

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

In the Matter of the Application for Designation as an)
Eligible Telecommunications Carrier for Purposes of)
Receiving Federal Universal Service Support from)
the FCC Connect America Fund – Phase II)

Case No. CA-2019-0196

MOTION FOR EXTENSION

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Motion for Extension* in this matter hereby states:

1. On December 21, 2018, Wisper ISP Inc., (Company or Wisper) filed an *Application of Wisper ISP Inc. for Designation as an Eligible Telecommunications Carrier* with the Commission requesting that the Commission issue an order designating Wisper as a high-cost and low-income eligible telecommunications carrier (ETC). The Company’s request, if approved, would permit it to receive federal support pursuant to the Connect America Fund II (CAF II) auction held by the Federal Communications Commission (FCC) and for Lifeline. The Commission ordered Staff to file its recommendation no later than February 1, 2019.

2. The CAF II program is part of the FCC’s reform and modernization of its universal service fund support programs designed to accelerate the expansion of broadband services to rural areas and any areas which presently lack the infrastructure capable to support at least 10/1 Mbps of fixed broadband services. The FCC held an auction to allocate funds to various companies which could further the goals of the CAF II program. The FCC requires each winning company to obtain ETC designation from its respective public utilities commission prior to receiving the allocated funds. Winners of the auction must certify within 180 days of the release of the Public Notice from the FCC

which closed the CAF II auction that they have obtained ETC designation. Public Notice was issued August 21, 2018, so Wisper must certify that it has obtained ETC designation no later than February 25, 2019.

3. Conexon, LLC, GoSEMO, LLC, and Callabyte Technology, LLC, filed a *Joint Application to Intervene* on January 18, 2019, stating that they collectively opposed Wisper's ETC application because the company in its *Application* misstates the performance obligations for the speed and latency requirements of the CAF II program. The potential intervenors ask the Commission to require Wisper to correct its ETC application filing. The potential intervenors further state that they are members of the Rural Electric Cooperative Consortium (RECC), and that all of the parties listed here competed for CAF II funding; going on to claim that Wisper winning the auction in certain areas, has reduced the RECC's support for areas where it's members were winning bidders. The Commission granted the *Application to Intervene* on January 28, 2019, but did not order Wisper to address the intervenors concerns or refile its *Application*.

4. Staff has conducted an investigation and suggests that the Commission order Wisper to file a response to the *Joint Application to Intervene* addressing the concerns of the intervenors and refiling a corrected application, if necessary. While the applicable statutes and Commission rules do not include requirements regarding speed and latency, and will likely not change Staff's ultimate recommendation in this case, it is in the public interest that the Commission has an accurate representation of the services to be offered in connection with the CAF II program before issuing its order.

WHEREFORE, Staff recommends that the Commission order Wisper ISP Inc. to file a response to the *Joint Application to Intervene*; grant Staff an extension of the date by which to file its recommendation to permit Wisper time to file a response; and grant such other and further relief as the Commission considers just in the circumstances.

Respectively submitted,

/s/ Whitney Payne

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 29th day of January, 2019, to all counsel of record.

/s/Whitney Payne