

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

In the Matter of the Application d/b/a Co-Mo Connect for)
Expanded Designation as an Eligible Telecommunications)
Carrier Pursuant to Section 214(e) (2) of the) **Case No. DA-2021-0196**
Communications Act of 1934, as Amended)

STAFF RECOMMENDATION

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

1. On January 5, 2021, Co-Mo Comm, Inc. d/b/a Co-Mo Connect, (Company or Co-Mo Connect) filed a *Petition for Expanded Designation as an Eligible Telecommunications Carrier* with the Commission requesting that the Commission issue an order expanding the Company’s eligible telecommunications carrier (ETC) status for certain census blocks. The Company’s request, if approved, would permit it to receive federal low-income and high cost support for certain areas targeted by the Rural Digital Opportunity Fund (RDOF) auction held by the Federal Communications Commission (FCC).

2. The RDOF program is part of the FCC’s attempt to bridge the digital divide. It seeks to expand high-speed broadband service to rural homes and small businesses presently lacking the service. Phase one of the auction began October 29, 2020, and targeted over six million homes and businesses unserved by voice and broadband speeds with downloads of at least 25 Mbps. Phase two of the auction will cover areas that are partially unserved and those areas not covered in Phase one. Winning bidders must submit to the FCC proof of their ETC status within 180 days of being announced as a winning bidder.

3. The Company is presently registered in the state of Missouri as an interconnected voice over internet protocol (VoIP) service provider. The Company included Exhibit A with its *Petition*, which outlines the specific census blocks for which it requests expanded ETC designation.

4. Commission rule 20 CSR 4240-31.016 governs the specific eligible telecommunications carrier requirements that each applicant must meet. Applications must also comply with 20 CSR 4240-2.060 and shall be verified by oath as to the truthfulness contained in the application by an officer or director of the applicant.

5. The FCC requires all winning bidders to submit a Long Form that includes information about a company and its plans to fulfill its bid requirements, which must be approved prior to a company receiving any funds. The ETC process under 20 CSR 4240-31.016 does not address and is not designed to assess a company's technology broadband speed and latency capabilities.

6. Staff conducted an investigation and has provided a memorandum attached to this pleading as Appendix A. Staff's memorandum outlines the reasons why Staff believes Co-Mo Connect has met the requirements of 20 CSR 4240-31.016 and should receive expanded ETC designation.

7. Co-Mo Connect sought waiver of the 60 day notice requirement pursuant to the Commission's rule 20 CSR 4240-4.017. Staff recommends that the waiver be granted.

WHEREFORE, Staff recommends that the Commission approve Co-Mo Comm, Inc., d/b/a Co-Mo Connect's, request for expanded designation as an eligible telecommunications carrier for the purpose of receiving federal high-cost and low-income

support for the census blocks identified in Exhibit A of the *Petition*; that it grant waiver of the 60-day notice; and that it grant such other and further relief as the Commission considers just in the circumstances.

Respectfully 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 4th day of February, 2021, to all counsel of record.

/s/ Whitney Payne

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. DA-2021-0196

From: Kari Salsman, Research/Data Analyst
John Van Eschen, Regulatory Compliance Manager
Telecommunications Department

Subject: Staff's Recommendation to Approve Co-Mo Connect's Request for
Expansion of Existing ETC Designation

Date: February 4, 2021

On January 5, 2021, Co-Mo Connect (Co-Mo or company) filed an application for expansion of its designation as an Eligible Telecommunications Carrier (ETC).¹ The company is headquartered in Tipton, Missouri and is a registered IVoIP provider in Missouri.² The company later supplemented its application. Co-Mo was recently awarded federal Rural Digital Opportunity Fund (RDOF) support to build broadband facilities in more rural areas.³ The RDOF funding requires the company to extend broadband service to a designated number of locations in certain census blocks.⁴ Co-Mo seeks to expand its ETC designation to the won census blocks.

Federal authority enables state commissions to grant ETC status to a company.⁵ Missouri's ETC application requirements are contained in existing Missouri Commission rule 20 CSR 4240-31.016. Staff reviewed the company's request for compliance with Missouri's rules as well as federal requirements. In Staff's opinion the company has adequately met all requirements. Consequently Staff supports the company's application for expansion of its ETC status.

Staff recommends the Commission expand Co-Mo Connect's ETC status for the purpose of receiving federal high-cost and low income support in the area identified by census blocks in Exhibit A of the company's application.

¹ ETC status granted in Case No. RA-2019-0088. The company currently receives funding to expand broadband service to 8,356 Missouri locations. Company officials have previously indicated they have the ability to serve 87% of their required obligation and have begun additional construction.

² Case No. DA-2019-0369. Co-Mo is a subsidiary of Co-Mo Electric Cooperative, Inc.

³ The company, along with others through their participation in the Rural Electric Cooperative Consortium, has been awarded \$88,238,707 over 10 years to extend broadband service to 44,910 locations. Companies in this consortium generally deploy fiber as the last mile technology.

⁴ Census Block Service areas are listed in Exhibit A of ETC expansion application which are areas in Central Missouri.

⁵ 47 U.S.C. §214(e)(2) and FCC rule §54.201.