

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

In the Matter of the Application                    )  
of Fidelity Cablevision, LLC d/b/a                )  
Fidelity Communications to                        )  
Amend and Expand its Designation as            )  
An Eligible Telecommunications Carrier        )  
To Receive Federal Lifeline and State         )  
Lifeline Support                                    )

**Case No. CA-2021-0415**

**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 June 1, 2021, Fidelity Cablevision, LLC d/b/a Fidelity Communications (Company or Fidelity) filed an *Application to Amend and Expand Eligible Telecommunications Carrier Designation and Request for Waiver of 20 CSR 4240-4.017* with the Commission requesting that the Commission issue an order expanding the Company's eligible telecommunications carrier (ETC) status for the purpose of receiving federal high-cost and low-income Lifeline support for certain geographic areas. The Company's request, if approved, states that approval would permit it to continue offering comparable broadband services at a discounted rate after cessation of the federal electronic broadband benefit (EBB) program.

2. The Company is presently certificated in the state of Missouri as a competitive local exchange carrier (CLEC). The Company included Exhibit 1 with its *Application*, which outlines the specific areas for which it requests expanded ETC designation.

3. 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.

4. 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 Fidelity has met the requirements of 20 CSR 4240-31.016 and should receive expanded ETC designation.

5. Fidelity 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 Fidelity Cablevision, LLC d/b/a Fidelity Communications' request for expanded designation as an eligible telecommunications carrier for the purpose of receiving federal high-cost and low-income Lifeline support for the geographic areas identified in Exhibit 1 of the *Application*; that it grant waiver of the 60-day notice requirement; and that it grant such other and further relief as the Commission considers just in the circumstances.

**/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 2nd day of July, 2021, to all counsel of record.

**/s/ Whitney Payne**

## MEMORANDUM

**To:** Missouri Public Service Commission Official Case File  
Case No. CA-2021-0415

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

**Subject:** Staff's Recommendation to Approve Fidelity Cablevision, LLC d/b/a  
Fidelity Communications' Request for Expansion of Existing  
ETC Designation

**Date:** July 1, 2021

On June 1, 2021, Fidelity Cablevision, LLC d/b/a Fidelity Communications (Fidelity) filed an application for expansion of its designation as an Eligible Telecommunications Carrier (ETC).<sup>1</sup> The Company is headquartered in Phoenix, AZ and is a certificated CLEC in Missouri.<sup>2</sup> Fidelity is participating in the FCC's Emergency Broadband Benefit (EBB) Program, which provides a discount on broadband service to eligible low-income subscribers in Missouri. The EBB program is temporary and will come to an end once the funds have been expended or six months after the Department of Health and Human Services declares the end of the Covid-19 health emergency. Fidelity seeks to expand its ETC designation in additional areas of Missouri to ensure subscribers can continue to receive discounted services after the conclusion of the EBB program.<sup>3</sup> The company currently receives, and will continue to receive Missouri USF support for Lifeline program purposes.

Federal authority enables state commissions to grant ETC status to a company.<sup>4</sup> 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 Fidelity Cablevision, LLC d/b/a Fidelity Communications' ETC status for the purpose of receiving federal low income support in the geographic area identified in Exhibit 1 of the Company's application.

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<sup>1</sup> ETC status granted in Case No. TA-2002-122 under the company's prior affiliate Fidelity Communications Services I, Inc. and expanded in Case No. CO-2021-0282. Fidelity Communications now serves as the ETC pursuant to the merger recognized in Case No. CN-2020-0128.

<sup>2</sup> Case No. TA-2000-192.

<sup>3</sup> Geographic areas are listed in Exhibit 1 of ETC expansion application.

<sup>4</sup> 47 U.S.C. §214(e)(2) and FCC rule §54.201.