

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

In the Matter of the Application of )  
A Net, LLC, for Designation as an Eligible ) **File No. AA-2021-0033**  
Telecommunications Carrier pursuant to )  
the Telecommunications Act of 1996 )

## NOTICE OF DEFICIENCY

Issue Date: August 13, 2020

On August 7, 2020, A Net, LLC, applied for designation as a federal broadband lifeline-only eligible telecommunications carrier (ETC) in three Missouri counties: Lafayette, Saline, and Johnson. A Net's application states Alma Communications Company d/b/a Alma Telephone Company has delegated to A Net the performance of Alma Communications' service obligations under the Missouri Broadband Grant Program.

On August 10, 2020, the Commission issued its *Order Directing Notice and Setting Deadlines for Intervention Applications and Staff's Recommendation*. The Commission's order noted A Net's application did not address Commission Rule 20 CSR 4240-4.017 and did not seek a waiver of the notice requirement, as allowed by 20 CSR 4240-4.017(1)(D). The order allows A Net to supplement or amend its application by no later than August 17, 2020.

On August 12, 2020, A Net filed an “amended, supplemental” application. The application cites the rule at 20 CSR 4240-4.017 but does not request a waiver nor does it address any potential bases for waiver. The Commission recognizes that applications concerning ETC designations have not always been scrutinized in regard to the 60-day

notice requirement of Commission Rule 20 CSR 4240-4.017. Nonetheless, the rule applies to this case.<sup>1</sup>

The rule requires “[a]ny person that intends to file a case”<sup>2</sup> with the Commission to file a notice “a minimum” of 60 days prior to filing the case: “Such notice shall detail the type of case and issues likely to be before the [C]ommission and shall include a summary of all communication regarding substantive issues likely to be in the case between the filing party and the office of the [C]ommission” in the 90 days prior to the notice. The rule applies to all applications filed with the Commission, not just those that are likely to be contested.

However, the rule allows for waiver of the notice obligation for good cause, as follows:

A party may request a waiver of this section for good cause. Good cause for waiver may include, among other things, a verified declaration from the filing party that it has had no communication with the office of the [C]ommission within the prior [150] days regarding any substantive issue likely to be in the case or that circumstances prevented filing the required notice and delaying the filing for [60] days would cause harm.<sup>3</sup>

Thus, before the application can be addressed by the Commission, A Net must request a waiver and offer good cause for that waiver.



**BY THE COMMISSION**

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

Morris L. Woodruff  
Secretary

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<sup>1</sup> Exceptions to the 60-day notice requirement are provided for formal complaints and small utility rate cases. Commission Rule 20 CSR 4240-4.017(B),(C).

<sup>2</sup> A “case” is defined as “[a]ny matter filed before the [C]ommission for its determination except working dockets, rulemaking dockets, and investigatory dockets.”

<sup>3</sup> 20 CSR 4240-4.017(1)(D).

Jana C. Jacobs, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 13th day of August, 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 13<sup>th</sup> day of August, 2020.**



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

**MISSOURI PUBLIC SERVICE COMMISSION**

**August 13, 2020**

**File/Case No. AA-2021-0033**

**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.