

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

Petition of GTech Fiber, LLC) Case No. _____
For Expanded Designation as An Eligible)
Telecommunications Carrier Pursuant to)
Section 214(e)(2) of the Communications)
Act of 1934, as Amended)

**PETITION FOR DESIGNATION AS AN EXPANDED LIFELINE-ONLY
ELIGIBLE TELECOMMUNICATIONS CARRIER**

By this Petition, GTech Fiber, LLC (“Petitioner”), pursuant to § 214(e)(2) of the Communications Act of 1934 (“Act”), as amended, and the rules and regulations of the Missouri Public Service Commission (“Commission”), including 4 CSR 240-2.060 and 4 CSR 240-31.015–.016, respectfully requests expanded Eligible Telecommunications Carrier (“ETC”) designation to participate in the federal Universal Service Fund (“USF”) Lifeline program.¹ GTech Fiber also seeks Commission authority to expand its existing ETC designation status in order to enable the Petitioner to participate in the Missouri Universal Service Fund (“MoUSF”) and receive MoUSF subsidies, including the MoUSF Lifeline and Disabled Programs, in these same areas.

¹ The Commission previously designated Petitioner as an ETC in the State of Missouri. *See Application of GTech Fiber, LLC for Designation as an Eligible Telecommunications Carrier in the State of Missouri*, Case No. DA-2023-0077, Order Granting Application for Designation as an Eligible Telecommunications Carrier (Nov. 18, 2022) (“*GTech Fiber ETC Designation Order*”).

GTech Fiber was designated as an ETC by the Commission on November 18, 2022.²

The Commission previously determined that GTech Fiber meets all of the statutory and regulatory requirements for ETC designation.³

I. INTRODUCTION AND SUMMARY

Petitioner is a wholly owned subsidiary of Gascosage Electric Cooperative, a non-profit, rural electric cooperative headquartered in Dixon, Missouri, organized and existing under the laws of the state of Missouri. Gascosage Electric Cooperative is a Chapter 394 rural electric cooperative engaged in the distribution of electric energy. Gascosage Electric Cooperative was created in 1945. Today, Gascosage Electric Cooperative serves over 7,500 members in the following Missouri counties: Maries, Miller, Phelps, Camden and Pulaski.

Petitioner, a Missouri Limited Liability Company, was formed to assist with the deployment and operation of a new state-of-the-art, low-latency, fiber-to-the-home (“FTTH”) network and to provide high-speed broadband Internet access and Voice over Internet Protocol (“VoIP”) services to its parent rural electric cooperative’s electric service area, which historically lacked access to high-speed broadband services. Petitioner offers low-latency broadband service at symmetrical 1 Gbps speeds with voice grade access to the Public Switched Telephone Network (“PSTN”) through its provision of interconnected VoIP service.

² *See id.*

³ *See id.* at 2.

The street and mailing address of Petitioner's principal office is 803 South Ellen St., Dixon, Missouri 65459. Petitioner's electronic mail address is: info@gascosage.coop.

Petitioner's telephone number is: 573-759-7146. Petitioner's fax number is 573-759-6188.

Petitioner does not have any pending action, or final unsatisfied judgment or decisions against it from any state or federal agency or court, which involves customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this petition. Petitioner does not have any annual reports or assessment fees that are overdue.

Correspondence, communications, orders and decisions in regard to this Petition should be directed to:

Carmen Hartwell
General Manager
GTech Fiber, LLC
803 South Ellen St.
Dixon, MO 65459
Phone: 573-759-7146, ext. 205
Fax: 573-759-6188
E-mail: carmen.hartwell@gascosage.coop

and

Andrew Sporleder
Johnson & Sporleder LLC
1606 South Oaks Drive
Jefferson City MO 65101
Phone: (573) 606-4400
E-mail: as@cjaslaw.com

Petitioner seeks expanded Lifeline-only ETC designation status from the Commission, as well as expanded authority to participate in the MoUSF program, throughout the census blocks identified in **Exhibit A** hereto.

Petitioner continues to meet all of the federal and state statutory and regulatory requirements for ETC designation. Designating Petitioner as an expanded Lifeline-only ETC

and enabling Petitioner to participate in the federal Lifeline and MoUSF programs in the additional census blocks identified in **Exhibit A** will serve the public interest by enabling Petitioner to provide significant monthly discounts off the cost of monthly service to eligible subscribers in additional rural areas located in or adjacent to Gascosage Electric Cooperative's electric service area.

II. THE COMMISSION HAS AUTHORITY TO GRANT THE EXPANDED ETC DESIGNATION REQUESTED BY PETITIONER

Section 214(e)(2) of the Act gives authority to state commissions to designate a common carrier as an ETC ("ETC") for a service area designated by the state commission. Under Missouri regulations, an ETC is defined as a carrier designated as such by the Missouri Public Service Commission pursuant to 47 U.S.C. § 214(e) and 47 CFR Part 54, Subpart C.⁴

III. PETITIONER MEETS THE STATUTORY AND REGULATORY PREREQUISITES TO BE DESIGNATED AS AN EXPANDED FEDERAL LIFELINE-ONLY AND MISSOURI USF ETC IN THE ADDITIONAL PROPOSED AREAS

As demonstrated herein, Petitioner satisfies each of the state and federal statutory and regulatory requirements for Lifeline-only ETC designation, as well as ETC designation to participated in the MoUSF, in its proposed expanded ETC designation area.

⁴ 4 CSR 240-31.010(5).

A. Petitioner Will Provide Service as a Common Carrier

Petitioner will provide its services on a common carrier basis. As such, Petitioner certifies that it is a common carrier under §§ 214(e)(1) and(e)(6) of the Act.⁵

B. Petitioner Will Offer the Services Supported by the Federal Universal Service Support Mechanisms

As described below, Petitioner certifies that it will provide the following services that are supported by federal universal service support mechanisms:⁶

1. Voice Grade Access to the PSTN – Petitioner will meet this requirement through the provision of IP-based voice communications service that is interconnected to the PSTN. Petitioner will be legally responsible for dealing with customer problems, providing quality of service guarantees, and meeting universal service-related requirements. Petitioner will offer stand-alone voice telephony service throughout its proposed expanded Lifeline-only ETC designation area and will offer such service at rates that are reasonably comparable to urban rates. This service will include minutes of use for local service provided at no charge to end users and access to emergency service via E-911, wherever available from local government or public safety organizations.⁷ Petitioner also commits to provide toll limitation services to qualifying low-income consumers as provided in §§ 54.400-54.423 of the Rules.⁸
2. Broadband Internet Access Services – Petitioner’s broadband Internet offering will provide the capability to transmit data to and receive data by wire from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service. Petitioner will offer low-latency Internet service at speeds of at least 1 Gbps downstream and 500 Mbps upstream throughout the proposed ETC Designation Area, and will offer such service at rates that are reasonably comparable to urban rates.⁹

⁵ See Exhibit B (Affidavit of Carmen Hartwell).

⁶ See *id.*

⁷ 47 C.F.R. § 54.101(a)(1) and (b).

⁸ 47 C.F.R. § 54.101(a)(1).

⁹ 47 C.F.R. § 54.101(a)(2).

3. Lifeline Service – Petitioner will offer subsidized Lifeline voice and broadband services to qualifying low-income consumers in accordance with the FCC’s rules within its proposed expanded Lifeline-only and MoUSF ETC designation area.¹⁰

Petitioner further commits to provide these services consistent with applicable federal Lifeline and MoUSF support rules.¹¹

C. Petitioner Will Provide Service Using Its Own Facilities

Petitioner will deploy and operate a state-of-the-art, low-latency, FTTH facilities-based network to provide high-speed broadband Internet access and interconnected VoIP services to those within its proposed expanded ETC designation area who lack access to such services.¹²

D. Petitioner Will Provide the Requisite Supported Services Throughout Its Proposed Expanded ETC Designation Area

Petitioner commits to providing the requisite supported services throughout its proposed expanded ETC designation area, consistent with all applicable requirements.¹³

E. Petitioner Will Advertise the Availability of Its Services and Charges Using Media of General Distribution

Petitioner will advertise the availability of and charges for its supported service offerings using media of general distribution, and will undertake outreach initiatives to increase consumer awareness of its service offerings, consistent with all applicable requirements.¹⁴ Petitioner will offer and advertise its broadband and interconnected VoIP services through a combination of media channels, such as newspaper, magazines, and other print advertisements, outdoor

¹⁰ 47 C.F.R. § 54.405(a), 54.400 *et. seq.*

¹¹ *See* 47 C.F.R. §§ 54.101 and 54.201.

¹² 47 C.F.R. § 54.201(d)(1).

¹³ *See* 47 C.F.R. §§ 54.101 and 54.201.

¹⁴ 47 C.F.R. § 54.201(d)(2).

advertising, direct marketing, and/or the Internet. Petitioner will advertise its universal service offerings in a manner consistent with applicable requirements.

F. Petitioner Possesses the Financial and Technical Capability to Provide the Supported Services

With the financial backing of its parent, Gascosage Electric Cooperative, Petitioner possesses the financial and technical capabilities to pay for all start-up expenses (*e.g.*, construction, hardware, operations, etc.) to get its fiber optic network built and to begin the provision of voice and broadband services throughout its proposed expanded ETC designation area. Petitioner and/or Gascosage Electric Cooperative will be able to obtain the requisite amount of lending under its existing lines of credit and Petitioner and/or Gascosage Electric Cooperative is able to obtain additional financing, if necessary, in addition to the tens of millions of dollars in state and federal funding and loans already received to build a fiber optic network that will provide members with the fastest and most reliable internet and phone services available.

G. Petitioner Will Meet the Additional FCC Requirements for Designation as an Expanded ETC

Petitioner further certifies that it will meet all of the FCC's requirements for designation as an ETC under § 214(e)(1) of the Act.¹⁵

1. **Compliance with Applicable Service and Performance Quality Requirements.** Petitioner certifies that it will comply with the service requirements applicable to the support that it receives.
2. **Ability to Remain Functional in Emergency Situations.** Petitioner certifies that its fiber optic network will have the ability to remain functional in emergency situations, will have a reasonable amount of back-up power to ensure functionality without an external power source, will be able to reroute traffic around damaged facilities and will be capable of managing traffic spikes resulting

¹⁵ See Exhibit B.

from emergency situations.¹⁶ Petitioner’s fiber optic network will support telephone service using Session Initiation Protocol-based VoIP technology and will support all phone features, including E-911 services.

IV. THE COMMISSION HAS PREVIOUSLY GRANTED THE PETITIONER DESIGNATION AS AN EXPANDED LIFELINE-ONLY ETC

As referenced above, the Petitioner was designated as an ETC by the Commission on November 18, 2022. In connection with granting Petitioner’s prior application for designation as an ETC, the Commission reviewed Petitioner’s representations, certifications, and commitments regarding the services Petitioner will provide and determined that the Petitioner “... met all federal and state requirements and that it is in the public interest to grant the ETC application.”¹⁷ The Petitioner hereby reaffirms its compliance with and commitment to each of the requirements delineated in the Petitioner’s prior ETC application and adopted in GTech Fiber’s prior ETC designation order from this Commission.

Since the Commission has already determined that Petitioner meets the requirements applicable to an ETC in the State of Missouri, this petition is limited to a request by Petitioner that the Commission expand Petitioner’s federal Lifeline-only ETC designation area, as requested, and authorize Petitioner to participate in the MoUSF, including the MoUSF Lifeline and Disabled Programs, in the census blocks identified in **Exhibit A**.

¹⁶ See 47 C.F.R. § 54.202(a)(2).

¹⁷ *GTech Fiber ETC Designation Order* at 2.

V. PETITIONER MEETS THE STATE REQUIREMENTS FOR EXPANDED DESIGNATION TO PARTICIPATE IN THE MISSOURI UNIVERSAL SERVICE FUND

All of the representations made by GTech Fiber in Case No. DA-2023-0077, including all of the representations made by the Petitioner in its ETC designation petition, as well as the representations made by the Petitioner in this petition, remain accurate and the Petitioner will comply with the ETC requirements identified in 4 CSR § 240-31.015.¹⁸ GTech Fiber wishes to draw from the MoUSF and intends to participate in the Lifeline and Disabled Programs in its proposed expanded ETC designation area, and is compliant with all reporting and assessment obligations to the federal USF.¹⁹

VI. GRANT OF THIS PETITION WILL SERVE THE PUBLIC INTEREST

The grant of this Petition will clearly serve the public interest by enabling Petitioner to provide subsidized voice and broadband services to those households that seek and qualify for federal Lifeline, as well as MoUSF benefits.

VII. CONCLUSION

For all of the foregoing reasons, Petitioner respectfully requests that the Commission designate it as a Lifeline-only ETC in the additional areas requested so that Petitioner will be able to participate in the federal Lifeline program, as well as the MoUSF program, including the

¹⁸ See Application of GTech Fiber, LLC for Designation as an Eligible Telecommunications Carrier in the State of Missouri, Case No. DA-2023-0077.

¹⁹ See 20 CSR 4240-31.016(2)(B)6B-E.

MoUSF Lifeline and Disabled Programs, in order to provide qualified households in these additional rural areas.

Respectfully submitted,

/s/Andrew Sporleder

Andrew Sporleder

Mo Bar# 51197

Johnson & Sporleder LLC

1606 South Oaks Drive

Jefferson City MO 65101

Phone: (573) 606-4400

E-mail: as@cjaslaw.com

Attorney for GTech Fiber, LLC

Dated: January 30, 2024

VERIFICATION


STATE OF MISSOURI)
)
COUNTY OF PULASKI) ss

I, Carmen Hartwell, state that I am the General Manager of GTech Fiber, LLC; that I have read the above and foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of GTech Fiber, LLC.


Carmen Hartwell

Subscribed and sworn to before me this 26th day of January, 2024.

MELINDA DEE STORMES
Notary Public - Notary Seal
STATE OF MISSOURI
Maries County
My Commission Expires: Aug. 27, 2024
Commission #97497292


Notary Public

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of the foregoing Petition was served by electronic mail, this 30th day January, 2024 upon the following:

Office of the Public Counsel
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, Missouri 65102
staffcounselservice@psc.mo.gov

/s/ Andrew Sporleder
Andrew Sporleder

EXHIBIT A

**LIST OF CENSUS BLOCKS IN WHICH
PETITIONER SEEKS EXPANDED DESIGNATION
AS A LIFELINE-ONLY AND MISSOURI USE
ELIGIBLE TELECOMMUNICATIONS CARRIER**

290299509001000	291258803001066	291258803001105	291258803001196
290299509001001	291258803001067	291258803001106	291258803001197
290299509001002	291258803001069	291258803001107	291258803001198
290299509001003	291258803001070	291258803001108	291258803001199
290299509001004	291258803001072	291258803001109	291258803001200
290299509001005	291258803001073	291258803001111	291258803001201
290299509001006	291258803001074	291258803001112	291258803001229
290299509001009	291258803001075	291258803001113	291258803001230
290299509001010	291258803001076	291258803001114	291258803001231
290299509001058	291258803001077	291258803001115	291258803001232
290299509001064	291258803001078	291258803001164	291258803001233
291258802981238	291258803001079	291258803001165	291258803001234
291258802981241	291258803001080	291258803001168	291258803001235
291258802981242	291258803001081	291258803001170	291258803001236
291258802981245	291258803001082	291258803001171	291258803001250
291258802981247	291258803001083	291258803001172	291258803001251
291258802981248	291258803001084	291258803001173	291258803002000
291258802981251	291258803001085	291258803001174	291258803002001
291258802981252	291258803001086	291258803001175	291258803002002
291258802981289	291258803001087	291258803001179	291258803002003
291258802981290	291258803001088	291258803001180	291258803002004
291258802981291	291258803001089	291258803001181	291258803002005
291258802981302	291258803001090	291258803001182	291258803002006
291258802981306	291258803001092	291258803001183	291258803002007
291258802981307	291258803001093	291258803001184	291258803002008
291258802981308	291258803001094	291258803001185	291258803002009
291258802981309	291258803001095	291258803001186	291258803002010
291258802981326	291258803001096	291258803001187	291258803002011
291258803001048	291258803001097	291258803001188	291258803002012
291258803001049	291258803001098	291258803001189	291258803002013
291258803001050	291258803001099	291258803001190	291258803002014
291258803001058	291258803001100	291258803001191	291258803002015
291258803001059	291258803001101	291258803001192	291258803002016
291258803001060	291258803001102	291258803001193	291258803002017
291258803001061	291258803001103	291258803001194	291258803002018
291258803001063	291258803001104	291258803001195	291258803002019

291694705003083
291694705003086
291694705003106
291694705003111
291694705004000
291694705004001
291694705004002
291694705004003
291694705004007
291694705004011
291694705004015
291694705004016
291694705004018
291694705004019

EXHIBIT B

AFFIDAVIT OF CARMEN HARTWELL

Carmen Hartwell, after being duly sworn, states the following:

1. I have personal knowledge of the facts and information set forth in this Affidavit and I am competent to testify to these facts if called as a witness.
2. I am the General Manager of Gascosage Electric Cooperative and its wholly owned subsidiary, GTech Fiber, LLC ("Petitioner"). I have read the Petition to which this Affidavit is attached. I have knowledge of the facts stated in the Petition and those facts are true to the best of my knowledge and my belief.
3. By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, Commissioner Advisor, Regulatory Law Judge, member of the General Counsel or any member of their support team in the sixty (60) days prior to the filing date of this application regarding any substantive issue included in this filing. If any communication of this sort has occurred in the previous sixty (60) day period, I further certify this application was held until sixty (60) days have passed from the date of the subject communication, or we have requested a waiver for good cause as allowed by Commission Rule 20 CSR 4240-4.017(1)(D).

Carmen Hartwell

Carmen Hartwell
General Manager
GTech Fiber, LLC

STATE OF MISSOURI)
)
COUNTY OF PULASKI) ss

Subscribed and sworn to before me this 26th day of January, 2024.

MELINDA DEE STORMES
Notary Public - Notary Seal
STATE OF MISSOURI
Maries County
My Commission Expires: Aug. 27, 2024
Commission #97497292

Melinda Dee Stormes
Notary Public