STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held by internet and audio conference on the 28th day of April, 2021.

In the Matter of the Application of Fidelity Cablevision, LLC d/b/a Fidelity Communications to Amend and Expand its Designation as an Eligible Telecommunications Carrier in the State of Missouri to Receive Rural Digital Opportunity Fund (Auction 904) Support for Voice and Broadband Services and to Receive Federal Lifeline and State Lifeline Support	)	**File No. CA-2021-0282**

ORDER GRANTING EXPANDED DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

Issue Date: April 28, 2021 Effective Date: May 28, 2021

On March 8, 2021, Fidelity Cablevision, LLC d/b/a Fidelity Communications filed its application for expanded designation as a wireless Eligible Telecommunications Carrier (ETC).[1] Fidelity Communications was recently awarded federal Rural Digital Opportunity Fund (RDOF) support to build broadband facilities in more rural areas. The RDOF funding requires Fidelity Communications to extend broadband service to a designated number of locations in certain census blocks. Fidelity Communications seeks to expand its ETC designation to include the census blocks it was awarded. Fidelity Communications also seeks federal and state Lifeline only support in other geographic areas of Missouri.

The Commission issued notice and set a deadline for intervention. No person or entity sought intervention in this matter, and no party has requested a hearing.

[1] Fidelity Communications is presently certificated as a competitive local exchange carrier (CLEC).

The Staff of the Missouri Public Service Commission (Staff) conducted an investigation and on March 25, 2021, filed its recommendation and memorandum. Staff recommends the Commission expand Fidelity Communications' ETC status for the purpose of receiving federal high-cost and low-income support and Missouri Universal Service Fund (USF) support in the area identified by census blocks in Exhibit 1. Staff further recommends the Commission grant federal low-income and Missouri USF support in the area identified by additional census blocks in Exhibit 1 of the company's application. Staff stated Fidelity Communications met the requirements of Commission Rule 20 CSR 4240-31.016 governing eligible telecommunications carriers. Staff notes that Fidelity Communications requests a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017, and recommends that such waiver be granted.

Under federal authority, the application is within the Commission's jurisdiction to decide.[2] Since no law requires a hearing, this is a non-contested case.[3] Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.[4] Consequently, the Commission bases its decision on the verified filings.

Based upon its review of the verified application and Staff's recommendation and memorandum, the Commission finds that Fidelity Communications has met the requirements for ETC designation. Further, for good cause shown, Fidelity Communications will be granted a waiver of the 60-day filing requirement of the Commission's rules.

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[2] 47 U.S.C. § 214(e)(2).
[3] *In the Matter of Kansas City Power & Light Co.'s Request for Authority to Implement a General Rate Increase for Elec. Serv. v. Pub. Serv. Comm'n,* 509 S.W.3d 757, 783-784 (Mo. App. W.D. 2016).
[4] *State ex rel. Pub. Counsel v. Pub. Serv. Comm'n*, 210 S.W.3d 344, 353-354 (Mo. App. W.D. 2006).

THE COMMISSION ORDERS THAT:

1. Fidelity Communications' application is granted. Fidelity Communications is granted expanded ETC designation for the purpose of receiving federal high-cost, low-income support, and Missouri USF support in the census block groups described in Exhibit 1 to its application.

2. Fidelity Communications is further granted federal low-income and Missouri USF support in the area identified by the additional census blocks in Exhibit 1 to its application.

3. Fidelity Communications is granted a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017.

4. This order shall become effective on May 28, 2021.

5. This file shall be closed on May 29, 2021.

BY THE COMMISSION

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and Holsman CC., concur.

Pridgin, Regulatory Law Judge

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 28th day of April, 2021.

Morris L. Woodruff
Secretary

Digitally signed by MOPSC
DN: CN=MOPSC, O=MOPSC, OU="", E=kim.happy@psc.mo.gov, C=US
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MISSOURI PUBLIC SERVICE COMMISSION

April 28, 2021

File/Case No. CA-2021-0282

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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

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