

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 10th day of November, 2010.

In the Matter of the Application of Telrite)
Corporation for Designation as an Eligible)
Telecommunications Carrier on a Wireless)
Basis (Low Income Only))

File No. XO-2011-0062

**ORDER GRANTING DESIGNATION AS AN
ELIGIBLE TELECOMMUNICATIONS CARRIER**

Issue Date: November 10, 2010

Effective Date: November 20, 2010

Syllabus: Through this order, the Missouri Public Service Commission grants eligible telecommunications carrier status to Telrite Corporation for the purpose of receiving low-income and disabled customer support in the AT&T Missouri service areas.

Background

Telrite filed its verified application on September 2, 2010, for designation as an Eligible Telecommunications Carrier on a Wireless Basis solely for the purpose of providing the services supported by and participating in the Low Income Programs of the Universal Service Fund. The Commission issued an order directing that notice of the application be sent and setting an intervention deadline of September 29. There were no applications to intervene. The company thereafter filed a supplement to the application by referencing certain additional commitments which the Commission found necessary in other ETC dockets.

The Staff of the Commission filed its recommendation on November 4, 2010. Staff recommends that the Commission grant Telrite's application to be designated as an ETC for the receipt of low-income support from the federal Universal Service Fund.

Discussion

The application is within the Commission's jurisdiction.¹ Because no party objects to Telrite's application, no evidentiary hearing is required.² Thus, the Commission deems the hearing waived³ and bases its findings on the verified filings, and makes its conclusions as follows.

Telrite is a Georgia corporation authorized to do business in the State of Missouri. This Commission has previously granted to Telrite the authority to provide interexchange telecommunications service in Missouri.⁴ Telrite is in compliance with the Missouri USF Assessment, this Commission's assessment and its annual report.

As required by the Federal Communications Commission and this Commission's rule, Telrite will provide service using at least a portion of its own facilities. It will ensure that certain service features are provided: touchtone, single-party, access to 911, IX service, relay (711), directory assistance, operators and toll limitation. Because the company is a wireless service, it will, within 30 days of receiving ETC status, make an informational filing describing all service offerings. It has committed to providing service throughout the proposed service area and in a timely manner, to remain functional in emergencies, to satisfy consumer protection and quality of service standards, to offering a comparable usage plan to the incumbent, and to maintain records of customer complaints.

¹ 47 U.S.C. §214(e)(2).

² *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Service Comm'n*, 776 S.W.2d 494 (Mo.App.1989).

³ Section 536.060, RSMo

⁴ File No. XA-2004-0197.

The company has provided statements that it will provide equal access if all other ETCs in that service area relinquish their ETC designations. It has also stated that it will satisfy consumer privacy protection standards. The company will also provide a clear bill design, provide online customer service contact information as well as billing statements. It will publicize Lifeline and will not collect a deposit from a Lifeline subscriber if the consumer voluntarily elects toll limitation service nor will it charge a Lifeline subscriber a monthly number portability charge.

Consistent with the federal plan, the company will provide the following discounts:

Tier 1: \$1.75 (fed discount)

Tier 2: \$6.50 (waive subscriber line charge), which is limited to ILEC's subscriber line charge

Tier 3: \$1.75 (half of a state's or carrier's contribution)

\$3.50 state MoUSF for a maximum of \$13.50.

Also, under FCC rules, the company is required to comply with state verification procedures in states that mandate state Lifeline support. This Commission requires the company to verify a customer's initial and continued eligibility and develop a process for documentation received. Finally, the company is to notify the Commission of any changes in contact information.

The Staff of the Commission points out that Telrite proposes to offer a wireless service for qualifying low-income customers. The proposed service will provide essentially a free wireless handset to qualifying customers with no monthly fees, and 68 minutes of usage per month with additional usage available for fees. Staff further notes that the company does not intend to seek Missouri USF funding for this service. Staff concludes that the company meets all requirements for ETC designation in order to receive low-income support.

Based upon the company's verified application and Staff's verified Memorandum, the Commission will grant Telrite's application and designate the company as an eligible telecommunications carrier.

THE COMMISSION ORDERS THAT:

1. Telrite Corporation's application as an Eligible Telecommunications Carrier for the receipt of low-income support from the federal Universal Service Fund is granted.
2. This order shall become effective on November 20, 2010.
3. This case shall be closed on November 21, 2010.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Clayton, Chm., Davis, Jarrett,
Gunn, and Kenney, CC., concur.

Jones, Senior Regulatory Law Judge