

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

Application of Chariton Valley Telecom)
Corporation for Designation as a)
Telecommunications Carrier Eligible) Case No. _____
for Federal Universal Service Support)
pursuant to § 254 of the)
Telecommunications Act of 1996)

**APPLICATION FOR DESIGNATION AS AN ELIGIBLE CARRIER
PURSUANT TO § 254 OF THE TELECOMMUNICATIONS ACT OF 1996**

COMES NOW Chariton Valley Telecom Corporation (“CV Telecom”), pursuant to § 254 of the Telecommunications Act of 1996 (“the Act”), 47 CFR 54.201, et seq. of the Federal Communications Commission (“FCC”) regulations, 4 CSR 240-3.570, and hereby applies to the Missouri Public Service Commission (“Commission”) for an order designating CV Telecom as a telecommunications carrier eligible to receive federal universal service support, and for the Commission to certify or submit such order to the FCC.

In support of this Application, CV Telecom states to the Commission as follows:

1. CV Telecom is an alternative or competitive local exchange carrier (“CLEC”) certified by the Commission to provide basic local telecommunications services in the State of Missouri in Case No. TA-2002-238. CV Telecom’s street address and principal place of business is 1213 East Briggs Drive, P.O. Box 67, Macon, Missouri 63552. CV Telecom’s telephone number is (660) 395-9600, and its facsimile number is (660) 395-4403. CV Telecom is a Missouri corporation in good standing. A copy of a Certificate of Good Standing from the Missouri Secretary of State is marked ATTACHMENT A hereto.

2. In 2003 CV Telecom invested over eleven million dollars \$11,000,000 in the city of Macon completing the first fiber-to-the premise (FTTP) over build of an incumbent local exchange carrier in Missouri. CV Telecom's FTTP network provides voice, video and high-speed broadband services to Macon customers. Since 2003, CV Telecom has "edged out" its service into the rural exchange area using FTTP and wireless service over 700 MHz licensed spectrum capable of voice and wireless broadband service. CV Telecom's FTTP network was designed to four node locations in the community using ring architecture to assure continued service in case of a fiber cut over a 100% internet protocol (IP) infrastructure. In 2009, CV Telecom installed a "soft switch" continuing its dedication advanced services while considering cost control by implementing cost saving state-of-the-art technology.

3. Pursuant to tariffs approved by the Commission, CV Telecom provides basic local telecommunications service through the use of its own facilities in one Missouri exchange, Macon.

4. CV Telecom's Interconnection Agreement with Spectra for Macon, Missouri was approved by the Commission in CK-2003-0104. CV Telecom's Interconnection Agreement with Southwestern Bell Telephone, L.P. d/b/a "SBC Missouri" for the termination of toll traffic was approved by the Commission in Case No. TK-2004-0199.

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

James Simon
Chariton Valley Telecom Corp.

P.O. Box 67
1213 East Briggs Drive
Macon, MO 63552
(660) 395-9600
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and to

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6. CV Telecom 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 the application.

7. CV Telecom does not have any annual reports or assessment fees that are overdue.

8. Section 214(e)(1) of the Act states that a carrier may be designated as an eligible telecommunications carrier and therefore receive universal service support, so long as the carrier, throughout its service area: (1) offers the services that are supported by federal universal service support mechanisms under § 254(c) of the Act; (2) offers such services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another eligible

telecommunications carrier; (3) advertises the availability of and charges for such services using media of general distribution.

9. CV Telecom requests designation as a competitive eligible telecommunications carrier, 47 CFR 54.5.

10. Statement of intended use of federal USF support. CV Telecom agrees that it will use federal universal service support shall use that support only for the acquisition, installation, operation, maintenance, repair, upgrading or replacement of the facilities described in the accompanying build out plan, as it may be modified, and for the provision of services for which the support is intended. 47 CFR 54.7. CV Telecom will use universal service funds to continue to expand the availability of supported services within the Macon exchange service area. Expansion may be completed using fiber-to-the-premise, wireless or leased loops from the incumbent provider. Funding will also be used to repair and maintain facilities and services in the service area.

Supported Services

11. CV Telecom provides, and will offer and provide as a competitive ETC, the following services or functionalities supported by federal USF:

1. voice grade access to the public switched network;
2. local usage;
3. dual tone multi-frequency signaling or its functional equivalent;
4. single-party service or its functional equivalent;
5. access to emergency services, emergency telephone number service capable of automatic number identification, automatic location identification and call routing facilities to facilitate public safety response, e.g., Enhanced 911 Service;

6. access to operator services, including
7. access to interexchange service;
8. access to directory assistance;
9. toll limitation for qualifying low-income consumers.

Service Requirements

12. CV Telecom, through its own facilities, meets the following service requirements of ETCs:

a. CV Telecom has developed a bill design easily interpreted by customers, and which clearly sets forth charges in compliance with state and federal billing requirements;

b. CV Telecom provides customer service contact information online and on billing statements;

13. CV Telecom commits to publicizing the construction of new facilities that will enhance services in Macon so consumers can be aware of improved service.

14. CV Telecom will extend its network to serve customers upon a reasonable request. CV Telecom will immediately provide service to those residing where CV Telecom then currently provides service using its standard customer equipment. Where a customer requests service where CV Telecom does not then currently provide service, CV Telecom will take reasonable steps to provide acceptable service at no cost to the customer. Where special conditions or special requirements of the customer involve unusual construction or installation costs, the customer may be required to pay a reasonable portion of those costs, as approved by the Commission. If there is no

possibility of providing service to such customer, CV Telecom will notify the customer and will include such information in its annual ETC certification documentation.

15. CV Telecom is able to remain functional in emergency situations, and has a reasonable amount of backup power to ensure functionality without an external power source. CV Telecom is able to reroute traffic around damaged facilities resulting from emergency situations. CV Telecom is willing to so demonstrate.

16. CV Telecom will advertise the availability of services and charges for such services using media of general distribution.

17. CV Telecom acknowledges that 47 CFR 54.405 requires all eligible telecommunications carriers to make Lifeline services (as defined in 47 CFR 54.401) available to qualifying low-income customers. Applicant states Lifeline services are available to qualifying low income consumers in its service area. Applicant commits to provide Lifeline and Link up discounts consistent with 47 CFR 54.401 and 54.411. Applicant commits to publicize the availability of Lifeline service in a manner reasonably designed to reach those likely to qualify for the service consistent with 47 CFR 54.405.

18. CV Telecom will satisfy consumer privacy standards set forth in 47 CFR 64 Subpart U and such service quality standards as applicable.

19. CV Telecom will provide equal access pursuant to 4 CSR 240-32.100 (3) and (4) if all other ETCs relinquish their ETC designations.

20. CV Telecom commits to offer a local usage plan comparable to that offered by the incumbent local exchange carrier, including a commitment to provide Lifeline and Link Up discounts and Missouri Universal Service Fund discounts pursuant

to 4 CSR 240-31, if applicable, at rates, terms, and conditions comparable to the offerings of the incumbent local exchange carrier.

Additional Requirements

21. CV Telecom seeks ETC designation for the exchange of Macon, Missouri, an area served by incumbent Spectra Communication Group, LLP, which purports to be a rural telephone company.

22. The Commission may, and in fact has, designated more than one eligible telecommunications carrier for the Macon exchange. 47 CFR 201 (c).

23. CV Telecom's designation as an ETC is in the public interest. CV Telecom has and will bring the benefits of increased choice, and the unique advantages of CV Telecom's fiber-based service offerings.

24. Assuming the incumbent is a rural telephone company, and assuming its study area is larger than the Macon exchange, the Commission is to conduct a creamskimming analysis, comparing the population density of each wire center in which CV Telecom seeks ETC designation against that of other Spectra wire centers in the study area, and considering Spectra's disaggregation plan, and other factors. 47 CFR 54.202 (c).

25. Pursuant to 47 CFR 54.201, CV Telecom requests that the Commission designate it as an eligible telecommunications carrier for a service area designated as the Spectra Communication Group, LLP's exchange of Macon, Missouri, a rural area under 47 CFR 54.4. The Commission is also requested to specify to the FCC and USAC that CV Telecom's service area is the Macon exchange, a redefinition of Spectra's service area, that CV Telecom is eligible to receive support for each eligible line served in the

Macon exchange in accordance with the per line amounts for a Zone 1 exchange as set forth in the disaggregation plan for Spectra's study are No. 421151, as certified by Spectra pursuant to 47 CFR 54.315.

Post ETC Designation Commitments

26. CV Telecom commits to maintaining a record of customer complaints including the end-user name, account number, complaint description, date of complaint, resolution, and the amount of refund or credit, if any. CV Telecom will also maintain a record of complaints from Macon customers submitted to or filed with the FCC containing similar information.

27. CV Telecom commits to notify the manager of the Telecommunications Department of the Commission of changes in company-designated contact individuals primarily responsible for customer service, repair and maintenance, answering complaints, authorizing and/or furnishing customer refunds, and informational or tariff filing matters, or to so update the Commission's EFIS system.


28. CV Telecom commits to submitting annual progress updates on its build out plan, how support was used, and other requirements applicable to ETCs.

Proprietary Attachment

29. CV Telecom's five-year proposed improvement and upgrade plan is set forth in ATTACHMENT B PROPRIETARY hereto.

WHEREFORE, on the bases of the foregoing CV Telecom respectfully requests that the commission designate it as a telecommunications carrier eligible under the provisions of 47 CFR 54.201(d) to receive federal universal service support, to certify

such designation to the FCC, and for such other orders as are deemed necessary or convenient in this matter.

By 
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ATTORNEY FOR CHARITON VALLEY
TELECOM CORP.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was electronically mailed, this 26th day of October, 2011, 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 Chariton Valley Telecom Corp.

VERIFICATION

I, James Simon, having been duly sworn upon my oath, that I am General Manager of Chariton Valley Telecom Corporation, 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 and following Appendices are true and correct to the best of my knowledge, information and belief.

James Simon
James Simon

STATE OF MISSOURI)
)
COUNTY OF MACON)

Subscribed and sworn to me, a Notary Public, on this 24th day of October, 2011.



AUDRA E. LINEBAUGH
My Commission Expires
May 27, 2014
Chariton County
Commission #10434277

Audra E. Linebaugh
Notary Public

My commission expires May 27, 2014