

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by telephone and internet audio conference on the 24<sup>th</sup> day of February, 2021.

In the Matter of the Petition of PD Fiber, LLC For )  
Designation as an Eligible Telecommunications )  
Carrier Pursuant to Section 214(e)(2) of the ) **File No. DA-2021-0190**  
Communications Act of 1934, as Amended )

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

Issue Date: February 24, 2021

Effective Date: March 26, 2021

On January 4, 2021, PD Fiber, LLC requested authority to be designated as an Eligible Telecommunications Carrier (ETC).<sup>1</sup> PD Fiber was recently awarded federal Rural Digital Opportunity Fund (RDOF) support to build broadband facilities in more rural areas. The RDOF funding requires PD Fiber to extend broadband service to a designated number of locations in certain census blocks. PD Fiber seeks ETC designation to include the census blocks it was awarded. PD Fiber included Exhibits A1 and A2 with its application which outlines the specific census blocks for which it requests designation.

The Commission issued notice and set a deadline for intervention. No person or entity sought intervention in this matter, and no party has requested a hearing.

The Staff of the Missouri Public Service Commission (Staff) conducted an investigation and on February 4, 2021, filed its recommendation and memorandum. Staff recommended that the Commission approve PD Fiber's request for designation as an eligible telecommunications carrier for the purpose of receiving federal high-cost and

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<sup>1</sup> PD Fiber is presently registered as an interconnected voice over internet protocol (IVoIP) service provider.

low-income support for census blocks identified in the applicant's Exhibit A1. Staff further recommended approval of ETC status for the purpose of receiving solely federal low-income support for the census blocks identified in the applicant's Exhibit A2. Staff stated PD Fiber met the requirements of Commission Rule 20 CSR 4240-31.016 governing eligible telecommunications carriers. Finally, Staff notes that PD Fiber requests a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017, and recommends that such waiver be granted.

Under federal authority, the application is within the Commission's jurisdiction to decide.<sup>2</sup> Since no law requires a hearing, this is a non-contested case.<sup>3</sup> Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.<sup>4</sup> Consequently, the Commission bases its decision on the verified filings.

Based upon its review of the verified application and Staff's recommendation and memorandum, the Commission finds that PD Fiber has met the requirements for ETC designation. Further, for good cause shown, PD Fiber will be granted a waiver of the 60-day filing requirement of the Commission's rules.

**THE COMMISSION ORDERS THAT:**

1. PD Fiber's application is granted. PD Fiber is granted ETC designation in all census block groups described in Exhibit A1 to its application.
2. PD Fiber is granted ETC designation for the purpose of receiving solely federal low-income support for the census blocks described in Exhibit A2 to its application.

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<sup>2</sup> 47 U.S.C. § 214(e)(2).

<sup>3</sup> *In the Matter of Kansas City Power & Light Co.'s Request for Authority to Implement a General Rate Increase for Elec. Serv. v. Pub. Serv. Comm'n*, 509 S.W.3d 757, 783-784 (Mo. App. W.D. 2016).

<sup>4</sup> *State ex rel. Pub. Counsel v. Pub. Serv. Comm'n*, 210 S.W.3d 344, 353-354 (Mo. App. W.D. 2006).

3. PD Fiber is granted a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017.

4. This order shall become effective on March 26, 2021.

5. This file shall be closed on March 27, 2021.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and  
Holsman CC., concur.

Pridgin, Regulatory Law Judge