

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 30<sup>th</sup> day of  
June, 2010.

In the Matter of a Repository File in which to	)	
Gather Information and Assess the Availability of	)	<b><u>File No. TW-2010-0362</u></b>
Broadband Services in the State of Missouri	)	

**ORDER OPENING A CASE TO GATHER INFORMATION AND ASSESS  
THE AVAILABILITY OF BROADBAND SERVICES**

Issue Date: June 30, 2010

Effective Date: June 30, 2010

On June 11, 2010, the Staff of the Commission filed a motion asking the Commission to open a case in which to gather information and assess the availability of broadband services in Missouri. Staff's motion indicates it has received a letter from State Senator Brad Lager, Chairman, on behalf of the State Senate's Committee on Commerce, Consumer Protection, Energy and the Environment. Senator Lager's letter asks the Commission to engage in a fact-finding process that will result in the Commission providing a report and recommendation to the General Assembly no later than December 1, 2011. Specifically, the letter asks the Commission to address the following:

1. A review of the Federal Communications Commission's National Broadband Plan and recommendations to the General Assembly on how to maximize broadband development in Missouri.
2. Solicitation of input from the public and all providers of broadband services regardless of technology.

3. An assessment of the current level of high-speed internet access available in Missouri, and the speeds and rates at which access is available. This assessment shall include speeds advertised as available versus the speeds that are actually achievable by consumers.
4. An identification of unserved and underserved areas in our state and the barriers to deployment in these areas including economic, geographic, regulatory, and market barriers. For purposes of this request, “unserved” shall mean an area where a consumer’s only access to internet service is through a dial-up connection and “underserved” shall mean an area where a consumer’s only access to high-speed internet service is at a speed less than three megabits per second.
5. Recommendations and potential public policy decisions that should be considered to increase the deployment and availability of broadband services in both unserved and underserved areas, within a period of five years at various speeds and rates that are affordable to Missouri’s consumers.

The Commission is opening this working case to help it address the matters raised by the Senator’s letter. Initially, the Commission will invite the public and interested broadband service providers to submit written comments offering guidance and insight on how the Commission can best proceed with its investigation. After those comments are collected, the Commission will schedule a conference at which interested entities and persons can gather to discuss these matters.

This file will serve as a repository for documents and comments. Using this file, any person with an interest in this matter may view documents pertaining to the investigation

and may submit any pertinent responsive comments or documents. As this is not a contested case, any person may file a comment without counsel and without *ex parte* constraints (arising from this matter). Intervention requests are not necessary to submit comments or view documents.

The public is welcome to file comments by forwarding electronic communications through the Commission's electronic filing and information system (EFIS) or by mailing written comments. You may submit electronic comments by visiting the Commission's website at <http://www.psc.mo.gov>. (Click on the EFIS/Case filings link on the left side of the page. Scroll down and click on the public comment link. Please reference case number TW-2010-0362.) Written comments in hard copy should be addressed to the Commission at P.O. Box 360, Jefferson City, Missouri 65102 and should reference File No. TW-2010-0362. You can view the contents of the file by following the link at <http://www.psc.mo.gov>.

**THE COMMISSION ORDERS THAT :**

1. This case is established to gather information and assess the availability of broadband services in Missouri.
2. The Commission invites the public and interested broadband service providers to submit initial written comments by July 23, 2010.
3. The Commission's data center shall mail a copy of this notice to those potentially interested person or organizations listed in Appendix A.
4. The Commission's Public Information Office shall make this notice available to the news media of this state and to the members of the General Assembly.

5. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the Secretary.

**Steven C. Reed**  
**Secretary**

( S E A L )

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

Woodruff, Chief Regulatory Law Judge