

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

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

**STAFF RESPONSE REQUESTING ADDITIONAL PROCEEDINGS**

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

1. On April 22, 2005, USCOC of Greater Missouri, LLC d/b/a U.S. Cellular filed an application for designation as an eligible telecommunications carrier (ETC) pursuant to Section 214 (e) (2) of the Telecommunications Act of 1996.

2. Following the filing of three rounds of testimony, the Commission conducted a hearing on the application on October 26 and 27, 2005. The parties filed post-hearing briefs on December 6, 2005.

3. On March 21, 2006, the Commission issued an order directing U.S. Cellular to 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. The order states that the requirements of the Commission's then-as-yet unpublished regulation regarding the proposed build out plan that must be submitted with any application for ETC designation are a good guide for U.S. Cellular.

4. The Commission had, on October 31, 2005, submitted to the Secretary of State a notice of proposed rulemaking to promulgate Commission Rule 4 CSR 240-3.570, Requirements

for Carrier Designation as Eligible Telecommunications Carriers. That rule became effective June 30, 2006.

5. On August 11, 2006, U.S. Cellular filed a pleading titled Compliance Filing of U.S. Cellular with its “Two-Year Network Improvement Plan” attached.

6. On August 14, 2006, the Commission directed each party to file a pleading indicating whether it wishes to cross-examine U.S. Cellular’s witness about the compliance filing, whether it wishes to present additional evidence of its own, and whether it wishes to present additional argument.

7. The Staff answers these three questions in the affirmative. Additional testimony, cross-examination and argument will provide the parties the opportunity to address not only whether U.S. Cellular’s August 11 pleading complies with the Commission’s March 21 Order, but also whether U.S. Cellular’s application meets the requirements of the Commission’s ETC rule. Case No. TO-2005-0466, the application of Northwest Missouri Cellular Limited Partnership for ETC designation, and Case No. TO-2006-0172, the application of Missouri RSA No. 5 Partnership for ETC designation, were--similar to U.S. Cellular’s case--also pending during the Commission’s ETC rulemaking process. In both of those cases, the parties submitted supplemental testimony to address the application vis-à-vis the ETC rule.

WHEREFORE, the Staff requests the opportunity to cross-examine U.S. Cellular’s witness, and to present additional evidence and argument.

Respectfully submitted,

/s/ William K. Haas

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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 31<sup>st</sup> day of August 2006.

/s/ William K. Haas