BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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 to Receive Federal Lifeline and State Lifeline Support	)))))	**File No. CA-2021-0415**

ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, AND DIRECTING STAFF TO FILE A RECOMMENDATION

Issue Date: June 2, 2021 Effective Date: June 2, 2021

On June 1, 2021, Fidelity Cablevision, LLC d/b/a Fidelity Communications filed an application for expansion of its designation as an Eligible Telecommunications Carrier. The Commission will direct its Data Center to issue notice of the application, set a deadline for requests to intervene, and direct the Staff of the Commission to file a recommendation.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send notice of this application to all local exchange carriers certificated to provide service in Missouri.

2. Requests to intervene shall be filed with the Commission no later than June 17, 2021.

3. The Staff of the Commission shall file a recommendation no later than July 2, 2021.

4. This order shall be effective when issued.

BY THE COMMISSION

Morris L. Woodruff
Secretary

Ronald D. Pridgin, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 2nd day of June, 2021.

BEFORE THE
PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of	)	
	)	
FIDELITY CABLEVISION, LLC D/B/A FIDELITY COMMUNICATIONS	)	Case No. _____
	)	
to Amend and Expand Its Designation as an Eligible Telecommunications Carrier to Receive Federal Lifeline and State Lifeline Support	)	

APPLICATION TO AMEND AND EXPAND
ELIGIBLE TELECOMMUNICATIONS CARRIER DESIGNATION AND
REQUEST FOR WAIVER OF 20 CSR 4240-4.017

COMES NOW Fidelity Cablevision, LLC d/b/a Fidelity Communications (the "Company"), pursuant to Section 214(e)(2) of the federal Communications Act of 1934, as amended (the "Act"),[1] the rules and regulations of the Federal Communications Commission ("FCC"),[2] and Rules 2.060 and 31.016 of the Missouri Public Service Commission (the "Commission"),[3] and submits this Application to Amend and Expand its Eligible Telecommunications Carrier Designation ("Application") and Request for Waiver of 20 CSR 4240-4.017, which states:

BACKGROUND

1. The Company's predecessor entity – Fidelity Cablevision, Inc. (ID 130) – received a certificate of service authority to provide competitive telecommunications services in Missouri in Case No. TO-2000-192 by Order issued February 17, 2000. The Company assumed

[1] 47 U.S.C. § 214(e)(2).

[2] 47 C.F.R. §§ 54.201, 54.202; *see also Lifeline and Link Up Reform and Modernization; et al.,* 27 FCC Rcd 6656 (2012) ("*Lifeline Reform Order*").

[3] 20 CSR 4240-2.060; 20 CSR 4240-31.016.

such authority by operation of law, which was approved by the Commission in Case No. CN-2020-0128 (issued November 12, 2019). The Company has been assigned Commission ID 7288.

2. The Commission designated the Company's prior affiliate – Fidelity Communication Services I, Inc. (ID 131) ("FCSI") - as an eligible telecommunications carrier ("ETC") for purposes of receiving federal and state Lifeline support in Missouri in the exchanges of Rolla, Salem, and Lebanon in Case No. TA-2002-122 (issued Nov. 6, 2001) and Case No. CO-2012-0282 (issued March 28, 2012).

3. In October 2019, FCSI was merged with and into the Company, with the Company as the surviving entity. In connection with the merger, the Company adopted the existing tariffs of FCSI and informed the Commission that the Company would now serve as the ETC pursuant to the merger as reflected in Tariff Tracking Nos. YC-2020-0079 and YC-200-0080. The Commission approved the changes by Order issued December 9, 2019 in Case No. CN-2020-0128. The Commission cancelled FCSI's certificate of service authority by Order issued January 2, 2020 in Case No. CO-2020-0172.[4]

4. The Company was a winning bidder in the FCC's recent Rural Digital Opportunity Fund ("RDOF") auction (Auction 904).[5] On April 28, 2021, in Case No. CA-2021-0282, the Commission approved the Company's request to expand its existing ETC designation to receive (1) RDOF support for the provision of voice and broadband Internet access services in certain Census Block Groups and (2) federal and state Lifeline-only support in other geographic areas of Missouri.

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[4] The Company also adopted the existing tariffs of Fidelity Communication Services II, Inc., Fidelity Long Distance, Inc., and Fidelity Networks, Inc., each of which was also merged with and into the Company, with the Company as the surviving entity. *See* Tariff Tracking Nos. YC-2020-0081, YC-2020-0082, YC-2020-0083, YC-2020-0084, YC-2020-0085, and YC 2020-0086.

[5] *Rural Digital Opportunity Fund, et al.*, 35 FCC Rcd 686 (2020) ("*RDOF Order*"). The Company's parent, Cable One, Inc., was a member of the Wisper-CABO 904 Consortium.

5. The Company is a participant in the FCC's Emergency Broadband Benefit ("EBB") Program pursuant to which eligible low-income households in Missouri may receive a discount off the cost of broadband Internet access service (or voice/Internet access bundles).[6] The EBB Program, however, is only a temporary, emergency program, and will come to an end once the funds appropriated by Congress have been expended or six months after the Department of Health and Human Services declares the end of the COVID-19 health emergency, whichever comes first. Recognizing the finite nature of the EBB Program, the FCC has encouraged providers to assist consumers with the transition to comparable broadband services or continue to offer the same broadband service at a discounted rate after conclusion of the EBB Program.[7]

6. The Company files this Application to expand its ETC designation to ensure Missouri consumers can continue to receive discounted broadband Internet access service (or voice/Internet bundles) after the conclusion of the EBB Program. Accordingly, the Company respectfully requests expedited review of this Application to ensure low-income Missouri consumers can continue to access "the broadband they need to participate in virtual learning, complete their homework, and communicate with employers and healthcare providers" once the EBB Program ends.[8] The Company seeks to expand its existing ETC designation for federal and Missouri Lifeline-only support to the geographic areas set forth in **Exhibit 1** hereto, which are the cable franchise areas in which the Company holds statewide video service authorization (the "Designated Service Area") (excluding the geographic areas for which the Company already holds ETC designation).

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[6] WC Docket No. 20-445, *Emergency Broadband Benefit Program*, Report and Order, FCC 21-29 (rel. Feb. 26, 2021) ("*EBB Order*"). Additional information regarding the FCC's EBB Program can be found at: https://www.fcc.gov/emergency-broadband-benefit-program.

[7] *EBB Order* ¶¶ 130-31.

[8] *EBB Order* ¶ 130.

7. The Company meets all of the statutory and regulatory requirements for designation as an ETC in the state of Missouri. Accordingly, the Company respectfully requests the Commission grant its Application for expanded ETC status in the Designated Service Area on an expedited basis.

INFORMATION REQUIRED UNDER COMMISSION RULE 2.060

8. Commission Rule 2.060(1)(A). The Company has a principal place of business at 64 North Clark Street, Sullivan, MO 63080, 573-468-8081 (telephone), 573-468-5440 (facsimile). The Company's corporate headquarters is located at 210 E. Earll Drive, Phoenix, AZ 85012.

9. Commission Rule 2.060(1)(B) and (E). The Company is a Missouri limited liability company. Copies of the Company's Certificate of Good Standing from the Missouri Secretary of State and registration of the fictitious name "Fidelity Communications" can be found in Case No. CN-2020-0128, which the Company asks to be incorporated by reference herein pursuant to Commission Rule 2.060(1)(G). The Company also has registered the fictitious name of "Sparklight" with the Missouri Secretary of State and plans to use that name in the future. Copies of the registration of the fictitious name "Sparklight" can be found in Case No. CA-2021-0282, which the Company asks to be incorporated by reference herein pursuant to Commission Rule 2.060(1)(G). The Company will notify the Commission when it starts using the Sparklight name in Missouri.

10. Commission Rule 2.060(1)(H). The Company provides video, voice, and Internet access services in Missouri and Oklahoma. As set forth above, the Company has been authorized to provide competitive telecommunications services in Missouri since 2000. The Company is a wholly owned subsidiary of Cable One, Inc. ("Cable One"), a publicly traded

Delaware corporation (NYSE: CABO), and Cable One is the sole member of the Company. Cable One and its subsidiaries provide cable/video, Internet access, broadband, and voice services in 24 states, including Missouri. The Company also holds ETC designation in Oklahoma, which was obtained in November 2011, and another subsidiary of Cable One holds ETC designation in Illinois (obtained in September 2009). Another subsidiary of Cable One recently obtained ETC status in Arizona, Arkansas, Idaho, Louisiana, Minnesota, Nebraska, New Mexico, North Dakota, Texas, and Washington in connection with the RDOF auction. Cable One also has four incumbent local exchange carrier ("ILEC") affiliates that operate in Missouri (Fidelity Telephone LLC), South Carolina, and Georgia, all of which hold ETC designation by virtue of their ILEC status.

11. Commission Rule 2.060(1)(I). The Company requests that all inquiries, correspondence, notices, orders, and decisions in this matter be directed to:

Carl J. Lumley, #32869MO
CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.
130 S. Bemiston, Suite 200
Clayton, MO 63105
314-725-8788 (telephone)
clumley@chgolaw.com

With a copy to:

Chérie R. Kiser
Angela F. Collins
CAHILL GORDON & REINDEL LLP
1990 K Street, NW, Suite 950
Washington, D.C. 20006
202-862-8900 (telephone)
ckiser@cahill.com
acollins@cahill.com

12. Commission Rule 2.060(1)(K). The Company states it does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates within the past three (3) years.

13. Commission Rule 2.060(1)(L). The Company states that no annual reports or assessment fees due to the Commission are overdue.

14. Commission Rule 2.060(1)(M). The Company attaches an affidavit by an authorized officer of the company.

INFORMATION REQUIRED UNDER FCC RULES

15. Section 214(e)(1) of the federal Act and the FCC's rules set forth certain requirements for ETC designation.[9] The Company meets each of these requirements.

16. FCC Rule 54.201(c); FCC Rule 54.202(b). An ETC applicant must demonstrate the ETC designation is consistent with the public interest, convenience, and necessity, and in the case of an area served by a rural telephone company, demonstrate the public interest will be met by an additional designation.

17. Expansion of the Company's ETC designation will serve the public interest, convenience, and necessity. The expanded ETC designation will permit the Company to provide Lifeline services to low-income consumers in Missouri and ensure those consumers can continue to have access to broadband services after conclusion of the EBB Program. This will further the goals of the Commission and the FCC by expanding the reach of digital connectivity to promote economic growth and ensure quality communications services are available at "just, reasonable, and affordable rates."[10] As the FCC has observed, "an important goal of the [federal] Act is to open local telecommunications markets to competition. Designation of competitive ETCs

[9] 47 U.S.C. § 214(e)(1); 47 C.F.R. §§ 54.201, 54.202.

[10] 47 U.S.C. § 254(b)(1).

promotes competition and benefits consumers in rural and high-cost areas by increasing customer choice, innovative services, and new technologies."[11]

18. Further, expansion of the Company's ETC designation will have no material impact on the federal or Missouri Lifeline funds. Lifeline support follows the customer, so a customer taking Lifeline service from either the Company or another provider will cause the identical amount of impact upon the federal and state universal service funds.

19. FCC Rule 54.201(d). An ETC applicant must be a "common carrier" as defined by federal law.[12] The Company is a common carrier. As stated above, it has been authorized by the Commission to provide competitive telecommunications services in Missouri. The Company also is authorized by the FCC to provide interstate and international long distance telecommunications services. The Company will provide broadband Internet access service and voice service in the Designated Service Area. The Company will provide the supported voice services in the Designated Service Area as either telecommunications service or interconnected Voice over Internet Protocol ("VoIP") service. As to Lifeline customers in the Designated Service Area, the Company will provide its voice service on a common carrier basis.

20. FCC Rule 54.201(d)(1); FCC Rule 54.201(i). An ETC applicant must demonstrate that it is capable of providing and will continuously provide the supported services throughout the service area either by using its own facilities or a combination of its own facilities and the resale of another carrier's services. The Company will offer the services that are supported by the federal universal service support mechanisms in the Designated Service Area using a combination of its own facilities and the facilities of other providers.

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11 *Federal-State Joint Board on Universal Service*, 16 FCC Rcd 48, ¶ 17 (2000).

12 47 U.S.C. § 153(11).

21. Under current FCC rules, the two services supported by the federal universal service support mechanisms are (1) voice telephony services and (2) broadband Internet access services.[13] Eligible voice telephony services must provide voice grade access to the public switched telephone network ("PSTN") or its functional equivalent, minutes of use for local service provided at no additional charge, access to emergency 911 and enhanced 911 service in locations where implemented, and for qualifying low-income consumers, toll limitation service.[14] Eligible broadband Internet access services must provide the capability to transmit data to and receive data by wire or radio from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up service.[15]

22. The Company certifies that it will offer voice and broadband services in the Designated Service Area that comply with the FCC's requirements. The Company's voice offering will provide voice grade access to the PSTN and will include unlimited local calling. In addition, the Company's voice offering will provide consumers with access to 911 and enhanced 911 to the extent local governments have implemented such services. The FCC eliminated the requirement to provide toll limitation services if the Lifeline offering provides a set amount of minutes that do not distinguish between toll and non-toll calls.[16] As explained below, the Company is not required to provide toll limitation service in connection with its Lifeline service offering because the Company plans to offer unlimited voice calling within the United States for a fixed monthly price in the Designated Service Area. If a customer chooses a calling plan that

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13 47 C.F.R. § 54.101.

14 47 C.F.R. § 54.101(a)(1).

15 47 C.F.R. § 54.400(l).

16 *Lifeline Reform Order* ¶ 49.

does not include unlimited voice calling with the United States, the Company will provide toll limitation service at no cost.

23. Similarly, the Company's broadband Internet access service offering will provide consumers with the capability to transmit data to and receive data from all or substantially all Internet endpoints. The Company's broadband Internet access service offering will meet the minimum service standards required by the FCC's rules for Lifeline service offerings.[17]

24. The Company will use a combination of its own facilities and the facilities of other providers to offer Lifeline service in the Designated Service Area. The Company will provide Lifeline service using its existing facilities-based network and the facilities-based networks of its parent Cable One and affiliate Fidelity Telephone LLC. Under FCC rules, facilities are the ETC's "own" if the ETC has exclusive right to use the facilities to provide the supported services or when service is provided by any affiliate within the holding company structure.[18]

25. FCC Rule 54.201(d)(2); FCC Rule 54.405(b)-(d). An ETC applicant must demonstrate that it will advertise the availability of its service offerings using media of general distribution. The Company will publicize the availability of its voice and broadband service offerings throughout the Designated Service Area using media of general distribution.[19] The Company will use a combination of digital and traditional media, such as the Internet, outbound email, outdoor advertising, radio advertising, newspaper and magazine advertising, and direct marketing materials. The Company also will rely on the marketing practices and advertising

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17 47 C.F.R. § 54.408.

18 *WCB Reminds Connect America Fund Phase II Auction Applicants of the Process for Obtaining a Federal Designation as an Eligible Telecommunications Carrier*, 33 FCC Rcd 6696, nn. 23-24 (2018).

19 47 C.F.R. § 54.201(d)(2).

expertise of Cable One to advertise the availability of its service offerings in the Designated Service Area.

26. In addition, with respect to Lifeline services, the Company will publicize the availability of its Lifeline service offerings in the Designated Service Area in a manner reasonably designed to reach those likely to qualify for the service.[20] Using easily understood language, the Company will indicate on all materials describing its Lifeline service that: (1) it is a Lifeline service; (2) Lifeline is a government assistance program; (3) the service is non-transferable; (4) only eligible consumers may enroll in the program: and (5) the program is limited to one discount per household.[21] The Company also will disclose its name or its DBA name on all materials describing the Lifeline service.[22]

27. FCC Rule 54.201(h); FCC Rule 54.202(a)(4). An ETC applicant seeking to provide Lifeline services must demonstrate it is financially and technically capable of providing Lifeline service in compliance with the FCC's rules. The FCC has stated that the "relevant considerations" for satisfying this requirement would be whether the applicant previously offered services to non-Lifeline consumers, how long the applicant has been in business, whether the applicant intends to rely exclusively on universal service fund disbursements to operate, whether the applicant receives funds from other sources, and whether the applicant has been subject to enforcement action or ETC revocation proceedings in other states.[23]

28. The Company is financially and technically capable of offering Lifeline services in the Designated Service Area. The Company's parent and affiliates have been offering

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20 47 C.F.R. § 54.405(b).

21 47 C.F.R. § 54.405(c). For these purposes, the term "materials describing the service" includes all print, audio, video, and web materials used to describe or enroll in the Lifeline service offering, including application and certification forms. *See id.*

22 47 C.F.R. § 54.405(d).

23 *Lifeline Reform Order* ¶ 388.

services in Missouri and several other states for many years. Cable One also can provide the Company with financial and technical support as needed, and the Company will utilize the same management and day-to-day operational personnel.[24] The Company provides non-Lifeline voice services in Missouri and Oklahoma today, and will not rely exclusively on universal service fund disbursements to operate. Finally, the Company has not been subject to enforcement action or ETC revocation proceedings in any state.

29. FCC Rule 54.202(a)(1). An ETC applicant must certify that it will comply with the service requirements applicable to the support it receives and submit a five-year plan that describes with specificity proposed improvements or upgrades to the applicant's network throughout its proposed service area. A five-year network improvement plan is no longer necessary for entities seeking Lifeline-only designation.[25] The Company certifies that it will comply with the service requirements applicable to Lifeline support in the Designated Service Area.

30. FCC Rule 54.202(a)(2). An ETC applicant must demonstrate that it can remain functional in emergency situations. The Company certifies it will have the ability to remain functional in emergency situations in the Designated Service Area. The Company has a reasonable amount of back-up power to ensure functionality without an external power source, is able to re-route traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations. Separate FCC rules also require the Company to implement certain back-up power requirements.[26] In addition, as a subsidiary of Cable One, the Company will be able to rely on Cable One's disaster recovery contingency plans such as the use

[24] The Company's financial reporting is consolidated with its parent Cable One. Financial information concerning Cable One can be found at: https://ir.cableone.net/corporate-profile/default.aspx.

[25] *Lifeline Reform Order* ¶ 386.

[26] 47 C.F.R. § 9.20.

of diverse/alternate routing, electronics redundancy, redundant data centers, geographically separated operations, and environmental controls for data and switching centers to remain functional in an emergency situation.

31. FCC Rule 54.202(a)(3). An ETC applicant must certify that it will comply with all applicable service quality standards and consumer protection rules. The Company certifies that it will comply with service quality standards and consumer protection rules applicable to its provision of service in the Designated Service Area.

32. FCC Rule 54.202(a)(5); FCC Rule 54.202(a)(6). FCC rules require Lifeline applicants to provide information describing the terms and conditions of voice telephony service and broadband Internet access service plans to be offered to Lifeline subscribers. For Lifeline voice services, the FCC has determined that providers may satisfy the obligation to provide local usage via service offerings that bundle local and long distance minutes.[27] If an ETC offers plans to Lifeline subscribers that are generally available to the public, the ETC may provide summary information regarding such plans, such as a link to a public Web site outlining the terms and conditions of such plans.[28]

33. At this time, the Company plans to offer service plans that include high-speed Internet access service and unlimited voice calling within the United States for a fixed monthly price in the Designated Service Area. The Company also will offer standalone voice services, but notes the federal Lifeline discount currently is scheduled to sunset as of December 1, 2021 for voice-only service.[29] The Company's service plan information is available on its website:

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27 *Lifeline Reform Order* ¶ 49.

28 47 C.F.R. § 54.401(d).

29 https://www.usac.org/lifeline/get-started/eligible-services/lifeline-supported-voice-service/.

www.fidelitycommunications.com and https://www.fidelitycommunications.com/lifeline. These are the same plans the Company will be offering in Missouri under the EBB Program.

34. The Company's pricing is reasonably comparable to the price of similar services in urban areas pursuant to FCC requirements.[30] By way of example, the FCC's 2021 urban average monthly rate is $33.73, and the reasonable comparability benchmark for voice services, two standard deviations above the urban average, is $54.75.[31] Accordingly, each ETC providing fixed voice service must certify to the FCC in July 2021 that the pricing of its basic residential voice services is no more than $54.75. The FCC has adopted similar benchmarks for broadband Internet access service, which vary based on the speed and usage allowance.[32]

35. FCC Rule 54.405(a). An ETC providing Lifeline services must make Lifeline service available to qualifying low-income consumers. The Company certifies that its Lifeline service offering will conform to the definition of "Lifeline" in the FCC's rules.[33]

36. FCC Rule 54.405(e). An ETC providing Lifeline services must implement certain de-enrollment procedures for Lifeline customers. The Company certifies it will comply with the FCC's de-enrollment procedures and will have general de-enrollment procedures in place for Lifeline services. In accordance with FCC requirements, the Company will de-enroll Lifeline customers for no longer qualifying for Lifeline service, for duplicative support, for non-usage, for failure to re-certify, and when requested by the Lifeline customer.

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30 47 C.F.R. § 54.313(a)(2), (3).

31 *Wireline Competition Bureau and Office of Economics and Analytics Announce Results of 2021 Urban Rate Survey for Fixed Voice and Broadband Services, Posting of Survey Data and Explanatory Notes, and Required Minimum Usage Allowance for Eligible Telecommunications Carriers*, 35 FCC Rcd 13667 (2020) ("*Comparability PN*").

32 *Comparability PN* at 3.

33 47 C.F.R. § 54.401(a).

37. FCC Rule 54.409; FCC Rule 54.410. The Company certifies that it will verify the eligibility of its Lifeline subscriber base in accordance with FCC rules using the Lifeline National Verifier and National Lifeline Accountability Database ("NLAD"). The Company also has established processes for ensuring Lifeline services are provided only to eligible customers, including procedures for confirming consumer eligibility, enrolling eligible customers, re-certifying eligibility at regular intervals, and recordkeeping.

INFORMATION REQUIRED UNDER COMMISSION RULE 31.016

38. Commission Rule 31.016(2)(B)1. The sole member and 100% owner of the Company is Cable One, a publicly traded Delaware corporation (NYSE: CABO). To the Company's knowledge, the following stockholders beneficially owned a ten percent (10%) or greater share of Cable One's outstanding common stock as of April 5, 2021 (and hold an indirect interest in the Company):

(a) T. Rowe Price Associates, Inc. ("T. Rowe"), a Maryland corporation, beneficially owns 12.5% of Cable One's outstanding common stock. T. Rowe is a subsidiary of T. Rowe Price Group, Inc., a publicly traded Maryland corporation;

(b) Daniel L. Mosley, a U.S. citizen and trustee of various trusts, beneficially owns 10.0% of Cable One's outstanding common stock; and

(c) BlackRock, Inc. ("BlackRock"), a Delaware corporation, beneficially owns 10.4% of Cable One's outstanding common stock.

39. Commission Rule 31.016(2)(B)2. Attached as **Exhibit 2** is a list of the Company's officers, along with relevant biographical information.

40. Commission Rule 31.016(2)(B)3. The following entities sharing common ownership or management with the Company may have received funds from the federal

universal service fund (including Lifeline support, high-cost support, or the schools and libraries or rural health care funds) or any state universal service fund in the past: (1) Cable One, Inc. d/b/a Sparklight; (2) Fidelity Telephone LLC d/b/a Fidelity Communications (f/k/a Fidelity Telephone Company); (3) CoBridge Broadband, LLC d/b/a Fidelity Communications; (3) CoBridge Communications LLC d/b/a Fidelity Communications; (4) Delta Communications, L.L.C. d/b/a Clearwave Communications; (5) Valu-Net LLC; (6) Low Country Carriers, Inc.; (7) Hargray Telephone Company, Inc.; (8) Bluffton Telephone Company, Inc.; (9) Hargray, Inc.; (10) ComSouth Telecommunications, Inc.; (11) ComSouth Telesys, Inc.; (12) ComSouth Teleservices, Inc.; (13) ComSouth Telenet, Inc.; (14) Hargray of Georgia, Inc.; (15) Hargray of Florida, Inc.; and (16) Hargray of Alabama, Inc.[34] In addition, the following entities that previously shared common ownership or management with the Company also may have received funds from the federal universal service fund or any state universal service fund in the past (these entities no longer exist as of January 1, 2021): (1) Telecommunications Management, LLC d/b/a NewWave Communications; (2) Ultra Communications Group, LLC d/b/a NewWave Communications; and (3) Avenue Broadband Communications, LLC d/b/a NewWave Communications.

41. Commission Rule 31.016(2)(B)4. To the best of the Company's knowledge, there has been no matter brought in the last ten (10) years by any state or federal regulatory or law enforcement agency against any of the individuals, entities, managers, officers, or directors currently sharing common ownership or management with the Company involving fraud, deceit, perjury, stealing, or the omission or misstatement of material fact in connection with a commercial transaction.

[34] The entities listed in (6)-(16) were acquired by the Company's parent Cable One effective May 3, 2021.

42. Commission Rule 31.016(2)(B)5. Information concerning the Company's service offerings is available at www.fidelitycommunications.com or https://www.fidelitycommunications.com/lifeline.

43. Commission Rule 31.016(2)(B)6.A. The Company will comply with the ETC requirements set forth in Commission Rule 31.015.

44. Commission Rule 31.016(2)(B)6.B. The Company seeks support from the Missouri universal service fund for the Designated Service Area.

45. Commission Rule 31.016(2)(B)6.C. The Company commits to notify the Commission of any changes in its contact information, including through the Commission's online EFIS system.

46. Commission Rule 31.016(2)(B)6.D. The Company is in compliance with all reporting and assessment obligations imposed by the Commission.

47. Commission Rule 31.016(2)(B)6.E. The Company is in compliance with its contribution obligations under the federal universal service fund.

48. Commission Rule 31.016(2)(B)7. The Company has not sought or obtained a waiver of any ETC requirement from the FCC.

REQUEST FOR WAIVER OF RULE 4.017

49. Commission Rule 4.017 requires any person that intends to file a case to file a notice with the Secretary of the Commission a minimum of 60 days prior to filing such case. The rule, however, states a party may request a waiver of the requirement for good cause.

50. The Company respectfully requests a waiver of Commission Rule 4.017 for good cause to avoid a delay of 60 days to make this filing, which could delay Missouri consumers from continuing to receive discounted broadband Internet access service (or voice/Internet bundles) after the conclusion of the EBB Program.

51. The Company confirms it has had no communication with any office of the Commission within the prior 150 days regarding any substantive issue likely to be germane to this proceeding.

CONCLUSION

WHEREFORE, for the foregoing reasons, the Company respectfully requests that the Commission: (i) expeditiously approve the expansion of its existing ETC designation to include the provision of voice and broadband services in the Designated Service Area; (ii) waive 20 CSR 4240-4.017; and (iii) grant such other relief as this Commission deems to be just and equitable.

Dated: June 1, 2021

Respectfully submitted,

FIDELITY CABLEVISION, LLC D/B/A FIDELITY COMMUNICATIONS

/s/ ____Carl J. Lumley_____
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acollins@cahill.com

Attorneys for Fidelity Cablevision, LLC d/b/a Fidelity Communications

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail, or hand delivery, on this 1st day of June 2021, to the following parties:

General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
staffcounselservice@psc.mo.gov

Office of Public Counsel
PO Box 7800
Jefferson City, MO 65102
opcservice@opc.mo.gov

AFFIDAVIT

I, Peter N. Witty, a natural person, do hereby swear and affirm that I am the Vice President and Secretary for Fidelity Cablevision, LLC d/b/a Fidelity Communications (the "Company"); that I am authorized to make this Affidavit on behalf of the Company; that the foregoing Application was prepared under my direction and supervision; and that the contents of the foregoing Application are true and correct to the best of my knowledge, information, and belief. I also hereby certify that neither I, nor any other member of this filing party, has had communications with a Commissioner, Commission Advisor, Regulatory Law Judge, member of the General Counsel, or any member of their support team in the 150 days prior to the filing date of this Application regarding any substantive issue included in this filing.

Peter N. Witty
Vice President & Secretary

State of ARIZONA
County of MARICOPA

Subscribed and sworn before me this 27th day of May 2021.

Notary Public

Notary Public State of Arizona
Maricopa County
Kelly Ann Bartlett
My Commission Expires 09/11/2023
Commission Number 571730

EXHIBITS

Exhibit 1 **Designated Service Area**

Exhibit 2 **Officers**

EXHIBIT 1
Designated Service Area

The Designated Service Area consists of the current franchise areas served by the Company in Missouri pursuant to its statewide video service authorization (excluding the geographic areas for which the Company already holds ETC designation):

Adrian
Berger
Bland
Buffalo
Crawford County
Drake
El Dorado Springs
Franklin County
Harrisonville
Howell County
Gasconade County
Gerald
Japan
LaClede County
Lyon
Nevada
New Haven
Oak Grove
Owensville
Phelps County
Rosebud
Spring Bluff
St. Cloud
Stanton
Strain
Sullivan
Thayer
Vernon County
Washington County
West Plains
West Sullivan

EXHIBIT 2
Officers of Fidelity Cablevision, LLC

As of January 1, 2021, the following are the officers of the Company:

Julia M. Laulis, President & Chief Executive Officer

Laulis joined Cable One in 1999 as Director of Marketing-NW Division. In 2001, she was named Vice President of Operations for the SW Division. In 2004, she became responsible for starting Cable One's Phoenix Customer Care Center. Laulis was named Chief Operations Officer in 2008, responsible for the company's three operation divisions and two call centers. In 2012, Laulis was named Chief Operating Officer, adding sales, marketing, and technology to her responsibilities. In 2015, Laulis was promoted to President and Chief Operating Officer of Cable One. In 2017, she was named President and Chief Executive Officer and in 2018 she was named Chair of the Board. Prior to joining Cable One, Laulis was with Jones Communications in the Washington, DC area and Denver, where she served in various marketing management positions. Laulis began her 35-year career in the cable industry with Hauser Communications. Laulis graduated from Indiana University in Bloomington with a bachelor's degree in Telecommunications. She attended the Woman in Cable Television Betsy Magness Leadership Institute in 1998/1999 and graduated from the Program for Management Development at the Harvard Business School in 2002. Cable FAX Magazine has named Laulis one of the Most Powerful Women in Cable for the past 10 years running. Laulis currently serves on the boards of The AES Corporation, CableLabs, The Cable Center, and C-SPAN and is a trustee of the C-SPAN Education Foundation.

Michael E. Bowker, Vice President

Mike Bowker is Chief Operating Officer for Cable One. He is responsible for overseeing Cable One’s daily operations, technology, and residential and business channels. Bowker joined Cable One in 1999 as Advertising Regional Sales Manager. He is a member of the team that successfully launched the commercial sales division and the residential inbound sales call center. Bowker has been a Vice President of Cable One since 2005. He was named Vice President of Sales in 2012 and was promoted to Senior Vice President, Chief Sales and Marketing Officer in 2014. Prior to joining Cable One, Bowker was with AT&T Media Services and TCI Cable, where he served in various sales management positions. A native of Boise, Idaho, Bowker holds a bachelor's degree in Communication from Boise State University and is a graduate of the Stanford Executive Program at the Graduate School of Business at Stanford University. Bowker currently serves as Vice Chairman of ACA — America’s Communications Association.

Steven S. Cochran, Vice President

Steven Cochran is Senior Vice President and Chief Financial Officer at Cable One. He is responsible for the areas of accounting, reporting, finance, and investor relations. A veteran of the cable industry, Cochran spent 15 years at Wide Open West (WOW), a Denver-based cable operator. During his tenure at WOW, Cochran held positions of increasing responsibility, including Chief Financial Officer, Chief Operating Officer, and President and Chief Executive Officer. Prior to WOW, Cochran was Senior Vice President and Chief Financial Officer at Millennium Digital Media. Cochran holds a master's degree in accounting science and a bachelor's degree in economics from the University of Illinois—Urbana Champaign

Jarrod L. Head, Vice President

Jarrod Head is Vice President of Engineering and Construction for Cable One. He is responsible for outside plant engineering, design, and construction. Before joining Cable One, Head served as Vice President of Engineering & Technical Operations for Fidelity Communications and its subsidiaries. Prior to that position, he served as Engineering Director for Fidelity, overseeing Engineering and Network Operation teams to design, implement and support Fidelity's advanced technology services. Head holds a bachelor's degree in Electrical Engineering from Missouri University of Science and Technology.

Kenneth E. Johnson, Vice President

Ken Johnson is Senior Vice President of Technology Services at Cable One. He is responsible for the strategic evolution of technology roadmaps related to products, as well as Information Technology, and Network & Engineering. Before joining Cable One, Johnson served as Chief Operating Officer and Chief Technology Officer for NewWave Communications. Prior to NewWave, Johnson was Chief Technology Officer for SureWest Communications and Everest Connections. Originally from Lenexa, Kansas, Johnson holds a bachelor's degree in Computer and Information Sciences from Friends University. Johnson currently serves on the board of the National Cable Television Cooperative.

Eric M. Lardy, Vice President & Assistant Secretary

Eric Lardy is Senior Vice President of Operations and Integration for Cable One. He is responsible for overseeing the company's day-to-day operations, acquisition integration and long-term strategic operating plans. A more than 20-year veteran in the cable industry, Lardy joined Cable One as a Pay-Per-View Manager in the Fargo, North Dakota cable system. He was later promoted to Internet Business Manager, launching dial-up and high-speed broadband services. Lardy relocated several times and held a variety of positions in Marketing, Operations, and system General Management before being promoted to Director of New Products and Service Projects in 2012. In 2014, he was named Vice President of Strategy and Finance. In 2017, he was promoted to Senior Vice President, adding oversight of human resources and business intelligence to his responsibilities. Lardy holds bachelor's degrees in Marketing and International Business from Minnesota State University and an MBA from Arizona State University.

Raymond L. Storck, Jr., Vice President & Treasurer

Ray Storck is Vice President of Finance and Treasurer for Cable One. He is responsible for all of the company's accounting functions. Before joining Cable One, Storck served as Controller at Kona Grill. Prior to that, Storck was Vice President/Controller and then Chief Financial Officer for MicroAge. Following MicroAge, Storck spent 4 years at PetSmart where he served as Vice President/Controller and then Vice President of Finance and Chief Accounting Officer. A native of Iowa, Storck holds a bachelor's degree in Accounting from the University of Northern Iowa.

John M. Walburn, Vice President

John Walburn is Vice President of Cable One's Midwest Division. He is responsible for the overall operations of cable systems in Arkansas, Illinois, Louisiana, Missouri, Oklahoma, and Texas. Before joining Cable One, Walburn served as Vice President of Customer Care for Fidelity Communications and its subsidiaries. Prior to that position, he spent 12 years with Consolidated Communications where he acted as Director of Customer Care.

Peter N. Witty, Vice President & Secretary

Peter N. Witty is Senior Vice President, General Counsel and Secretary for Cable One. He is responsible for overseeing the company's legal, regulatory and compliance functions. Witty has more than 20 years of legal experience. Before joining Cable One, he served as General Counsel and Secretary for Gas Technology Institute (GTI), a leading energy research, development, and training organization. Prior to GTI, Witty spent 10 years with Abbott Laboratories, serving in various positions, including as Senior Counsel and Division Counsel. Witty also previously practiced law as an associate at Latham & Watkins LLP and Ross & Hardies (now McGuireWoods LLP). Witty holds a Juris Doctor from Notre Dame Law School and a bachelor's degree in aerospace engineering from the University of Notre Dame. He is also a graduate of the Stanford Executive Program at the Graduate School of Business at Stanford University. Prior to attending law school, Witty was an officer and helicopter pilot in the 101st Airborne Division (Air Assault), where he served during Operations Desert Shield/Desert Storm.

Additional information on the officers and directors of the Company's parent, Cable One, Inc., can be found at: https://ir.cableone.net/corporate-information/officers-directors/default.aspx.

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 2nd day of June, 2021.

Morris L. Woodruff
Secretary

Digitally signed by MOPSC
DN: CN=MOPSC, O=MOPSC, OU=, E=kim.happy@psc.mo.gov, C=US
Reason: I attest to the accuracy and integrity of this document
Location: Cole County, Missouri
Date: 2021.06.02 10:51:38-05'00'
Foxit PhantomPDF Version: 10.1.1

MISSOURI PUBLIC SERVICE COMMISSION

June 2, 2021

File/Case No. CA-2021-0415

Missouri Public Service Commission
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Fidelity Communications
Carl J Lumley
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St. Louis, MO 63105
clumley@chgolaw.com

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

Sincerely,

Morris L. Woodruff
Secretary

Distributed to all Local Exchange Carriers Certificated to provide Service in Missouri.

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