

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

In the Matter of Wisper ISP, LLC’s Application for)
Designation as an Eligible Telecommunications)
Carrier in an Expanded Service Area)
File No. DA-2025-0055

STAFF RECOMMENDATION

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

1. On August 14, 2024, Wisper ISP, LLC (“Wisper” or “Company”) filed an *Application of Wisper ISP, LLC for Expansion of its Designated Service Area as an Eligible Telecommunications Carrier and Request for Waiver of 20 CSR 4240-4.017* (“Application”). The Company is seeking to expand the service area of its designation as an Eligible Telecommunications Carrier (“ETC”) to include the census blocks awarded to Aristotle Unified Communications Inc. for Connect America Fund Phase II (“CAFII”) funding. On July 17, 2024, Wisper and Aristotle filed a Joint Application with the Federal Communications Commission (“FCC”) requesting the FCC to assign Aristotle’s State of Missouri CAFII funding and broadband obligations to Wisper. Wisper must obtain designation as an ETC for the requested census blocks in order to close on the transaction with the FCC. The company included the specific census blocks for which it requests expanded ETC designation in an Exhibit D with its Application.

2. Wisper is a certificated competitive local exchange carrier (“CLEC”) and registered Interconnected Voice over Internet Protocol (“IVoIP”) provider in the state of Missouri.

3. 47 U.S. Code §214(e)(2) permits state commissions to grant ETC status to a company. The Federal Communications Commission established the requirements

for ETC designation in 47 C.F.R. §§ 54.201 and 54.202. The ETC application requirements for Missouri are included in 20 CSR 4240-31.016.

4. As explained in *Staff's Memorandum*, attached hereto as Appendix A, Staff conducted an investigation into Wisper's Application for compliance with the Commission's rules and federal requirements. Based on its review, Staff has determined that the Company has met the Commission's rules and federal requirements. Therefore, Staff recommends that the Commission grant Wisper's request for expansion of their ETC status. Staff also recommends that the Commission grant 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 Wisper ISP, LLC expansion of its Eligible Telecommunications Carrier Designation to the census blocks identified in Exhibit D of the Application; grant a waiver of the 60-day notice requirement of 20 CSR 4240-4.017; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Ron Irving

Ron Irving

Senior Counsel

Missouri Bar No. 56147

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-8702 (Telephone)

(573) 751-9285 (Fax)

ron.irving@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 13th day of September, 2024, to all counsel of record.

/s/ Ron Irving

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. DA-2025-0055

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

Subject: Staff's Recommendation to Approve Wisper ISP, LLC's Request for
Expansion of Existing ETC Designation

Date: September 13, 2024

On August 14, 2024, Wisper ISP, LLC (Wisper) filed an application for expansion of their designation as an Eligible Telecommunications Carrier (ETC).¹ The company is a certificated CLEC and registered IVoIP provider in Missouri and is headquartered in Mascoutah, Illinois.² Wisper and Aristotle Unified Communications, LLC (Aristotle) recently filed a joint application with the FCC requesting the FCC assign Aristotle's Missouri CAFII funding and broadband obligations to Wisper. Wisper seeks to expand its ETC designation to these census blocks.³ Wisper must obtain designation as an ETC for the requested census blocks in order to close on the transaction with the FCC. Once the transaction is approved, Wisper will be responsible for Aristotle's CAFII deployment obligations.

Federal authority enables state commissions to grant ETC status to a company.⁴ 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 their ETC status.

Staff recommends the Commission expand Wisper ISP, LLC's ETC status for the purpose of receiving federal high-cost and low-income support in the area identified by census blocks in Exhibit D of the company's application.

¹ ETC status granted in Case No. CA-2019-0196 and subsequently expanded in Case No. DA-2021-0373. The company currently is receiving federal high-cost support to expand broadband service to approximately 69,000 Missouri locations. The company uses a fixed wireless last mile technology.

² Case Nos. CN-2019-0205 & DN-2019-0194.

³ Census Block Service areas are listed in Exhibit D of ETC expansion application and consists of locations in southern Missouri.

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