

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

In the Matter of the Application of )  
Chariton Valley Telephone Corporation and )  
Chariton Valley Broadband, LLC, for an Order )  
Authorizing the Transfer (or Grant) of Certificate ) **File No. TA-2024-0148**  
of Public Convenience and Necessity )  
and Designation as Eligible Telecommunications )  
Carrier )

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff) and for its *Staff Recommendation* in this matter states as follows:

1. On November 1, 2023, Chariton Valley Telephone Corporation and Chariton Valley Broadband, LLC, filed an *Application to Transfer (or Grant) Certificate of Public Convenience and Necessity and for Designation as an Eligible Telecommunications Carrier and Request for Waiver*. Chariton Valley Telephone Corporation requested that the Commission transfer its present certificate of public convenience and necessity (CCN) and its eligible telecommunications carrier (ETC) status to Chariton Valley Broadband, LLC. Pursuant to the *Application* there will be no changes to rates or service for customers beyond the new name of the provider.

2. The Federal Communications Commission (FCC) awarded funding through a specialized program to Chariton Valley Telephone Corporation, for which the Company was required to be a designated ETC. According to Chariton Valley, the Universal Service Administrative Company (USAC), created by the FCC, will not transfer the ETC status to Chariton Valley Broadband without first the approval of the Missouri Public Service Commission.

3. Neither the currently effective statutes relevant to telecommunications service nor the Commission's rules address the transfer of an ETC designation, however, 20 CSR 4240-28.011(4) addresses the sale, merger or consolidation of a company with an existing certificate. That rule states that the Company(ies) should provide notice to the Commission if the transaction results in a name change or cancellation of the service authorization. 20 CSR 4240-28.011(2) requires for a name change that the Company provide notice of the new name and when it takes effect, proves registration of the new name with the Missouri Secretary of State, updates the contacts in the Commission's electronic filing and information system, and either replaces or adopts the existing tariff of the transferring company. Additionally, 20 CSR 4240-28.011(1) governs new CCN applications and 20 CSR 4240-31.016 governs new ETC applications.

4. Staff reviewed the information provided in the *Application* and has determined that Chariton Valley Telephone Corporation has met the requirements of 20 CSR 4240-28.011 and 20 CSR 4240-31.016. Therefore, Staff recommends that the Commission approve the transfer of the certificate and ETC designation of Chariton Valley Telephone Corporation to Chariton Valley Broadband. The Commission has not previously been asked to transfer a telecommunications certificate and ETC designation, and may determine that it is better to cancel both the CCN and the ETC designation of Chariton Valley Telephone Corporation and grant new ones to Chariton Valley Broadband. Staff has reviewed the *Application* pursuant to this position as well and finds that the requirements are met for cancellation of the existing CCN and ETC designation and granting a new CCN and ETC designation.

Staff also recommends the Commission grant the adoption of tariff no. JI-2003-1467 and a waiver of the 60-day notice required by 20 CSR 4240-4.017.

**WHEREFORE**, Staff prays that the Commission will accept this *Staff Recommendation*; grant transfer of the certificate of convenience and necessity and the eligible telecommunications carrier designation of Chariton Valley Telephone Corporation to Chariton Valley Broadband; will grant the adoption of the currently effective tariff; will grant a waiver of the 60 day notice requirement of 4.017; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Whitney Scurlock**

Whitney Scurlock  
Chief Deputy Counsel  
Missouri Bar No. 64078  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-7434 (Telephone)  
(573) 751-9285 (Fax)  
[whitney.scurlock@psc.mo.gov](mailto:whitney.scurlock@psc.mo.gov)

### **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 1<sup>st</sup> day of December, 2023, to all counsel of record.

**/s/ Whitney Scurlock**

## MEMORANDUM

**To:** Missouri Public Service Commission Official Case File  
Case No. TA-2024-0148

**From:** Kari Salsman, Senior Research/Data Analyst  
Telecommunications Department

**Subject:** Staff's Recommendation to Approve Chariton Valley Telephone Corporation's request to transfer its Certificate of Public Convenience and Necessity, interexchange certificate and ETC designation to Chariton Valley Broadband, LLC.

**Date:** December 1, 2023

On November 1, 2023 Chariton Valley Telephone Corporation (CVTC) and Chariton Valley Broadband, LLC (CVBB) filed an application requesting the transfer of CVTC's Certificate of Public Convenience and Necessity and designation as an Eligible Telecommunications Carrier (ETC) to CVBB. The application was amended and a tariff adoption notice filed on November 8, 2023. CVTC is an incumbent local exchange and interexchange provider.<sup>1</sup> The company is also a Missouri ETC and participates in the federal high-cost program, the federal and state Lifeline programs, the federal Affordability Connectivity Program and the Missouri Disabled program.<sup>2</sup>

According to its application, CVTC proposed to transfer all of its assets and liabilities relating to its telecommunications and broadband operations to CVBB, effective January 1, 2024. After this transfer, CVTC will cease to exist and CVBB will be the entity solely responsible for providing telecommunications and broadband services to CVTC's customers.

Missouri Commission rules don't address the transfer of service authorization for telecommunications providers or the transfer of ETC designation, however Missouri's service authorization application requirements are contained in Commission rule 20 CSR 4240-28.011 and Missouri's ETC application requirements are contained in existing Missouri Commission rule 20 CSR 4240-31.016. Federal authority enables state commissions to grant ETC status to a company.<sup>3</sup> 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 new service authorization application requirements and ETC application requirements. Consequently, Staff supports the company's application to transfer its service authorization and ETC authorization from CVTC to CVBB.

---

<sup>1</sup> ILEC authorization in Case No. TA-88-45 and IXC authorization in Case No. TA-2006-0159.

<sup>2</sup> ETC status granted in Case No. TO-98-49.

<sup>3</sup> 47 U.S.C. §214(e)(2) and FCC rule §54.201.

Staff recommends the Commission approve Chariton Valley Telephone Corporation's request to transfer its Certificate of Public Convenience and Necessity to provide incumbent local exchange service, its interexchange service authority, and its ETC designation to Chariton Valley Broadband, LLC. Staff also recommends the Commission allow the adoption of PSC MO No. 1. In the event the Commission decides to not transfer the authorizations and ETC designation, Staff recommends the following:

- Grant Chariton Valley Broadband, LLC a Certificate of Service Authority to provide basic local telecommunications service in the exchanges listed in Exhibit 5 of the application and acknowledge Chariton Valley Broadband, LLC as an ILEC as defined by Section 386.020(22), RSMo.
- Terminate Chariton Valley Telephone Corporation's Certificate of Public Convenience and Necessity as a telecommunications provider.
- Grant Chariton Valley Broadband, LLC a certificate to provide interexchange service.
- Cancel Chariton Valley Telephone Corporation's certificate to provide interexchange service.
- Grant Chariton Valley Broadband, LLC ETC designation in the service area listed in Exhibit 5 for the purpose of receiving federal high-cost support and federal and state low-income support.
- Relinquish Chariton Valley Telephone Company's ETC designation in Missouri.