

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

Application of Barry Technology)	
Services, L.L.C. for Designation as a)	
Telecommunications Carrier Eligible)	Case No. _____
for Federal Universal Service Support)	
pursuant to the Telecommunications)	
Act of 1996)	

**BARRY TECHNOLOGY SERVICES, L.L.C.
APPLICATION DESIGNATION AS AN ELIGIBLE CARRIER
PURSUANT TO § 254 OF THE TELECOMMUNICATIONS ACT OF 1996,**

COMES NOW Barry Technology Services, L.L.C. (“Barry”) and respectfully requests the Commission enter an Order granting this Application to designate Barry as an Eligible Telecommunications Carrier (ETC) for certain census block group areas won at Federal auction. ETC designation is necessary to be awarded up to \$610,345 in CAF II Federal USF support to enable Barry to build fiber to 2308 locations in or near Cassville, Missouri. In addition, Barry requests that it be designated an ETC in the counties of Barry, Newton, and McDonald Counties, in Missouri. This additional designation will enable Barry to provide Lifeline and Disabled assistance to eligible applicants in areas where Barry already provides service, and in areas where Barry may provide future service outside the won census blocks.

On August 28, 2018 the Federal Communications Commission (FCC) announced the winning bidders for the Connect America Fund (CAF) Phase II auction 903.¹ Barry Electric Cooperative, Barry’s parent, submitted a winning bid for 12 census block group

¹ Connect America Fund Phase II Auction (Auction 903) Closes, Winning Bidders Announced, FCC Form 683 Due October 15, 2018, Public Notice, DA No. (WTB/WCB rel. Aug. 28, 2018) (Phase II Auction Closing Public Notice.

areas listed in Attachment A hereto. Barry Electric Cooperative has assigned this bid to Barry, its wholly owned subsidiary. Barry in its winning bid committed to constructing last mile fiber broadband facilities within the won census blocks attached as Attachment A. Barry is obligated to obtain ETC designation in these won census blocks by February 25, 2019 (within 180 days of the August 28, 2018 Phase II Auction Closing Public Notice). 54 CFR 315 (b)(5).

This Application for is made pursuant to § 254 of the Telecommunications Act of 1996 (“the Act”), the implementing federal regulations, and 4 CSR 240-31.130(1). Barry request that the Missouri Public Service Commission (“Commission”) enter an Order designating Barry as an ETC for the won census block group areas, and for a designation of Lifeline/Disabled only ETC status for Barry, Newton, and McDonald Counties, and for the Commission to certify or submit such order to the FCC.

In support of this Application, Barry states as follows:

1. Barry’s legal name is Barry Technology Services, L.L.C., a Missouri limited liability corporation with its principal office located at 4015 Main Street, P.O. Box 307, Cassville, MO 65625, website www.gobec.net, and telephone number (417) 847-2131.
2. Barry is in good standing with the Secretary of State. A certificate of good standing is attached hereto as Attachment B.
3. Barry does business under the fictitious name of “goBEC fiber network”, as set forth in the attached registration of fictitious name as filed with the Missouri Secretary of State, Attachment C.

4. Barry is a wholly-owned subsidiary of Barry Electric Cooperative, a Missouri Corporation. Barry is in the business of installing fiber-based facilities, and providing broadband internet access, digital video, and voice telephony services to residential and business customers in or near Cassville, Missouri, for 2 years. Barry Electric Cooperative has invested \$12,800,000 in fiber plant and equipment to do so. Barry Electric Cooperative is constructing the fiber system, and Barry is the operating entity providing the fiber services.

5. On October 5, 2000 in case no. TA-2001-138, Barry was granted certificate of service authority to provide intrastate interexchange telecommunications services, and non-switched local exchange telecommunications services, and classified as a competitive telecommunications company.

6. All Correspondence, pleadings, notices, orders, and decisions in this matter should be addressed to:

JR Smith
goBEC Fiber Services Manager
Barry Technology Services, LLC
4015 Main Street
P.O. Box 307
Cassville, MO 652656
(417) 847-2131
jrsmith@barryelectric.com

and to

Craig S. Johnson
Mo Bar # 28179
Johnson & Sporleder LLP
2420 Hyde Park Road, Suite C
Jefferson City, MO 65102
(573) 659-8734
(573) 761-3587 fax
cj@cjaslaw.com

7. The Commission is authorized to grant this Application pursuant to by 47 USC 214(e)(2), 47 CFR 54.201, and 4 CSRF 240-31.130.

8. Barry does not have any pending action, or final unsatisfied judgment or decisions against it from any state or federal agency or court, which involve customer service or rates, which action, judgment or decision has occurred within three (3) year of the date of this Application.

9. Barry does not have any annual reports or assessment fees that are overdue to the Commission. Barry is compliant in all reporting and assessments. Barry is compliant with federal USF assessments.

10. No matter has brought in the last ten years by any state or federal regulatory or law enforcement agency against Barry or Barry Electric Cooperative, the sole entity that holds more than 10% ownership interest in Barry.

11. Barry commits to notifying the Commission of any changes to Barry's contact information.

12. Barry is compliant with all reporting and assessment obligations of the Commission.

13. Barry is compliant with contribution obligations to the FUSF.

14. Barry has not sought or obtained any FCC waivers of any ETC requirement.

15. Barry certifies that Barry is not subject to a denial of federal benefits, including Commission benefits, pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, as implemented in section 1.2002 of the Commission's rules. 47 CFR 1.2002.

16. Barry certifies that it will use federal universal service support shall use that support for the provision of services for which the support is intended. 47 CFR 54.7. Barry certifies that, in areas where Barry receives ETC designation, Barry will provide voice telephony on a common carrier basis, as provided in 47 USC subsections 214(e)(1).

17. Barry will be a fiber facility-based provider of voice and broadband services in the census block groups service listed in Attachment A, and commits to providing CAF II supported services throughout those its ETC designated service area. Barry will deploy fiber facilities in these census blocks with which to provide voice and high-speed broadband internet access service. Barry will use these facilities to provide the services supported by the federal universal service fund. Barry Electric Cooperative will be delivering internet broadband speeds up to 1GBPs and Session Initiation Protocol (SIP) Telephone service that will be delivered via fiber into the home or business. Barry will offer voice service by a managed voice solution, and will not simply rely upon the availability of “over-the-top” voice options.

18. Barry will advertise the availability of, and charges for, its supported service offerings, using media of general distribution, and will undertake outreach initiatives to increase consumer awareness of its service offerings, consistent with all applicable requirements. Barry will offer and advertise its voice and broadband services through social media and through more traditional media such as radio, newspapers, high school activity programs, and booths at community fairs. The availability of Lifeline and Disabled service will be publicized in a manner reasonable designed to reach those likely to qualify consistent with the area Barry serves. Barry’s public website address is www.gobec.net.

19. Barry certifies it will comply with the applicable service requirements of 47 CFR 54.201. Barry certifies it will comply with the service and performance quality requirements for CAF Phase II support. Barry incorporates by reference the information and certifications that it will make in its FCC Form 683 long form application for CAF Phase II support.

20. Barry certifies that its fiber optic network will have the ability to remain functional in emergency situations, will provide 8 hours of battery back-up power to ensure functionality without an external power source, will be able to reroute traffic around damaged facilities, and will be capable of managing traffic spikes resulting from emergency situations. Barry's fiber optic network will support telephone service using Session Initiation Protocol-based VoIP technology and will support all phone features, including 911 services. Every ONT that Barry provides for Phone Service will be backed up with a sealed, maintenance free lead-acid battery with built in surge protection. If the battery fails, an alarm is generated to notify Barry.

21. Barry confirms that its subscribers will have 911 and E911 access.

22. Barry certifies that it will satisfy applicable consumer protection, consumer privacy, and service quality standards set forth in FCC rule 47 CFR 54.408.

23. For CAF Phase II support recipients, the Commission defines the supported service as qualifying voice service and conditions grant of funding on the offering of qualifying broadband service. Barry certifies that it will provide the following services supported by the federal universal service support mechanisms, as provided in 47 CFR 54.401(a)(2):

a. Voice Telephony—Barry will offer voice telephony service on a stand-alone basis. This service will include minutes of use for local service provided at no

additional charge to end users as Barry's service plans will offer unlimited usage within the United States, and access to emergency services via 911 or E-911. Barry will not distinguish between the pricing of toll and non-toll calls in the pricing of its voice service, and accordingly it is not obligated to provide toll limitation services to qualifying low-income consumers. 47 CFR 54.401(a)(2). Barry will be responsible for dealing with customer problems and for providing service consistent with FCC universal service requirements.

b. Broadband Internet Access Services – Barry will offer broadband internet access with the capability to transmit and receive data over lit fiber, including capabilities that are incidental to and enable the operation of the communications service.

Voice Telephony service will initially be priced for residential subscribers for local service only at \$19.95 per month. Unlimited Voice Telephony service will be available to residential subscribers at \$39.95 per month.

Broadband Internet Access Service will be available to residential subscribers at the following rates:

250 Mbps Symmetrical/No Cap: \$49.95/month
500 Mbps Symmetrical/No Cap: \$74.95/month
1 Gbps Symmetrical/No Cap: \$99.95/month

Barry's pricing is comparable to other service providers in the area, and is reasonably comparable to urban rates. A description of the rates, terms, condition and provisions applicable to these services will be maintained and available to the public at www.gobec.net.

24. Barry will build facilities, and provide services, to customers in the census blocks listed in Attachment A, consistent with the build-out requirements established by the FCC for Barry as a CAF II funds recipient. The build out requirements of the FCC for CAF II fund recipients are designed to ensure service will be provided in a timely manner to requesting customers.

25. Barry commits to remit required 911 revenues to local authorities.

26. Barry is financially viable and technically capable of providing voice telephony service. Barry Electric Cooperative owns 100% of Barry. There will be some management common to Barry Electric Cooperative and Barry Technology Services, L.L.C. Barry possesses the financial and technical capability to provide the supported services. The Management team includes:

Mark Aeilts: CEO/General Manager of Barry Electric Cooperative
Kevin Holloway: Barry Electric Cooperative Electric Operations Manager
JR Smith: General Manager of goBEC Fiber Network
Jennifer Antle: Assistant goBEC Manager
Jennifer McBroom: Financial Manager)

27. Barry subscribers will have access to directory assistance, operator assistance and interexchange services.

28. Barry commits to providing the supported services throughout the ETC designated service area census block groups identified in Attachment A, consistent with all applicable requirements.

29. Barry certifies that it will comply with the service and performance quality requirements for CAF Phase II support. It incorporates by reference the information and certifications that it will make in its FCC Form 683 application for Phase II support. 47 CFR 54.309.

Participation in Lifeline or Disabled program:

30. Barry will offer Lifeline and Disable discounts to qualifying low income or disabled consumers consist with state and federal program rules. Barry certifies all funding will flow through to the subscriber of the applicable program.

31. Barry commits that it will solely conduct business using its legal name or “D/B/A” “goBEC Fiber Network”, and no other service or brand name will be used, unless approved by the Commission

32. Lifeline and Missouri Disabled service will be provisioned in accordance with federal and/or state rules pertaining to subscriber eligibility, verification, and decertification reviews. Barry will comply with all requirements associated with the Lifeline program contained in 47 CFR Part 54, subpart E. Barry does not currently plan to use agents or independent contractors instead of Barry employees to sign up Lifeline or Disabled subscribers.

33. Barry will comply with all requirements contained in 4 CSR 240-31, whether funded solely through the FUSF, or through the FUSF and MoUSF.

34. Barry intends to seek support from the MoUSF for participation in the Disabled program.

35. Barry commits it will ensure the full amount of Lifeline or Disabled support will be passed through to the qualifying low-income consumer.

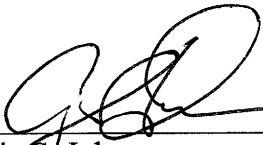
36. The copies of the Lifeline and/or Disabled application forms Barry will use are those as are set forth in the Commission’s website from time to time.

Request for Designation

37. Barry’s designation as an ETC in the census blocks set forth in Attachment A is in the public interest. These census blocks are unserved with broadband internet access availability, and the granting of this ETC expansion will led to the availability of broadband internet access service in those census blocks.

38. Pursuant to 47 CFR 54.201, Barry requests that the Commission designate it as an eligible telecommunications carrier for the additional service area census blocks set forth in Attachment A. These census blocks are within the service area of price cap incumbent local exchange carriers who have failed to provide broadband internet access service, and have failed to commit to the FCC to build broadband out to these areas.

WHEREFORE, on the bases of the foregoing Barry respectfully requests that the Commission grant this Application and expand Barry's current ETC designation to the additional service area census blocks awarded Barry in the CAF II Auction, and for a designation of Lifeline/Disabled only ETC status for Barry, Newton, and McDonald Counties, and for the Commission to certify or submit such designation to the FCC, and for such other orders as are deemed necessary or convenient in this matter.

By 
Craig S. Johnson
Mo Bar # 28179
Johnson & Sporleder LLP
2420 Hyde Park Road, Suite C
Jefferson City, MO 65102
(573) 659-8734
(573) 6761-3587
cj@cjaslaw.com

ATTORNEY FOR BARRY
TECHNOLOGY SERVICES, L.L.C.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was electronically mailed, this 29 th day of October, 2018, to the following parties:

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

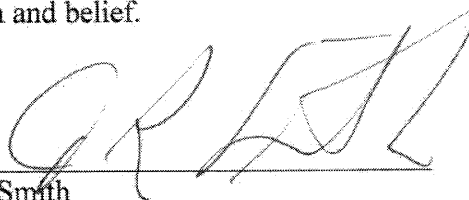
General Counsel
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102



Attorney for Barry Technology Services, L.L.C.

VERIFICATION

I, JR Smith, having been duly sworn upon my oath, that I am the Manager of Fiber Services of Barry Technology Services, L.L.C., the Applicant, and am authorized by the Applicant to execute the foregoing Application and to make this Affidavit on its behalf, and that the matters and things state in the foregoing Application are true and correct to the best of my knowledge, information and belief.


JR Smith

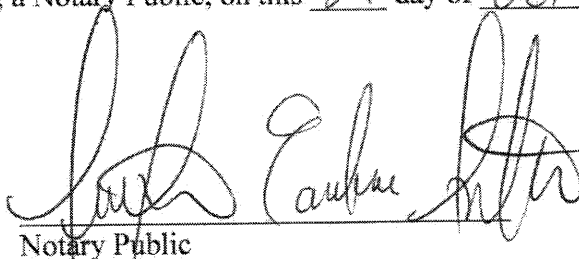
STATE OF MISSOURI)

COUNTY OF BARRY)

Subscribed and sworn to me, a Notary Public, on this 29 day of Oct, 2018.



JENNIFER EARLENE ANTLE
My Commission Expires
December 16, 2018
Barry County
Commission #14632098


Notary Public

My commission expires December 16, 2018