's request to amend and expand its designation as an ETC, as well as grant waivers for the rules noted in paragraph one. The

Commission's order should specifically limit ETC status to solely the receipt of federal Lifeline and LinkUp support.

Attachment A

Fidelity Communications Services 1 Inc.

**Compliance with ETC Application Requirements**  
(Lifeline/LinkUp Assistance)

<b>Requirement (Rule citation)</b>		<b>Description</b>	<b>Comply (Paragraph)</b>
<b>FCC</b>	<b>MoPSC</b>		
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>	Acceptable Para. 3, 7, 23
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)	Acceptable Para. 7
FCC Docket No. 96-45 <a href="#">FCC/TracFone decision</a>		Commits to remit 911 revenues to local authorities.	Acceptable Para. 31
-	3.570 (3)(D)	<i>Wireless providers: Within 30 days of receiving ETC status will make an informational filing describing all service offerings.</i>	Acceptable Para. 25
54.202(a) (1)	-	Commit to provide service throughout proposed service area	Acceptable Para. 28
54.202(a)(1)(B)	-	Commit to provide service in a timely manner.	Acceptable Para. 35
54.202(a)(2)	3.570 (2) (A)4	Commit to remain functional in emergencies.	Acceptable Para. 27
-	3.570 (2)(A)9	Statement it will provide equal access if all other ETCs in that service area relinquish their ETC designations.	Acceptable Para. 22, 25, 28
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>	Acceptable Para. 26 (wireline provider)
54.202(a)(4)	3.570 (2)(A)10	Commit to offering a comparable usage plan as ILEC.	Acceptable Para. 20
54.202(c)	3.570 (2)(A)5	Demonstrates granting ETC status is in public interest.	Acceptable Para. 1, 40
-	3.570 (3)(A)	Clear bill design.	Acceptable Para. 10
-	3.570 (3)(B)	Customer service contact information online and on billing statements.	Acceptable Para. 11

-	3.570 (3)(E)	Commit to maintain record of customer complaints.	Acceptable Para. 12
54.401(c)	-	Not collect a deposit from a Lifeline subscriber if consumer voluntarily elects toll limitation service.	Acceptable Para. 36
54.401(e)	-	Not charge a Lifeline subscriber a monthly number portability charge.	Acceptable Para. 37
54.403	3.570 (2)(A)7	Discounts consistent with federal plan: Tier 1: \$6.50 (waive subscriber line charge)* Tier 2: \$1.75 (fed discount) Tier 3: \$1.75 (additional fed discount available to all companies in Missouri) - <u>\$3.50 state MoUSF (landline only)</u> - <b>\$13.50 max.</b> * Limited to ILEC's subscriber line charge amount.	Acceptable Para. 25
54.405 (b)	3.570 (2)(A)6	Publicize Lifeline.	Acceptable Para. 14, 15, 19
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.	Acceptable Para. 33, 38
-	3.570 (2)(A)8	Statement will satisfy consumer privacy protection standards.	Acceptable Para. 26
-	3.570 (3)(F)	Notify PSC of any changes to contact info.	Acceptable Para. 13
	31.050(3)(D)	Acceptable Lifeline application form	Acceptable Para. 39
	3.540(2)(A)5	ETC destination would be consistent with the public interest. <i>(Public interest may be an issue if applicant has relationships with other companies/individuals under investigation for Lifeline program violations.)</i>	Acceptable Para. 1

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

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Case No. CO-2012-0282

**AFFIDAVIT OF DANA PARISH**

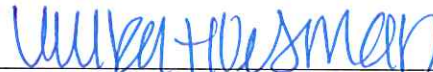
**STATE OF MISSOURI** )  
 ) ss  
**COUNTY OF COLE** )

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 22<sup>nd</sup> day of March, 2012.



Notary Public