

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Investigation of )  
Aristotle Unified Communications, LLC )  
Related to the Connect America Fund ) File No. TO-2023-0436  
Phase II Auction )

**ARISTOTLE’S RESPONSE TO STAFF REPORT AND RECOMMENDATION AND REQUEST FOR HEARING**

COME NOW Carl J. Lumley and Curtis, Heinz, Garrett & O’Keefe, P.C., and pursuant to 20 CSR 4240-2.080(13) herewith timely file the attached Response of Aristotle Unified Communications LLC (Aristotle) to Staff’s Report and Recommendation.<sup>1</sup>

1. In its Response, Aristotle shows that the Commission should not accept Staff’s Recommendation and instead should certify the company as an ETC for 2024 to the FCC under 47 CFR 54.314 to preserve the company’s financial interests and to assure the continued availability of the involved federal funding in Missouri.

2. Further, Staff’s Report addresses matters that are not pertinent to 47 CFR 54.314 certification and does not allege any misuse of funds.

3. Aristotle requests a hearing to assure due process and protection of its property rights and interests before any action to decertify it. See, e.g., Mo. Constitution, Art. 1, Section 10.

4. Aristotle does not object to Exhibit B to the Staff Report becoming a public document, but as stated in the Response does generally object to the transmission of Staff’s Report to the FCC and specifically to any such transmission without including the company’s Response.

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<sup>1</sup> The attachment to the Response is submitted as a confidential document under 20 CSR 4240-2.135, as market-specific information related to (3) services offered in competition with others and (7) information under consideration in contract negotiations.

CURTIS, HEINZ,  
GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was served via email this 27th day of September, 2023 on all counsel of record.

/s/ Carl J. Lumley

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