

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of September, 2018.

In the Matter of a Request for Variance from the
Filing Requirements of 4 CSR 240-31.130

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File No. TE-2018-0372

**ORDER MODIFYING VARIANCE TO RELIEVE ELIGIBLE TELECOMMUNICATIONS
CARRIERS OF THE OBLIGATION TO FILE A COPY OF THEIR FEDERAL ANNUAL
REPORT WITH THE COMMISSION**

Issue Date: September 12, 2018

Effective Date: September 22, 2018

On June 27, 2018, the Commission issued an order granting a variance from a Commission regulation requested by Staff that allowed Eligible Telecommunications Carriers (ETCs) to avoid filing duplicate copies of the annual report (Form 481) they are required to file with the Federal Communications Commission (FCC) under federal law. Staff's motion requesting the variance explained that the FCC indicated it will no longer require ETCs to file duplicate copies of the Form 481 federal report with the FCC and the state commissions, reasoning the state commissions can now access that form on the Universal Service Administrative Company (USAC) website.

On August 23, Staff filed a motion asking the Commission to modify the variance it granted. Staff's motion explains it has learned the FCC has changed the Form 481 filing requirements. A state commission's access to Form 481 reports through USAC's website is now limited to only those reports filed by ETCs eligible to receive high-cost support, and does not permit state commissions to gain access to Form 481 reports filed by ETCs that are eligible to receive only Lifeline support. Consequently, the

Commission can only access a Form 481 report from a Lifeline-only ETC if the ETC files its report directly with the Commission, as required by the regulation absent the granted variance. For that reason, Staff asks that the previously granted variance be modified to limit the variance to ETCs eligible for high-cost support.

More than ten days have passed since Staff filed its Motion to Modify and no one has responded to that motion.¹ The Commission takes up Staff's Motion to Modify as unopposed, and will grant the motion.

THE COMMISSION ORDERS THAT:

1. Staff's Motion to Modify is granted.
2. The provisions of Commission Rule 4 CSR 240-31.130(3)(B)2 (High Cost Support), which require Eligible Telecommunications Carriers to submit a copy of the federal annual report required by 47 CFR 54.422 to this Commission, are waived for 2018 for any ETC eligible to receive high-cost support.
3. The provisions of 4 CSR 240-31.130(3)(A)3, whereby Eligible Telecommunications Carriers receiving only Lifeline support are required to submit a copy of the federal annual report required by 47 CFR 54.422 to this Commission are not waived for 2018.

¹ Commission Rule 4 CSR 240-2.080(13) allows parties ten days in which to respond to any pleading unless the Commission orders a response by some other date.

4. This order shall be effective on September 22, 2018.

BY THE COMMISSION



A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Hall, Chm., Kenney, Rupp, Coleman, and
Silvey, CC., concur.

Woodruff, Chief Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 12th day of September 2018.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 12, 2018

File/Case No. TE-2018-0372

**Missouri Public Service
Commission**

Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel

Hampton Williams
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

**Missouri Public Service
Commission**

Whitney Payne
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
whitney.payne@psc.mo.gov

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

A handwritten signature in dark ink, reading "Morris L. Woodruff". The signature is fluid and cursive, with the first name "Morris" being the most prominent.

**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.