

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service )  
Commission, )  
 )  
Complainant, )  
 )  
v. )  
 )  
American Broadband and )  
Telecommunications Company d/b/a )  
American Assistance )

**File No. LC-2020-0277**

## ORDER DIRECTING RESPONSE

Issue Date: April 28, 2020

Effective Date: April 28, 2020

On March 9, 2020, the Staff of the Missouri Public Service Commission filed a complaint against American Broadband and Telecommunications Company d/b/a American Assistance (American Assistance), alleging that American Assistance has failed to comply with Lifeline requirements and eligible telecommunications carrier (ETC) reporting requirements. Staff asked the Commission to revoke American Assistance's eligible telecommunications carrier status.

American Assistance filed its *Answer and Affirmative Defense* on April 9, 2020. That pleading denied Staff's allegations, but indicated American Assistance's desire to terminate its ETC designation in Missouri as of May 1, 2020. American Assistance indicated a desire to work with the Commission's Staff to assist its existing Missouri subscribers to transfer their Lifeline services to another Missouri ETC on or before May 1, 2020. It represents that it will fully cooperate in any reasonable Staff plan to transition any existing Missouri Lifeline

subscribers to a new Missouri ETC provider, and will continue to serve its Missouri Lifeline subscribers until May 1, 2020 (or some other date reasonably proposed or determined by the Commission). American Assistance asked the Commission to order its Staff to submit to the Commission by April 17, 2020, its plan to transfer American Assistance's existing Missouri Lifeline subscribers to another provider.

Staff responded to American Assistance on April 9, 2020. Staff indicated American Assistance should not be allowed to transfer its burden under federal law to ensure that its current Missouri Lifeline subscribers are transitioned to another ETC. Staff suggests the Commission provide notice to other ETCs and order American Assistance to provide notice to its customers of its intent to cease providing service to its subscribers. Staff also asks the Commission to cancel American Assistance's ETC designation no earlier than June 1, 2020.

Federal law at 47 U.S.C. Section 214(e)(4), and the rules of the Federal Communications Commission at 47 C.F.R. section 54.205 establish the requirements for the voluntary relinquishment of ETC status by a telecommunications provider. Further, Commission Rule 20 CSR 4240-31.015(4) requires that relinquishment of ETC status be accomplished by providing a letter signed by an authorized company official or representative, at least 60 days prior to relinquishing ETC status, demonstrating compliance with 47 U.S.C. Section 214(e)(4).

If American Assistance does in fact wish to relinquish its ETC status in Missouri, it must comply with the requirements of Federal and Missouri law. The Commission is not willing to turn this complaint into a proceeding to accomplish

that relinquishment. If American Assurance files a notice of relinquishment, it must do so in a new file, not as part of this existing complaint file. The Commission will take no further action at this time regarding this complaint to allow American Assistance time to file its voluntary relinquishment if it wishes to do so.

**THE COMMISSION ORDERS THAT:**

1. American Assurance is allowed until May 15, 2020 to file a voluntary relinquishment of its ETC status as provided by Commission Rule 20 CSR 4240-31.015(4).
2. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in dark ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri  
on this 28<sup>th</sup> day of April, 2020.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

**I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission,  
at Jefferson City, Missouri, this 28<sup>th</sup> day of April 2020.**



  
**Morris L. Woodruff**  
**Secretary**

**MISSOURI PUBLIC SERVICE COMMISSION**

***April 28, 2020***

**File/Case No. LC-2020-0277**

**Missouri Public Service  
Commission**

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**American Assistance**

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**Missouri Public Service  
Commission**

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***Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).***

***Sincerely,***



**Morris L. Woodruff  
Secretary**

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Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.