

4 CSR 240-3.570(2)(A)(12), 4 CSR 240-3.570(2)(A)(15), 4 CSR 240-3.570(4)(B)(1)(F), 4 CSR 240-3.570(4)(C)(1)(D)

Sections 4 CSR 240-3.570(2)(12) and 4 CSR 240-3.570(2)(15) of the proposed rule seek only a commitment from ETC applicants to advertise the availability of and charges for supported services and to offer a local usage plan comparable to those of the incumbent. These sections should be strengthened to require documented plans on how the requirements of sections 4 CSR 240-3.570(2) (12) and 4 CSR 240-3.570(2) (15) will be met. 4 CSR 240-3.570(4)(B)(1)(F) and 4 CSR 240-3.570(4)(C)(1)(D) should require that, during the annual recertification process, carriers must provide information from the previous year demonstrating the availability of and charges for supported services and to demonstrate that the carrier offered local usage plans comparable to those of the incumbent.

4 CSR 240-3.570(2)(A)(13), 4 CSR 240-3.570(2)(A)(17), 4 CSR 240-3.570(2)(A)(18), 4 CSR 240-3.570(2)(A)(19), 4 CSR 240-3.570(4)(B) and 4 CSR 240-3.570(4)(C)

Sections 4 CSR 240-3.570(2)(A)(13), 4 CSR 240-3.570(2)(A)(17), 4 CSR 240-3.570(2)(A)(18) and 4 CSR 240-3.570(2)(A)(19) of the proposed rule seek only statements or commitments from ETC applicants related to the manner in which the carrier will satisfy consumer privacy protection standards, will maintain records of customer complaints, will remit 911 taxes and will report changes to company contact information. These sections should be strengthened to require a detailed description of the procedures that will be followed to assure compliance with the requirements. Sections 4 CSR 240-3.570(4)(B) and 4 CSR 240-3.570(4)(C) should be supplemented to require that, during annual recertification, applicants must update any changes

to sections 4 CSR 240-3.570(2)(A)(13), 4 CSR 240-3.570(2)(A)(17), 4 CSR 240-3.570(2)(A)(18) and 4 CSR 240-3.570(2)(A)(19).

Additional Recommendations

47 CFR 54.401(d) requires that the state commission shall file or require the eligible telecommunications carrier to file information with the Federal Universal Service Fund Administrator demonstrating that the carrier's Lifeline plan meets the criteria set forth in this subpart and stating the number of qualifying low-income consumers and the amount of state assistance. A provision should be added to the Missouri Public Service Commission Rules requiring eligible telecommunications carriers to make the filing required by 47 CFR 54.401(d). Eligible telecommunications carriers should also be required to provide the demonstrative information to the Missouri Public Service Commission as a part of annual eligibility certifications.

The Missouri Public Service Commission Rules should require that as a condition of receiving Federal or State universal service support a carrier will offer as an option available to consumers a basic service offering consisting of only supported services free of any additional charges for custom calling features, toll charges and roaming charges.

The Missouri Public Service Commission Rules should require that as a condition of receiving State universal service support a carrier be compliant with required submissions to the Missouri Universal Fund Administrator.

Wherefore, the Office of Public Counsel respectfully submits these comments on the Staff's proposed changes to the Commission's ETC rule.

Respectfully submitted,

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I hereby certify that a copy of the foregoing has been emailed to the following parties of record this 9th day of September 2011:

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