

**BEFORE THE
PUBLIC SERVICE COMMISSION OF MISSOURI**

**IN THE MATTER OF THE APPLICATION)
OF ASSURANCE HOME PHONE)
SERVICES, INC., D/B/A SURETY)
WIRELESS FOR DESIGNATION AS AN)
ELIGIBLE TELECOMMUNICATIONS) No. _____
CARRIER ON A WIRELESS BASIS (LOW)
INCOME ONLY))
)**

**APPLICATION FOR DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER ON A WIRELESS BASIS**

COMES NOW Assurance Home Phone Services, Inc. d/b/a Surety Wireless (“Assurance Home Phone” or the “Company”) and, pursuant to the Federal Communications Act of 1934, as amended (the “1996 Act”), 47 U.S.C. § 214(e), and 47 C.F.R. §§ 54.101 through 54.207 (the “FCC Rules”), hereby requests that the Missouri Public Service Commission (the “Commission”) designate Assurance Home Phone as an Eligible Telecommunications Carrier (“ETC”) throughout the non-rural Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri (“AT&T Missouri”) exchanges described herein (the “Service Area”) for the purpose of receiving federal universal service support for wireless services. At this time Assurance Home Phone does not seek designation as an ETC on a wireline basis. In further support of its Application, Assurance Home Phone states as follows:

1. Assurance Home Phone is a Florida corporation with its principal offices located at 3023 SE 13th Street, Ocala, Florida 34471. The Company’s Articles of Incorporation and Missouri certificate of good standing are attached as **Exhibit “A”** hereto.

2. Correspondence or communications pertaining to this Application should be directed to Assurance Home Phone’s attorneys of record:

Mark P. Johnson MBN 30740

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4520 Main Street, Suite 1100
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3. Questions concerning the ongoing operations of Assurance Home Phone

following certification should be directed to:

Gary Wayne Birch
Assurance Home Phone Services, Inc.
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4. As a result of the work and cooperation of federal and state regulators, the FCC has adopted a number of cost recovery policies and mechanisms designed to promote and maintain universal service (the “Universal Service Fund” or “USF”). The Universal Service Fund was established, in part, to provide support to qualifying low-income communications end-users such as those serviced by Assurance Home Phone.

5. Assurance Home Phone requests that the Commission, by order, designate the company as an ETC throughout its Service Area. A list of each AT&T Missouri wire center for which Assurance Home Phone is requesting ETC status in the State of Missouri is attached

hereto as **Exhibit “B.”** As described below, the Company seeks ETC status on a wireless basis beginning as soon as possible upon approval by the Commission.

6. Pursuant to this Application, Assurance Home Phone requests ETC status solely for the purpose of providing the services supported by, and participating in the Low Income Programs of, the Universal Service Fund. The Company does not request ETC status for the purpose of participating in any High Cost programs of the Universal Service Fund. Such action is entirely consistent with both the 1996 Act and the public interest of the State of Missouri.

7. ETC designation will enhance Assurance Home Phone’s ability to provide service to low income consumers within the Service Area, and since this Application is solely for the purpose of receiving low income universal service support, the Company’s new wireless offering will supplement and not detract from the provision of supported services in such area. Assurance Home Phone will provide the supported services using a combination of its own facilities and resale of other carriers’ services while advertising the availability of those services using media of general distribution. Under the Company’s proposed Low Income wireless offering, each eligible wireless customer will receive a handset at no cost to the subscriber.

8. Consistent with the requirements of the 1996 Act, 47 U.S.C. §214 (e) (6) and Sections 54.101 through 54.207 of the FCC Rules, Assurance Home Phone, in its provision of wireless services, will rely on a combination of resold services which the Company will obtain from underlying wireless providers that currently operate their own networks and Company-owned facilities, thus allowing Assurance Home Phone to meet the FCC’s test that requires an ETC to provide services, at least in part, through a “combination of its own facilities and resale of another carrier’s services”.¹ Assurance Home Phone owns and operates a Class 5 central office switch located in Boca Raton, Florida, and has collocated end-office equipment in four (4)

¹ See 47 U.S.C. § 214(e)(1)(A).

AT&T central offices. Assurance Home Phone's wireless directory assistance traffic will flow through the Class 5 switch.

9. Assurance Home Phone also obtains services through commercial mobile radio service ("CMRS") providers that allow the Company to supplement the services provided through Company-owned facilities. Through these arrangements, the Company is able to offer all of the services and functionalities supported by the universal service program, as detailed in Section 54.101(a) of the FCC Rules², throughout its Service Area, thereby allowing the Assurance Home Phone to provide service to its customers throughout the geographic area served by non-rural provider AT&T Missouri. Assurance Home Phone's Florida-based facilities are co-located with other carriers' facilities and provide the Company the ability to route interexchange services and route directory assistance services, which are among the supported services.³ Currently, there is no state or federal definition or requirement as to the number of, or the amount of, the supported services that an ETC must offer via its "own facilities." The ETC must provide some portion of the supported facilities through the use of the same, which Assurance Home Phone does. Therefore, Assurance Home Phone is able to meet the federal requirement that an ETC must offer the supported services at least in part through the use of its own facilities.

10. In affirming its own decisions, the FCC chose to continue to define the term "own facilities" as "*any physical components* of the telecommunications network that are used in the transmission of the services that are designated for support"⁴ (emphasis added). The 1996 Act's definition of "network element" matches that of the FCC and defines a "network element" as "a

² See 47 C.F.R. § 54.101(a).

³ See 47 C.F.R. § 54.101(a)(7).

⁴ See 47 C.F.R. § 54.101; 47 C.F.R. § 54.201(e).

facility or equipment used in the provision of a telecommunications service. Such term also includes features, functions, and capabilities that are provided by means of such facility or equipment, including subscriber numbers, databases, signaling systems, and information sufficient for billing and collection or used in the transmission, routing, or other provision of a telecommunications service.”⁵ All facilities-based carriers have and use network elements.⁶

11. As Assurance Home Phone is not seeking high-cost support for its wireless service, certain provisions of the Missouri regulations concerning ETC applications are inapplicable, and Assurance Home Phone hereby seeks waiver of those regulations. The provisions whose waiver is sought include 4 CSR 240-3.570(2)(A)1-3 (requiring filings regarding the intended use of high-cost support), (2)(C) (plans for handling unusual construction or installation charges), (3)(C)(2) (requiring publicizing the construction of new facilities) and (3)(C)(3) (plans for extending the carrier’s network). As these provisions are applicable only for carriers seeking high-cost support, they simply do not apply to Assurance Home Phone.

12. Assurance Home Phone will comply with all other provisions of the Commission’s ETC rules. By way of illustration, within thirty days of receiving Commission approval of this Application, Assurance Home Phone will make an informational filing which describes the terms and conditions of the wireless offerings for which it will seek USF support, and that it will amend that filing from time to time, as its service offerings evolve, pursuant to 4 CSR 240-3.570(3)(D).

13. Pursuant to 4 CSR 240-3.570(3)(F), the Applicant shall, within ten (10) days of a change in the company-designated contacts, either notify the manager of the

⁵ See 47 U.S.C. § 153(29).

⁶ Only ILEC network elements can be designated as “unbundled” under 47 U.S.C. § 251(c)(3) using the criteria in 47 U.S.C. § 251(d)(2), but all facility-based carriers, including nondominant wireline and wireless carriers also have “network elements.”

Telecommunications Department, in writing or by electronic mail, or shall update the commission's electronic filing system (EFIS). The notification or update shall include the name(s), address(es) and/or telephone number(s) of the designated individual(s). The contact name(s) provided pursuant to this section shall be the individual(s) primarily responsible for: customer service; repair and maintenance; answering complaints; authorizing and/or furnishing refunds to customer; and informational or tariff filing issues.

14. Designation of Assurance Home Phone as an ETC on a wireless basis is in the public interest of the State of Missouri and its low-income telecommunications end-users. Under the 1996 Act, “[u]pon request and consistent with the public interest, convenience and necessity”⁷ the Commission shall “designate more than one common carrier as an eligible telecommunications carrier for a service area designated”⁸ by the Commission. In doing so, the Commission “shall find that the designation is in the public interest”.⁹ The FCC Rules require that an ETC application demonstrate that designation would be consistent with the public interest, convenience and necessity, and that prior to designating an ETC pursuant to section 214(e)(6), the Commission “shall consider the benefits of increased consumer choice, and the unique advantages...of the applicant’s service offering”.¹⁰ Pursuant to this requirement, Assurance Home Phone provides the following information which clearly demonstrates that the Company’s designation as an ETC on a wireless basis is consistent with the public interest, convenience and necessity, providing consumers with increased competitive choice through the offering of a unique service.

⁷ 47 C.F.R. § 54.201(c).

⁸ *Id.*

⁹ *Id.*

¹⁰ 47 C.F.R. § 54.202(c).

The FCC has also identified factors that are to be considered in determining whether designation of additional ETCs will serve the public interest. These factors include: 1) the benefits of increased competitive choice; and 2) the unique advantages and disadvantages of the company's service offerings.¹¹ Assurance Home Phone affirms that its ETC designation meets these criteria as described below.

(a) **Increased Competitive Choice.** Assurance Home Phone is seeking ETC designation on a wireless basis which will provide an additional valuable alternative to the existing telecommunications services currently available in these areas and will promote competition and facilitate the provision of advanced communications services to low-income residents of Missouri.

The public interest benefits of inclusion of the Company's wireless service include larger local calling areas (as compared to traditional wireline carriers), the convenience and security afforded by mobile telephone service, the opportunity for customers to control cost by receiving a preset amount of monthly airtime at no charge, the ability to purchase additional usage in the event that included usage has been exhausted, 9-1-1 service and, where available, E 9-1-1 service in accordance with current FCC requirements.

The inclusion of toll calling as a part of Assurance Home Phone's wireless offering, along with the fact that service is provided without a monthly recurring charge, will allow consumers to avoid the risk of becoming burdened with large and unexpected charges for toll calling and unexpected overage charges.

¹¹ See 47 C.F.R. § 54.202(c).

¹⁴ See *e.g.*, *Specialized Common Carrier Services*, 29 FCC 2d 870 (1971).

Designation of the Company as an ETC on a wireless basis will also provide other carriers serving the same area an incentive to improve their existing networks and service offerings in order to remain competitive.

As provided by the 1996 Act, the availability of basic telecommunications services to low-income consumers is critical to the provision of public health, safety, and other services. In addition, the FCC has long acknowledged the benefits to consumers of being able to choose from a variety of telecommunications providers and the resulting variety of telecommunications services they provide.¹⁴ This is of particular interest in cases where wireless providers, such as Assurance Home Phone, seek to provide services as alternatives to those of the traditional carriers. In the *Highland Cellular*¹⁵ case, the FCC recognized and affirmed that some households may not have access to the public switched network as provided by the incumbent local exchange carrier. The availability of a wireless competitor benefits consumers who routinely drive long distances to attend work or school or to accomplish everyday tasks such as shopping or attending community and social events.

Assurance Home Phone's Lifeline and Link-Up programs will enable thousands of residents to obtain wireless service which would otherwise be unavailable to them. The economic circumstances indicate that low-income individuals, now more than ever, can greatly benefit from the advantages offered by the Company's Lifeline and Link-Up service thus allowing those adversely impacted by the failing economy or job loss to have access to a free

¹⁵ Federal-State Joint Bd. on Universal Serv., *Highland Cellular, Inc., Memorandum Opinion and Order*, 19 F.C.C.R. 6422 (2004).

¹⁹ 47 C.F.R. § 54.8(a)(1); See "Definitions" at second sentence.

wireless service to assist in emergency situations, facilitate job search efforts, and to maintain contact with family members.

It is also a commonly accepted fact that in today's market, qualified Lifeline and Link-Up customers view the portability and convenience of wireless service not as a luxury, but as a necessity. Mobile service allows children to reach their parents, wherever they may be, allows a person seeking employment the ability to be contacted by potential employers, and provides end users with the ability to contact emergency service providers, regardless of location.

Added together, Assurance Home Phone expects these additional competitive advantages to create an atmosphere that will cause many qualified consumers, at their option, to select the Company's low income wireless Lifeline and Link-Up service in lieu of the more traditional wireline or wireless services.

(b) The Unique Advantages of Assurance Home Phone Service Offerings. Assurance Home Phone will offer a unique, easy to use, competitive and highly affordable wireless telecommunications service, which it will make available to qualified consumers who either have no other service alternatives or who choose a wireless prepaid solution in lieu of more traditional services.

Assurance Home Phone will announce and advertise telecommunications services as an ETC where it provides service in its Service Area and will publicize the availability of Lifeline and Link-Up services in a manner reasonably designed to reach those likely to qualify for those services. Accordingly, more low-income Missouri residents will be made aware of the opportunities afforded to them under the Lifeline and Link-Up programs and will be able to take advantage of those opportunities by subscribing to Assurance Home Phone's service. A sample of Assurance Home Phone's planned advertising is attached hereto as **Exhibit "C."**

Assurance Home Phone will provide universal service as an ETC in all of its Service

Area.

Assurance Home Phone is willing to accept carrier of last resort obligations throughout the universal service areas in which the Company is designated as an ETC by the Commission.

Assurance Home Phone will provide equal access to long distance carriers, to the extent to which it is able to do so.

Assurance Home Phone offers a local usage plan comparable to the one offered by the ILEC in the service areas for which it seeks designation.

Assurance Home Phone Lifeline Plan. Lifeline is a component of one of four separate federal universal service fund mechanisms¹⁹ known as the “low-income support mechanism”²⁰ and is defined in 47 C.F.R. § 54.401 as “a retail local service offering” “available only to qualified low-income consumers” “for which qualifying low-income consumers pay reduced charges as a result of application of the Lifeline support amount” “that includes the services or functionalities enumerated in § 54.401(a)(1) through (a)(9)”, which the Company will use to “[m]ake available Lifeline service...to qualifying low-income consumers”.²¹ Under the Company’s wireless Lifeline plan, Assurance Home Phone will provide qualified Lifeline customers who reside in the State of Missouri with 100 free minutes or 300 minutes at \$27.00. Under both plans, any unused minutes will roll over to the next month. In addition, the Company will use all low-income universal service support to allow the Company to provide the service with no monthly recurring charge, thus ensuring that the consumer receives 100% of all universal service support funding for which the Company will seek reimbursement from the Universal Service Fund necessary to provide the free minutes of airtime above. In the event that all airtime has been

²⁰ 47 C.F.R. § 54.8(a)(1); See “Definitions” at first sentence.

²¹ 47 C.F.R. §§ 54.401(a), 54.401(a)(1), 54.401 (a)(2), 54.401(a)(3), 54.405(a).

used, Lifeline customers will have the capability of purchasing additional airtime replenishment cards for \$6.75 for 50 anytime minutes; \$10.13 for 75 anytime minutes; \$13.50 for 100 anytime minutes, and \$40.50 for 300 anytime minutes. Airtime replenishment cards will be made available at retail outlets frequented by low income customers throughout the Service Area.

The wireless plan will also include a free handset and the following Custom Calling features:

- (1) Caller ID;
- (2) Call Waiting;
- (3) Call Forwarding;
- (4) 3-Way Calling
- (5) Voicemail.

Wireless handsets will be delivered at no charge to qualifying customers, service will be activated, and the requisite number of minutes will be added upon certification of the customer for Lifeline and Link-Up.

(c) **Assurance Home Phone's Link-Up Plan.** Like Lifeline, Link-Up is also a component of one of four separate federal universal service fund mechanisms²² known as the "low-income support mechanism",²³ and is defined in 47 C.F.R. § 54.411 as an "assistance program for qualifying low-income consumers, *which an eligible telecommunications carrier shall offer as part of its obligations set forth in §§ 54.101(a)(9) and 54.101(b)*"²⁴ ²⁵(emphasis added). Assistance is in the form of a "reduction in the carrier's customary charge for

²² 47 C.F.R. § 54.8(a)(1); See "Definitions" at second sentence.

²³ 47 C.F.R. § 54.8(a)(1); See "Definitions" at first sentence.

²⁴ 47 C.F.R. § 54.411(a). The plain reading of this definition is that an ETC is obligated to provide this discount to qualifying low-income consumers. In addition, 47 C.F.R. § 54.413(a) stipulates that carriers that provide Link-Up discounts, "may receive universal service support reimbursement for the revenue they forgo in reducing their customary charge for commencing telecommunications service..."

²⁵ 47 C.F.R. § 54.101(a)(9) is the specific obligation to offer Toll Limitation for qualifying low-income consumers while 47 C.F.R. § 54.101(b) is the requirement that an "eligible telecommunications carrier must offer each of the" services designated for support "in order to receive federal universal service support". As a part of its application, Assurance Home Phone has demonstrated that it has the capability to and will offer all of the supported services specified in 47 C.F.R. § 54(a)(1) – (9).

commencing telecommunications service for a single telecommunications connection” and “shall be half of the customary charge or \$30.00, whichever is less”.²⁶ Consistent with FCC requirements, Assurance Home Phone will use Link-Up support to reduce the company’s “customary charge for commencing service” by “half of the customary charge...”²⁷, which will result in a reduction of the Company’s wireless activation charge by \$30.00.

Qualifying subscribers will have the option of receiving a waiver of the remaining activation charge pursuant to a company issued promotion. As such, there is no up-front connection charge applicable to qualifying Assurance Home Phone Lifeline customers.

(d) **Designation of Assurance Home Phone as an ETC Will Benefit Low Income Consumers in the State of Missouri.** Under the FCC Rules, an ETC applicant must demonstrate that it will satisfy applicable consumer protection and service quality standards²⁸; Assurance Home Phone will satisfy all such standards. As part of its certification requirements for providing local exchange services, Assurance Home Phone must abide by the service quality and consumer protection rules. In addition, Assurance Home Phone commits to reporting information on consumer complaints per 1,000 lines on an annual basis consistent with the FCC’s USF Order.²⁹ Assurance Home Phone in general commits to satisfying all such applicable state and federal requirements related to consumer protection and service quality standards.

Under the FCC Rules, an ETC applicant must demonstrate its ability to remain functional in emergency situations³⁰. Since Assurance Home Phone is providing service to its customers

²⁶ 47 C.F.R. § 54.411(a)(1).

²⁷ *Id.*

²⁸ 47 C.F.R. §54.202(a)(3), 62 Fed. Reg. 15,978 at Para 28.

²⁹ USF Order at Para 4.

³⁰ 47 C.F.R. § 54.202(a)(2); USF Order at Para 25.

through the use of facilities obtained from other carriers, this arrangement allows Assurance Home Phone to provide to its customers the same ability to remain functional in emergency situations as currently provided by the carriers to their own customers, including access to a reasonable amount of back-up power to ensure functionality without an external power source, rerouting of traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations.

Inclusion of Assurance Home Phone wireless service will serve the public interest by increasing participation of qualified consumers in the Lifeline and Link-Up programs, thereby contributing to an overall increase in the number of Missouri residents receiving Lifeline and Link-Up and an increase to the amount of federal USF dollars benefiting Missouri residents.

Finally, inclusion of Assurance Home Phone wireless service will serve the public interest by furthering the extensive role that Assurance Home Phone believes it will play in the provision of communications service to low-income consumers, transient users, and other consumers who, due to the restrictive credit criteria, deposit requirements, and long-term commitments of traditional service providers, are off network and, without any viable alternative, are likely to remain so.

(e) **Designation of Assurance Home Phone on a Wireless Basis Will Impose a Negligible Impact on the USF.** Assurance Home Phone reiterates that it is applying for ETC designation solely for the purpose to provide Lifeline and Link-Up discounts to qualified low-income consumers and to seek reimbursement for the same and will not seek or accept High Cost support. Under the FCC Rules, an ETC applicant must submit a five-year plan that describes with specificity the proposed improvements or upgrades to the applicant's network on a wire-center-by-wire-center basis throughout its proposed Service Area. The only circumstance warranting deviation from this requirement is where an applicant's requested ETC

serving territory would qualify it to receive no “high cost” USF support, but only “low income” USF support. Because Assurance Home Phone seeks ETC designation solely for purposes of reimbursement for provision of subsidized Lifeline and Link-Up services to eligible customers, submission of a Five-Year Network Improvement Plan is not required at this time. Since Lifeline support is designed to reduce the monthly cost of telecommunication services for eligible consumers, is distributed on a per-customer basis, and is directly reflected in the price that the eligible customer pays, it is assured that all support received by the carrier is used to provide Lifeline services to consumers, thus promoting Lifeline and the availability of telephone service to low-income users, which is clearly in the public interest. In addition, designation of the Company as an ETC will not pose any adverse effect in the growth in the high cost portions of the USF, nor will it create or contribute to an erosion of high cost funding from any rural or non-rural telephone company.

The FCC reaffirmed this position when it stated that “the potential growth of the fund associated with high-cost support distributed to competitive ETCs” is not relevant to carriers seeking support associated with the low-income program.³¹ Accordingly, total low-income support for 2007 accounted for only 11.8 percent of the total distribution of the USF, with high-cost accounting for over 61 percent of the total.³²

The FCC also recognized that the total effect of additional low-income-only ETC designations would have a minimal impact on the fund when it stated that “any increase in the size of the fund would be minimal and would be outweighed by the benefit of increasing eligible

³¹ Petition of TracFone Wireless, Inc. for Forbearance from 47 U.C.S § 214(e)(1)(A) and 47 C.F.R. § 54.201(i), CC Docket No. 96-45, Order, 20 FCC Rcd 15095 (2005) (TracFone Forbearance Order) at ¶ 17.

³² 2008 Wireline Competition Bureau, FCC, *Trends in Telephone Service*, Chart 19.1.

participation in the Lifeline and Link-Up programs, furthering the statutory goal of providing access to low-income consumers.”³³

It is also vital to recognize that in the case of Lifeline and Link-Up support, an ETC receives USF support *only* for the customers it obtains. In the scenario where a competitive ETC obtains a Lifeline customer from another ETC, only the “capturing” ETC provides Lifeline discounts and as a result, only the “capturing” ETC receives support reimbursement.

In addition, all providers are required to contribute a portion of the interstate revenues received from their customers to the Universal Service Fund. In accordance with current federal regulations, Assurance Home Phone will make contributions based on that portion of its revenue that is determined to be interstate. As such, approving Assurance Home Phone as an ETC will actually create contributions to the USF that were previously non-existent.

(f) **Assurance Home Phone Has Internal Controls in Place to Prevent Subscribers from Receiving More Than One Lifeline Discount.** Consistent with federal requirements, Assurance Home Phone requires customers to certify at the time of service activation and annually thereafter that they: 1) are the head of household; 2) participate in one of the state-approved means tested programs; 3) will be receiving Lifeline-supported services only from Assurance Home Phone; 4) do not currently receive Lifeline support; and 5) will notify Assurance Home Phone in the event that they no longer participate in the qualifying program. Verification of continued eligibility is accomplished by Assurance Home Phone annual certification/verification process, in strict compliance with state and federal guidelines.

15. In order to be designated as an ETC, the FCC Rules require that carriers must publicize and offer the list of services supported by the federal universal service mechanisms.

³³ TracFone Forbearance Order, at ¶ 17.

As demonstrated below, Assurance Home Phone satisfies these requirements and should be granted ETC status. Under federal rules, the ETC must offer the following services:

- a) Voice grade access to the public switched network, provided through interconnection arrangements with local telephone companies, with the same level of access to the public switched telephone network for its wireless customers. Subscribers will receive this service at bandwidths between 300 and 3,000 hertz, as required by 47 C.F.R. §54.101(a)(1);
- b) Access to free-of-charge: “local usage” defined as an amount of minutes of use of exchange service, and Company rate plans will provide a variety of local usage levels, consistent with Section 54.101(a)(2) of the FCC’s Rules. As described above, Lifeline customers will be offered a toll-free local usage plan within the company’s service area as a part of its monthly service package options.;
- c) Dual tone multi-frequency signaling or its functional equivalent, in that the Company will provide dual tone multi-frequency (“DTMF”) signaling to facilitate the transportation of signaling throughout its network. This technology that shortens call set-up-time and makes “touchtone” dialing possible by facilitating the transportation of signaling through the network. The Company will provide its wireless customers with wireless signaling that is the functional equivalent of DTMF signaling, in accordance with the FCC’s requirements;
- d) Single-party service or its functional equivalent: only one party will be served by a subscriber loop or access line in contrast to a multi-party line. The Company provides single party service, as that term is defined in 47 C.F.R. Section 54.101;

- e) Access to emergency services: the Company will provide 911 access to emergency services throughout its service area, relying on its underlying carrier(s);
- f) Access to operator services: the Company will provide customer access to operator services through the traditional manner by dialing “0”;
- g) Access to interexchange services: the Company’s interconnection arrangements with interexchange carriers will enable the company’s customers to access to interexchange services. Customers will also be able to “dial around” to reach their interexchange carrier of choice;
- h) Access to directory assistance: subscribers will be able to dial “411” or “555-1212” to reach directory assistance from their mobile phones;
- i) Toll limitations services for qualifying low-income customers: the Company has toll limitation capabilities which will allow it to provide toll limitation service for Lifeline wireless customers.; and
- j) Emergency telephone number services capable of automatic number identification, automatic location identification and call routing facilities to facilitate public safety response.

16. Assurance Home Phone attaches hereto as **Exhibit “D”** and incorporates herein by reference financial statements showing that it has the financial qualifications to provide the services specified herein. The Financial Statements contain confidential proprietary and financial information not generally available to the public. Due to the highly competitive nature of the telecommunications marketplace, Assurance Home Phone deems this material to be proprietary. Accordingly, the financial statements have been marked as confidential and are

being submitted under seal to be maintained by the Commission and the Staff on a confidential basis.

17. Assurance Home Phone attaches as **Exhibit “E”** the current list of its officers, along with biographical information for each.

18. Attached hereto as **Exhibit “F”** is information regarding the handsets issued by Assurance Home Phone to its customers.

19. Attached hereto as **Exhibit “G”** is a summary of the wireless facilities owned by Assurance Home Phone through which Assurance Home Phone proposes to offer wireless service in combination with resold services. Assurance Home Phone’s wireless directory assistance traffic will flow the Class 5 switch per the network schematic. **Exhibit “G”** contains confidential proprietary information not generally available to the public. Due to the highly competitive nature of the telecommunications marketplace, Assurance Home Phone deems this material to be proprietary. Accordingly, **Exhibit “G”** has been marked as confidential and are being submitted under seal to be maintained by the Commission and the Staff on a confidential basis.

20. Pursuant to 4 CSR 240-3.570(3)(A), the Applicant shall develop a bill design that can be easily interpreted by its customers and clearly sets forth charges in compliance with state and federal billing requirements.

21. Pursuant to 4 CSR 240-3.570(3)(B), the Applicant shall provide customer service contact information online and on billing statements. Applicant acknowledges that this requirement also applies to ETCs that use a third party billing agent.

22. Pursuant to 4 CSR 240-3.570(3)(E), the Applicant shall maintain a record of customer complaints that have been received by the company in a manner that includes, at a minimum: the end-user name; the account number; a description of the complaint; the date the

complaint was filed; the resolution; and the amount of refund or credit, if any. Applicant shall also maintain record of complaints from consumers in the Missouri service area in which ETC designation was granted that have been submitted to or filed with the Federal Communications Commission for which the company has knowledge in a manner that includes, at a minimum: a description of the complaint; the date the complaint was filed; the date the complaint was resolved; the resolution of the complaint and the amount of refund or credit, if any.

23. Assurance Home Phone makes the following representations and commitments.

(a) In compliance with 47 C.F.R. § 54.101 and 4 CSR 240-3.570(3)(C)(1)(F), Assurance Home Phone will include access to telecommunications relay service by dialing 711 among the service features provided to each end-user subscribing to its supported services.

(b) In compliance with 47 C.F.R. § 54.202(a)(1)(B) and 54.202(a)(2), and 4 CSR 240-3.570(2)(A)4, Assurance Home Phone will provide service in a timely manner and will remain functional in emergencies. Through the use of its owned facilities and leased facilities, Assurance Home Phone will be able to reroute traffic around damaged facilities, has back-up power to ensure traffic completion without an external power source, and will be able to manage traffic spikes in cases of emergency.

(c) In compliance with 47 C.F.R. § 54.202(a)(4) and 4 CSR 240-3.570(2)(A)(10), Assurance Home Phone will offer local usage plans comparable to those offered by incumbent local exchange carriers in the proposed service area. These local usage plans will include the Lifeline and Link Up discounts at rates, terms, and conditions comparable to Lifeline and Link Up offerings of the incumbent local exchange carriers in the proposed service area.

(d) In compliance with 47 C.F.R. § 54.401(c), Assurance Home Phone will not collect a deposit from a Lifeline subscriber, regardless of the services the subscriber orders.

(e) In compliance with 47 C.F.R. § 54.401(e), Assurance Home Phone will not charge a Lifeline subscriber a monthly number portability charge.

(f) In compliance with 47 C.F.R. § 54.403 and 4 CSR 240-3.570(2)(A)(7), Assurance Home Phone will provide Lifeline discounts in the following manner, which is consistent with the federal Lifeline plan:

Tier One: Lesser of \$6.50 or maximum amount of ILEC's SLC

Tier Two: \$1.75 (federal discount)

Tier Three: \$1.75 (one-half of carrier's contribution)

(g) In compliance with 47 C.F.R. §§ 54.409 and 54.410, and 4 CSR 240-31.050, Assurance Home Phone has implemented a procedure to require proposed Lifeline subscribers provide documented proof of eligibility and dispose of the submitted documentation. With respect to subscriber eligibility, at the time of service request, the subscriber must complete a self-certification form, attesting under penalty of perjury that they are a current recipient of at least one of the lifeline-qualifying government programs, must identify the specific program, agree to identify to Assurance Home Phone when/if they cease to participate in the qualifying program, must attest that they have never received a previous linkup subsidy at their current address, and that they are not currently receiving any other concurrent lifeline subsidy.

24. At the time the prospective lifeline subscriber completes and presents the certification form to the Assurance Home Phone sales agent, the receiving Assurance Home Phone sales agent must check the form for correctness and completeness (incomplete forms will result in no service being provisioned), must ensure that the form is signed and dated and must

witness proof of eligibility in the qualifying program. The agent must document on the certification form their name, date and which qualifying document was witnessed. No copy is to be made of the proof document that is witnessed in person. If the qualifying proof document (photocopy) is received by mail or fax, the same notation must be made on the certification document, and then the witness must destroy the photocopy via the shredding machine located at each document receipt office.

25. Assurance Home Phone will follow the MoPSC guidelines to verify customers' continued eligibility. Re-certification forms will be sent out to subscribers along with the monthly invoices, starting in the 10th month of a lifeline subscriber's service. A letter explaining the re-certification process will be included.

CONCLUSION

Having demonstrated that Assurance Home Phone satisfies the conditions necessary for designation as an ETC in Missouri, and having shown that the public and universal service interests of the telecommunications consumers of the State of Missouri will be properly served, Assurance Home Phone respectfully requests that the Commission designate Assurance Home Phone Services, Inc., d/b/a Surety Wireless, as an ETC for the provision of low income support on a wireless basis throughout Assurance Home Phone's Service Area.

Respectfully submitted,

**ASSURANCE HOME PHONE SERVICES,
INC. D/B/A SURETY WIRELESS**

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CERTIFICATE OF SERVICE

I hereby certify that I have this the 23rd day of March, 2011, served a true copy of the foregoing Application upon the following parties, listed below, in accordance with Commission

Rules:

Office of the Public Counsel
Post Office Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
Post Office Box 360
Jefferson City, MO 65102

/s/Mark P. Johnson
Mark P. Johnson

EXHIBITS

- Exhibit A - Articles of Incorporation and Certificate of Good Standing
- Exhibit B - Wire Centers
- Exhibit C - Wireless Marketing Materials and Enrollment Form
- Exhibit D - Financial Information (filed under seal)
- Exhibit E - Officers
- Exhibit F - Information Regarding Handsets
- Exhibit G - Wireless Facilities Information (filed under seal)

VERIFICATION

STATE OF FLORIDA

COUNTY OF MARION

PERSONALLY came and appeared before me, the undersigned party in and for the jurisdiction aforesaid, the within named Gary Wayne Birch who after being duly sworn by me stated under oath as follows: that I am President of Assurance Home Phone Services, Inc. ("Assurance Home Phone"); that I executed the foregoing pleading for and on behalf of Assurance Home Phone; that I am authorized to execute and file said pleading; and that the matters and things set forth in said pleading are true and correct to the best of my knowledge, information and belief.



Gary Wayne Birch

SWORN TO AND SUBSCRIBED before me on this the 24th day of January, 2011.

NOTARY PUBLIC



My Commission Expires:

