

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

In the Matter of the Application of )  
Northwest Missouri Cellular Limited )  
Partnership for Designation as a )  
Telecommunications Company Carrier )  
Eligible for Federal Universal Service )  
Support Pursuant to Section 254 of the )  
Telecommunications Act of 1996 )

Case No. TO-2005-0466

**STAFF RESPONSE TO COMPLIANCE FILING**

COMES NOW the Staff of the Missouri Public Service Commission and for its response states:

1. Pursuant to the Commission's Report and Order, Northwest Missouri Cellular Limited Partnership filed a revised budget and buildout plan.

2. In the attached Memorandum the Staff discusses its review of that filing. Although the Staff observed what appear to be discrepancies in some of the numbers, the Staff opines that the filing is in compliance with the Commission's Order. In order to address the apparent discrepancies, Staff will monitor the company's October 2007 ETC certification filing closely to ensure the dispersed monies are spent appropriately.

Respectfully submitted,

/s/ William K. Haas

William K. Haas  
Deputy General Counsel  
Missouri Bar No. 28701

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-7510 (Telephone)  
(573) 751-9285 (Fax)  
[william.haas@psc.mo.gov](mailto:william.haas@psc.mo.gov)

## **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 27<sup>th</sup> day of September 2006.

**/s/ William K. Haas**

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Company Name: Northwest Missouri Cellular Limited Partnership  
Case No. TO-2005-0466

From: Adam McKinnie  
Telecommunications Department

/s/ Natelle Dietrich 9/27/06  
Utility Operations Division/Date

/s/ William K. Haas 09/27/06  
General Counsel's Office/Date

Subject: Recommendation regarding the Compliance Filing of Northwest Missouri Cellular Limited Partnership

Date: 9-27-06

On September 21, 2006, the Missouri Public Service Commission (Commission) issued a Report and Order in Case No. TO-2005-0466, *In the Matter of the Application of Northwest Missouri Cellular Limited Partnership for Designation as a Telecommunications Company Carrier Eligible for Federal Universal Service Support Pursuant to § 254 of the Telecommunications Act of 1996*, granting Northwest Missouri Cellular Limited Partnership (NWMC) ETC status for the requested wire centers. This grant is "conditioned on compliance with the items set out in ordered paragraphs 2-4 below" in the Report and Order.

Paragraph 2 of the "It is Ordered That:" section of the Report and Order states,

2. Northwest Missouri Cellular Limited Partnership shall file no later than September 26, 2006, a revised budget and build-out plan as specified in the body of this order which includes only items for which USF support is intended as set out in 4 CSR 240-3.570(2)(A)2.A and which would not have been made without USF support.

On September 26, 2006, NWMC filed a "Compliance Filing" containing a cover letter and a revised two year build out plan. As the two year build out plan is marked as Highly Confidential, much of the discussion of this plan will also be Highly Confidential.

Staff has reviewed the filing and makes the following observations.

- During the proceeding, NWMC estimated an annual USF draw of \$ 1,468,614 (as remarked in Report and Order, page 10). In the instant build out plan, there is no estimated ETC annual draw listed. Therefore, for the purposes of this recommendation, Staff assumes the annual estimated ETC draw remains \$1,468,614.
- As ordered on page 25 of the Report and Order, the instant build out plan sets forth the compliance filing for the first two years of USF support.

- The previous budget contained in Appendix P attached to NWMC witness Bundridge's Surrebuttal Testimony shows NWMC intended to build out \*\* \_ \*\* cell towers over a five year period. The instant build out plan contained in the compliance filing shows NWMC intends to build \*\* \_ \*\* cell sites over two years
- NWMC has reordered the priority for deployment of cell towers. Among the \*\* \_\_\_\_\_ \*\* cell towers in the original five year plan (as listed in Highly Confidential Appendix M attached to NWMC witness Bundridge's Supplemental Direct Testimony) \*\* \_\_\_\_\_ \*\* are included in the instant build out plan, while \*\* \_\_\_\_\_ \*\* are not.
- The items "EVDO Expenses for Current Sites" and "Expenses for Capacity Additions at Current Sites", which appeared in the original budget, are not contained within the instant two year build out plan as directed by the Commission. \*\* \_\_\_\_\_ \*\*
- It appears there are discrepancies in some of the numbers within the instant two year build out plan when compared to Highly Confidential Appendix M and Highly Appendix P. (As the Commission found in its order, NWMC's presentation of its 5 year plan was extremely confusing. Staff performed its analysis to the best of its ability.)
  - The original budget set aside \*\* \_\_\_\_\_ \*\* per cell site annually for "911". In the instant two year build out plan, the amount set aside annually for "911" is \*\* \_\_\_\_\_ \*\* per cell site.
  - In the original budget the amount set aside annually for "Capacity Increases" was \*\* \_\_\_\_\_ \*\* per cell site (Highly Confidential Appendix M attached to NWMC witness Bundridge's Supplemental Direct Testimony). In the instant two year build out plan, the amount set aside annually for "Capacity Increases" is \*\* \_\_\_\_\_ \*\* per cell site.
  - In Highly Confidential Appendix P attached to NWMC witness Bundridge's Surrebuttal Testimony, the "Annual Expenses for New Sites" is \*\* \_\_\_\_\_ \*\* for one cell tower to be built in the first year. In the instant two year compliance build out plan, the annual expense is \*\* \_\_\_\_\_ \*\* per cell site.
  - In the two year build out compliance plan, there appear to be two mathematical errors since the "Year 1" expense items for "911" and "Capacity Increases" were calculated for only \*\* \_\_\_\_\_ \*\* new cell sites instead of the \*\* \_\_\_\_\_ \*\* new cell sites.

In Staff's opinion, the September 26, 2006 budget filing is in compliance with the Commission's order granting ETC designation. In order to address the apparent discrepancies discussed above, Staff will monitor NWMC's October 2007 ETC certification filing closely to ensure the dispersed monies were spent appropriately.

- The Company is not currently subject to filing an annual report or paying the PSC assessment.
- The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.
- (  No annual report  Unpaid PSC assessment. Amount owed:     )

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

*In the Matter of the Application of*           )  
*Northwest Missouri Cellular Limited*       )  
*Partnership for Designation as a*           )  
*Telecommunications Company Carrier*       )  
*Eligible for Federal Universal Service*     )  
*Support Pursuant to § 254 of the*           )  
*Telecommunications Act of 1996*           )

Case No. **TO-2005-0466**

**AFFIDAVIT OF Adam McKinnie**

STATE OF MISSOURI            )  
  )    ss:  
COUNTY OF COLE              )

Adam McKinnie, employee of the Staff of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in the preparation of the accompanying memorandum and that the facts therein are true and correct to the best of his knowledge and belief.

  
\_\_\_\_\_  
Adam McKinnie

Subscribed and affirmed before me this 27<sup>th</sup> day of September, 2006.  
I am commissioned as a notary public within the County of Cole, State of Missouri  
and my commission expires on \_\_\_\_\_



DAWN L. HAKE  
My Commission Expires  
March 16, 2009  
Cole County  
Commission #05407643

  
\_\_\_\_\_  
NOTARY PUBLIC