

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 21st day of March, 2006.

Application of USCOC of Greater Missouri, LLC for        )  
Designation as an Eligible Telecommunications Carrier    )  
Pursuant to the Telecommunications Act of 1996         )        **Case No. TO-2005-0384**

**ORDER DIRECTING APPLICANT TO FILE ADDITIONAL INFORMATION  
ABOUT INTENDED USE OF HIGH-COST SUPPORT**

Issue Date: March 21, 2006

Effective Date: March 21, 2006

USCOC of Greater Missouri, LLC, d/b/a U.S. Cellular, has filed an application asking the Commission to designate it as an Eligible Telecommunications Carrier (ETC) pursuant to federal law. As an ETC, U.S. Cellular asks to be designated as eligible to receive all available support from the federal Universal Service Fund, including support for rural, insular, and high-cost areas and low-income customers. The Commission conducted an evidentiary hearing regarding U.S. Cellular's application on October 26 and 27, 2005, and the parties filed post-hearing briefs on December 6.

In reviewing the evidence and arguments of the parties, the Commission finds that U.S. Cellular has not presented sufficient evidence regarding how it intends to use the support it would receive from the Universal Service Fund to improve its network through improved coverage, signal strength, or capacity, in ways that would not otherwise occur without the receipt of high-cost support. Rather than simply rejecting U.S. Cellular's

application, the Commission will allow U.S. Cellular an opportunity to submit additional evidence on that issue.

In looking at this issue, the Federal Communications Commission has suggested that applicants for Universal Service support be required to submit a detailed five-year build out plan. U.S. Cellular, thus far, has submitted only a rather vague 18-month plan calling for the building of 16 new cell towers. The Commission has recently examined this issue in detail while considering a new regulation regarding applications for designation as an ETC. That regulation has not yet been published and does not yet have the force of law. Nevertheless, the Commission believes that the requirements of that regulation regarding the proposed build out plan that must be submitted along with any application for ETC designation are a good guide for the information that U.S. Cellular will be required to submit in this case. The Commission will expect U.S. Cellular's budgeted expenditures to match expected revenues from the high-cost support fund.

The relevant portions of the as yet unpublished regulation provide as follows:

(2) Applications for designation as an ETC

(A) Each request for ETC designation shall include:

1. Intended use of the high-cost support, including detailed descriptions of any construction plans with start and end dates, populations affected by construction plans, existing tower site locations for CMRS cell towers, and estimated budget amounts;
2. A two (2)-year plan demonstrating, with specificity, that high-cost universal service support shall only be used for the provision, maintenance and upgrading of facilities and services for which the support is intended in the Missouri service area in which ETC designation was granted.

A. For purposes of this section, 'support is intended' is defined consistent with the Telecommunications Act which outlines the following principles:

- (l) Quality and rates – quality services should be available at just, reasonable, and affordable rates.

(II) Access to advanced services – access to advanced telecommunications and information services should be provided in all regions of the State.

(III) Access in rural and high cost areas – consumers in all regions of Missouri, including those in rural, insular and high cost areas will have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.

3. The two (2)-year plan shall include a demonstration that universal service support shall be used to improve coverage, service quality or capacity on a wire center-by-wire center basis throughout the Missouri service area for which the requesting carrier seeks ETC designation including:

A. A detailed map of coverage area before and after improvements and in the case of CMRS providers, a map identifying existing tower site locations for CMRS cell towers;

B. The specific geographic areas where improvements will be made;

C. The projected start date and completion date for each improvement;

D. The estimated amount of investment for each project that is funded by high-cost support;

E. The estimated population that will be served as a result of the improvements;

F. If an applicant believes that service improvements in a particular wire center are not needed, it must explain its basis for this determination and demonstrate how funding will otherwise be used to further the provisions of supported services in that area; and

G. A statement as to how the proposed plans would not otherwise occur absent the receipt of high-cost support and that such support will be used in addition to any expenses the ETC would normally incur.

The Commission will not establish a date by which U.S. Cellular must submit the additional evidence, but the Commission will not further consider U.S. Cellular's application until that evidence is submitted. Of course, all other parties will be given an opportunity to respond to whatever additional evidence U.S. Cellular submits.

**IT IS ORDERED THAT:**

1. USCOC of Greater Missouri, LLC, d/b/a U.S. Cellular, shall submit additional evidence regarding how it intends to use the support it would receive from the Universal Service Fund to improve its network through improved coverage, signal strength, or capacity, in ways that would not otherwise occur without the receipt of high-cost support.
2. This order shall become effective on March 21, 2006.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

(S E A L)

Davis, Chm., Gaw, Clayton and Appling, CC., concur  
Murray, C., absent

Woodruff, Deputy Chief Regulatory Law Judge