



July 31, 2025

Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street, NE  
Washington, D.C. 20554

***Re: CC Docket No. 96-45, New Florence Telephone, LLC Petition for Waiver of Study Area Boundary Freeze Rules***

Dear Ms. Dortch:

On behalf of New Florence Telephone, LLC (New Florence), enclosed please find a Petition for Waiver of the Federal Communications Commission (FCC) rules freezing study area boundaries. New Florence is requesting a waiver of the definition of "study area" contained in the Appendix-Glossary of 47 CFR Part 36 to allow the merger of four separate study areas into one consolidated study area.

New Florence is requesting confidential treatment of Exhibits B (NECA CAF ICC Calculation), Exhibit C (NECA rate band calculation), and Exhibit D (post-merger CAF ICC calculation). The below statement supports confidential treatment of this information under 47 CFR § 0.459(b),

1. New Florence seeks confidential treatment of the information contained in Exhibits B, C, and D.
2. New Florence is filing the attached Petition for Waiver concurrently with this request for information to be withheld from public inspection.
3. The financial information contained in Exhibits B, C, and D consists of highly sensitive and all portions of these Exhibits are considered confidential and propriety to New Florence.
4. The information contained in Exhibits B, C, and D all relate to services provided by New Florence that are competitive in nature - the provision of local and interexchange access services.
5. Disclosure of the information contained in Exhibit B, C, and D would cause significant competitive harm to New Florence by giving competitors data about the company's provision of services, its network, and its competitive strategies.
6. New Florence maintains the confidentiality of the information contained in Exhibits B, C, and D by ensuring the disclosure of such financial data is limited to those with a

legitimate need to view the information, and is a part of the company's overall policy covering the disclosure of sensitive financial data.

7. The information contained in Exhibits B, C, and D is not available to the public and has not been previously disclosed.
8. New Florence requests that the information in Exhibits B, C, and D be treated as confidential indefinitely, as disclosure of this information at any point in the foreseeable future would cause the company harm.

The redacted version of the Petition, with redacted versions of Exhibits B, C, and D, is being filed electronically via ECFS.

Please contact the undersigned should you have any questions regarding this matter.

Sincerely,

/s/ Chris Barron

Chris Barron  
Senior Manager  
Aldrich CPAs + Advisors LLP  
503-716-9223

cc: Marcus Bott, New Florence Telephone  
Lynne Engledow, Wireline Competition Bureau

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of

Petition for Waiver of the Definition of	)	
“Study Area” of the Appendix-Glossary of	)	
Part 36 of the Commission’s Rules;	)	CC Docket No. 96-45
Petition for Waiver of Section 69.3(e)(11)	)	
of the Commission’s Rules	)	

**PETITION FOR WAIVER**

Pursuant to Section 1.3 of the Federal Communications Commission (FCC or Commission) rules, the Commission’s October 2023 *High-Cost Improvements Order*<sup>1</sup>, and sections 36.4(c), 51.909, and 51.917 of the FCC’s rules, New Florence Telephone Company, Orchard Farm Telephone Company, New London Telephone Company, and Stoutland Telephone Company (together, the *Petitioners*) request a waiver of Sections 36 and 69.3(e)(11) of the FCC’s rules in order to merge the study areas of these companies. *Petitioners* also address the recalculated rate bands for certain interstate switched access services<sup>2</sup> and the recalculated Connect America Fund-Intercarrier Compensation<sup>3</sup> as discussed in the *High-Cost Improvements Order*.

**I. INTRODUCTION AND BACKGROUND**

The *Petitioners* are incumbent rural local exchange carriers (RLECs), under common ownership and are operating in the state of Missouri. In total, the four study areas serve 968

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<sup>1</sup> *In the Matter of Connect America Fund*, et. al., WC Docket No. 10-90, Report and Order (rel. October 20, 2023, FCC 23-87) (*High-Cost Improvements Order*)

<sup>2</sup> 47 C.F.R. § 51.909(a)(7)

<sup>3</sup> 47 C.F.R. § 54.917(c)

voice customers and 967 broadband customers five exchanges. The companies are under common ownership of New Florence Holdings, Inc., which is a subsidiary of Oregon Telephone Corporation, a holding company that owns thirteen companies across three states. A summary of each study area is as follows:

- New Florence Telephone Company (Study Area Code 421927)
- New London Telephone Company (SAC 421928)
- Orchard Farm Telephone Company (SAC 421934)
- Stoutland Telephone Company (SAC 421951)

A map of the current and merged study areas is included in Exhibit A to this Petition.

New Florence receives federal high-cost support through the Alternative Connect America Cost Model (ACAM) I revised program related to all four Missouri study areas. All four companies receive CAF ICC support.

For public interest reasons explained below, the *Petitioners* seek approval to merge the four study areas, with the remaining company/study area being New Florence Telephone Company.

## **II. WAIVER STANDARD**

Commission rules may be waived for good cause shown.<sup>4</sup> A waiver is appropriate where the “particular facts would make strict compliance inconsistent with the public interest.”<sup>5</sup> In addition, the Commission may grant a waiver of its rules where the requested relief would not

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<sup>4</sup> 47 C.F.R. § 1.3

<sup>5</sup> See *AT&T Wireless Services, Inc. et. al. v. Federal Communications Commission*, No. 00-1304 (D.C. Cir. 2001), citing *Northeast Cellular Tel. Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*)

undermine the policy objective of the rule in question, special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.<sup>6</sup>

Study areas were initially frozen to reflect boundaries as of November 15, 1984<sup>7</sup> to provide a method to prevent ILECs from establishing separate study areas made up of only high-cost exchanges maximize their receipt of high-cost universal service support.<sup>8</sup> In the 2011 *Transformation Order*, the Commission established a two-pronged approach to evaluating study area waiver petitions: (1) the state commission having regulatory authority over the transferred exchanges does not object to the transfer, and (2) the transfer must be in the public interest.<sup>9</sup>

Furthermore, based on data contained in Exhibit B (NECA CAF ICC Calculations) and Exhibit D (Calculation of post-merger CAF ICC Support) the *Petitioners* state that the merger will not result in an increase in CAF ICC support of greater than 2%, thus pursuant to section 51.909(a)(7)(ii) there no waiver of this rule required.<sup>10</sup> The merged entity will participate in the NECA traffic-sensitive tariff, and as shown in Exhibit C, NECA has calculated the new switched access rate caps for the merged entity. Using the revised rule adopted in the *High-Cost Improvements Order*, the *Petitioners* project that there will be an immaterial increase in Eligible Recovery after the merger has been completed, as shown in Exhibit D.<sup>11</sup>

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<sup>6</sup> See *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969), *cert. denied* 409 U.S. 1027 (1972).

<sup>7</sup> 47 C.F.R. § 36, Appendix-Glossary

<sup>8</sup> *High-Cost Improvements Order* at 176

<sup>9</sup> *In the Matter of Connect America Fund*, et. al., WC Docket No. 10-90, Report and Order and Further Notice of Proposed Rulemaking (FCC 11-161, rel. November 18, 2011) at 265 (*2011 Transformation Order*)

<sup>10</sup> See 47 C.F.R. § 51.909(a)(7)(ii); see also *High-Cost Improvements Order* at 171

<sup>11</sup> 47 CFR 51.917(c)(2)(i) allows the Base Period Revenue and interstate revenue requirement levels of the merging study areas to be added together to establish a new Base Period Revenue and interstate revenue requirement for the new entity.

### III. THE PETITION FOR WAIVER MEETS THE COMMISSION'S TESTS

This petition requesting that the *Petitioners* be allowed to merge study areas in Missouri easily meets the Commission's test for granting waivers of its rules. By merging study areas, the *Petitioners* will experience more efficiency in operations, accounting, and regulatory compliance. This will in turn allow the *Petitioners* to direct more operating funds to provide high-quality service and to better continue the deployment, maintenance, and upgrading of their broadband networks. This result clearly meets the public interest.

The public interest is also met in that the amount of federal high-cost support will not change. The study areas being merged receive ACAM I revised support, which is based on a fixed amount of support provided over a certain term. As such, merging the study areas will have no effect on the amount of support generated.<sup>12</sup> In addition, the post-merger level of CAF ICC support will not increase in an amount in excess of 2%, which meets the Commission's threshold adopted in the *High-Cost Improvements Order*.<sup>13</sup>

The merger of the four study areas in Missouri must also not be opposed by the state commission having regulatory authority over the transferred exchanges. In the case of the waiver sought herein, the Missouri Public Service Commission (MO PSC) does not formally approve mergers of this type, but the *Petitioners* are in the process of obtaining other related MO PSC approvals. The *Petitioners* will supplement this petition once the MO PSC acts on these requirements.

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<sup>12</sup> The issues raised in the *Hargray Order* regarding "mixed support" transactions do not apply. See *Joint Application of W. Mansfield Jennings Limited Partnership and Hargray Communications Group, Inc., for Consent to the Transfer of Control of ComSouth Corporation Pursuant to Section 214 of the Communications Act of 1934*, Memorandum Report and Order, WC Docket No. 18-52 (FCC 18-62, rel. May 11, 2018)

<sup>13</sup> *High-Cost Improvements Order* at 171; see also 47 C.F.R. § 51.909(a)(7)(ii)

Furthermore, the proposed merger of four study areas in Missouri will not undermine the policy objectives of the relevant rules, and the circumstances surrounding the proposed study area merger warrant deviation from the general rule. As discussed above, the efficiencies gained by combining the study areas, the fact that high-cost universal support will not increase, and post-merger CAF ICC is projected to not increase demonstrates the waiver requested herein will in no way undermine the policy objectives of the relevant rule – namely, the Commission’s original purpose for freezing study boundaries. Specifically, the merged entity is in no way being established to maximize high-cost universal service support – the pre- and post-merger federal high-cost support amount will stay the same. Furthermore, the circumstances described in this Petition warrant a deviation of the study area boundary freeze rule in that the resulting merger of the four Missouri study areas will result in efficiencies related to operations, maintenance, and network deployment, all of which are also in the public interest.

#### **IV. WAIVER OF 47 CFR § 69.3(e)(11) IS WARRANTED**

The *Petitioners* also request a waiver of section 69.3(e)(11) of the Commission’s rules to allow the inclusion in New Florence’s study area the New London, Orchard Farm, and Stoutland in exchange access lines, revenues, and investment in the NECA tariff process without waiting for the next annual access tariff filing. Including these additional access lines in the NECA carrier common line tariff would represent no increase in NECA common line pool participation, and it would remove a significant administrative burden that would be involved if the *Petitioners* were forced to file their own interstate access tariff until the next NECA annual access tariff filing.

**CONCLUSION**

As demonstrated herein, good cause exists for granting this study area waiver request.

Respectfully Submitted,



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By: Marcus Bott

Vice President of Operations

*Rally Networks – New Florence Telephone Company, New London Telephone Company, Orchard Farm Telephone Company, and Stoutland Telephone Company*

816 Oneida Street

Seneca, MO 64865

541-932-7413

marcusb@rallynet.us

## **EXHIBIT A**

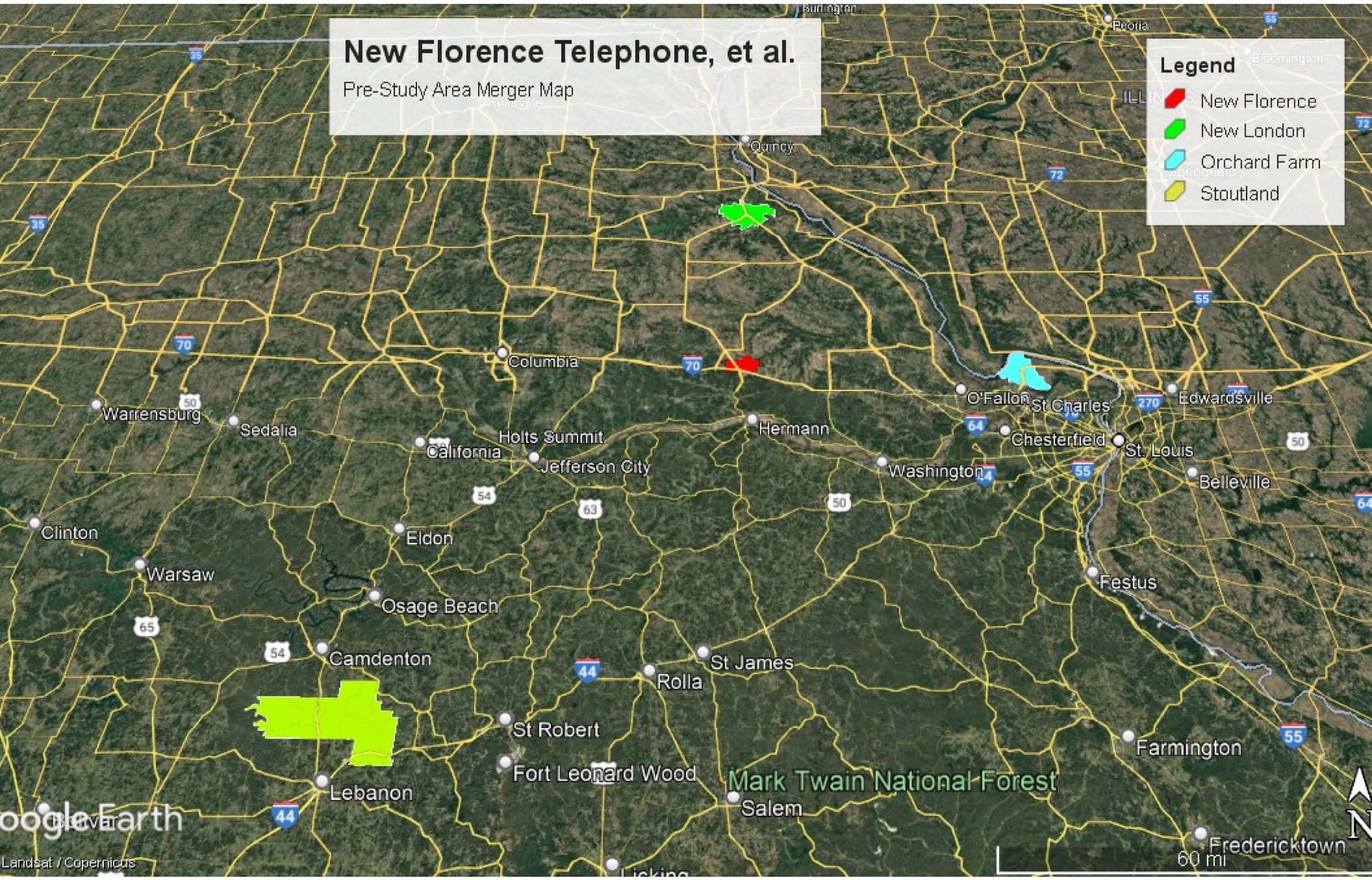
Pre- and Post-Study Area Merger Maps

# New Florence Telephone, et al.

Pre-Study Area Merger Map

**Legend**

-  New Florence
-  New London
-  Orchard Farm
-  Stoutland





## **EXHIBIT B**

NECA CAF ICC Calculation

**Test Period 2025/2026 (Data are based on input provided by company in the CAF ICC Data Collection)**

**Interstate**

Base period RRQ	NECA Expense	RRQ=BPRRQ*(0.95)^14+NECA Expense	Proposed Rate	Projected Min	Projected Rev	Allocated Rev	Interstate ER
421927							
421928							
421934							
421951							
Merged							

**Intrastate**

YR1 (FY2011) ActualRev	RRQ=YR1ActualRev*(0.95)^14	Forecasted Min	Expected Rev	Intrastate ER
421927				
421928				
421934				
421951				
Merged				

**CMRS**

YR1(FY2011)_NetRecipCompRev	NetExpRecipCompRev=YR1Rev*(0.95)^14	RRQ	CMRS_ER
421927			
421928			
421934			
421951			
Merged			

**Non\_CMRS**

YR1(FY2011)_NetRecipCompRev	NetExpRecipCompRev=YR1Rev*(0.95)^14	RRQ	CMRS_ER
421927	\$0	\$0	\$0
421928	\$0	\$0	\$0
421934	\$0	\$0	\$0
421951	\$0	\$0	\$0
Merged	\$0	\$0	\$0

**Exogenous Costs**

TRS_Increment	Reg_Fees_Increment	NANPA_Increment	Total
421927	\$0	\$0	\$0
421928	\$0	\$0	\$0
421934	\$0	\$0	\$0
421951	\$0	\$0	\$0
Merged	\$0	\$0	\$0

**Residential ARC**

sarid	SAR_ABBR	Exchange Name	Res Lines	Res_ARC Rev	Res ARC Rate
421927	NEW FLORENCE TEL CO	New Florence			
421928	NEW LONDON TEL CO	New London(MO)			
421934	ORCHARD FARM TEL CO	Orchard Farm/250			
421934	ORCHARD FARM TEL CO	Orchard Farm/258			
421951	STOUTLAND TEL CO	Eldridge			
421951	STOUTLAND TEL CO	Stoutland			

**ARC Rate and Revenue**

sarid	SAR_ABBR	Res Lines	SLB Lines	MLB Lines	Res_ARC Rev	SLB_ARC Rev	MLB_ARC Rev	Total ARC Rev	SLBARCRate	MLBARCRate
421927	NEW FLORENCE TEL CO									
421928	NEW LONDON TEL CO									
421934	ORCHARD FARM TEL CO									
421951	STOUTLAND TEL CO									
Merged	NEW FLORENCE TEL CO									

**Net Impact of True-Up, Pre and Post Eligible Recovery and CAFICC Support**

sarid	ER_pretrueup	TotalARC_pretrueup	CAFICC_pretrueup	NetImpact_trueup	ER	Res_ARC Rev	SLB_ARC Rev	MLB_ARC Rev	Total ARC Rev	CAF ICC
421927										
421928										
421934										
421951										
Merged										

**Revised CAF ICC Support Reduced by Imputed ARC Revenues on Broadband-only Lines**

sarid	CAF ICC	Broadband-only Lines	Imputed ARC Revenues	Revised CAF ICC Support
421927				
421928				
421934				
421951				
Merged				

## **EXHIBIT C**

NECA Calculations of Switched Access Rates

## Rate Band Placement

### Local Switching

sar_id	sar_abbr	LSRRQ2011-2012	LS Cost per Minute	LS Band	Forecasted Minutes
421927	NEW FLORENCE TEL CO				
421928	NEW LONDON TEL CO				
421934	ORCHARD FARM TEL CO				
421951	STOUTLAND TEL CO				
Merged	NEW FLORENCE TEL CO				

Test Period 2011-2012 (interstate frozen baseline) is from July 1, 2011 through June 30, 2012.

All Local Switching RRQ, Forecasted Minutes and Rate Band placements are from NECA's 2011 Annual Filing.

### Tandem Switching

sar_id	sar_abbr	RRQ	Revenue	Retention Ratio	TST Band
421927	NEW FLORENCE TEL CO				
421928	NEW LONDON TEL CO				
421934	ORCHARD FARM TEL CO				
421951	STOUTLAND TEL CO				
Merged	NEW FLORENCE TEL CO				

### Dedicated Transport 201112

sar_id	sar_abbr	SP_RRQ	SP_Revenue	Retention Ratio	SP Band
421927	NEW FLORENCE TEL CO				
421928	NEW LONDON TEL CO				
421934	ORCHARD FARM TEL CO				
421951	STOUTLAND TEL CO				
Merged	NEW FLORENCE TEL CO				

Dedicated transport rate band is the same as the Special Access rate band for the test period July 1, 2011 through June 30, 2012

## **EXHIBIT D**

### Post-Merger CAF ICC Calculation

EXHIBIT D

New Florence Telephone Company  
Post-Merger CAF ICC Calculation

	New Florence 421927	New London 421928	Orchard Farm 421934	Stoutland 421951	Merged Total	Post-Merger Adjustments	Post-Merger Total
<b>Baseline Revenues</b>							
Interstate Base Period Revenue Requirement	\$						
NECA Expense	\$						
Interstate Baseline Revenues 2025/2026*	\$						
Intrastate Base Period Revenues	\$						
Intrastate Baseline Revenues 2025/2026*	\$						
CMRS Base Period Revenues	\$						
CMRS Baseline Revenues 2025/2026	\$						
<b>Total Baseline Revenues</b>	\$						
<b>Expected Revenues**</b>							
Interstate	\$						
Intrastate	\$						
CMRS	\$						
CMRS Adj	\$						
<b>Total Expected Revenues</b>	\$						
Subtotal	\$						
True-up	\$						
Eligible Recovery	\$						
Residential ARC Revenue**	\$						
SLB ARC Revenue**	\$						
MLB ARC Revenue**	\$						
<b>CAF ICC</b>	\$						

\* Includes annual 5% Baseline Adjustment Factor

Change in CAF ICC Support

**Revenue Projection Adjustments	
Interstate	
Intrastate	
CMRS	
Residential ARC Revenue	
SLB ARC Revenue	
MLB ARC Revenue	

\*REDACTED\*



September 12, 2025

Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street, NE  
Washington, D.C. 20554

***Re: CC Docket No. 96-45, Supplement to New Florence Telephone, LLC Petition  
for Waiver of Study Area Boundary Freeze Rules***

Dear Ms. Dortch:

On behalf of New Florence Telephone, LLC (New Florence), enclosed please find a Supplement to the Petition for Waiver of the Federal Communications Commission (FCC) rules freezing study area boundaries. New Florence is requesting a waiver of the definition of “study area” contained in the Appendix-Glossary of 47 CFR Part 36 to allow the merger of four separate study areas into one consolidated study area. This supplement addresses issues raised by the FCC’s Wireline Competition Bureau, Pricing Policy Division (PPD) related to New Florence’s Petition, and provides more information on the position of the Missouri Public Service Commission (PSC) relating to the proposed study area merger.

## **I. Post-Merger CAF ICC Calculation**

Revised Exhibit D (attached) contains a calculation of the impact on the post-merger Connect America Fund Inter-carrier Compensation (CAF ICC) support related to the change in interstate pooled access rates. As demonstrated in Revised Exhibit D, the impact on the post-merger CAF ICC as a result of the new rate band assignments is a reduction in total support. This is caused by an overall increase in interstate access rates to be charged to interexchange carriers, which decreases the need for CAF ICC support. As a result, New Florence’s Petition meets the criteria established in the High-Cost Improvements Order (FCC 23-87, rel. October 20, 2023) and 47 C.F.R. § 51.909(a)(7)(ii) in that the post-merger CAF ICC support will decrease.

## **II. Missouri PSC Position**

Missouri law (Section 392.420) allows companies such as New Florence to waive certain statutes requiring approval for asset sales, mergers, and reorganizations (Sections 392.300 and 392.340).

In 2012, New Florence, New London, Orchard Farm, and Stoutland all elected to waive the Missouri PSC statutes and rules for mergers, and the Missouri PSC issued orders acknowledging those waivers. Therefore, the Missouri PSC no longer has jurisdiction over the merger of these companies.

### **Request for Confidential Treatment of Revised Exhibit D**

New Florence is requesting confidential treatment of Revised Exhibit D (Post-Merger CAF ICC Calculation) attached to this supplement. The below statement supports confidential treatment of this information under 47 CFR § 0.459(b),

1. New Florence seeks confidential treatment of the information contained in Revised Exhibit D.
2. New Florence is filing this supplement to the original Petition for Waiver concurrently with this request for information to be withheld from public inspection.
3. The financial information contained in Revised Exhibit D consists of highly sensitive and all portions of this Exhibit is considered confidential and propriety to New Florence.
4. The information contained in Revised Exhibit D relates to services provided by New Florence that are competitive in nature - the provision of local and interexchange access services.
5. Disclosure of the information contained in Revised Exhibit D would cause significant competitive harm to New Florence by giving competitors data about the company's provision of services, its network, and its competitive strategies.
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7. The information contained in Revised Exhibit D is not available to the public and has not been previously disclosed.
8. New Florence requests that the information in Revised Exhibit D be treated as confidential indefinitely, as disclosure of this information at any point in the foreseeable future would cause the company harm.

The redacted version of this supplement, with the redacted version of Revised Exhibit D, is being filed electronically via ECFS.

Marlene H. Dortch  
September 12, 2025

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Please contact the undersigned should you have any questions regarding this matter.

Sincerely,

/s/ Chris Barron

Chris Barron  
Senior Manager  
Aldrich CPAs + Advisors LLP  
503-716-9223

cc: Marcus Bott, New Florence Telephone  
Lynne Engledow, Wireline Competition Bureau

New Florence Telephone Company  
Impact of Switched Access Rate Band Assignments on CAF-ICC

		Local Switching			Interstate Demand *	Interstate Rev at Old Rates	Interstate Rev at New Rates	Interstate Pool Allocation Impact**	Interstate Impact on CAF ICC	Intrastate Demand	Intrastate Rev at Old Rates	Intrastate Rev at New Rates	Intrastate Impact on CAF ICC	Annual
		Current Rate Band	Rate											
421927	New Florence	8	\$ 0.040790											
421928	New London	1	\$ 0.012237											
421934	Orchard Farm	5	\$ 0.028553											
421951	Stoutland	1	\$ 0.012237											

		Tandem Switched Facility												
		Current Rate Band	Rate											
421927	New Florence	1	\$ 0.000170											
421928	New London	2	\$ 0.000365											
421934	Orchard Farm	2	\$ 0.000365											
421951	Stoutland	2	\$ 0.000365											

		Tandem Switched Termination												
		Current Rate Band	Rate											
421927	New Florence	1	\$ 0.000888											
421928	New London	2	\$ 0.001899											
421934	Orchard Farm	2	\$ 0.001899											
421951	Stoutland	2	\$ 0.001899											

		DTF												
		Current Rate Band	Rate											
421927	New Florence	7	\$ 11.89											
421928	New London	5	\$ 8.51											
421934	Orchard Farm	5	\$ 8.51											
421951	Stoutland	5	\$ 8.51											

		DTT												
		Current Rate Band	Rate											
421927	New Florence	7	\$ 61.70											
421928	New London	5	\$ 44.27											
421934	Orchard Farm	5	\$ 44.27											
421951	Stoutland	5	\$ 44.27											

\* From August Monthly Billing

\*\*Interstate Pool Allocation

Estimated Impact on CAF ICC Payments