

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

In the Matter of the Revocation of the Eligible)	
Telecommunications Carrier Designation of)	<u>File No. RC-2016-0278</u>
Total Call Mobile, Inc.)	

STAFF RESPONSE TO COMMISSION ORDER

COMES NOW the Staff of the Missouri Public Service Commission and states:

1. On September 30, 2016, Total Call Mobile responded to the Staff's Response and the Commission's September 19 Order by requesting that this matter be subject to a formal hearing. As this matter is a telecommunications case, it makes sense that the hearing be live, without pre-filed testimony. The Staff has consulted with Total Call Mobile, and the Company finds this proposal of holding a live hearing to be acceptable.

2. Although the Staff did reiterate assertions contained in the FCC's Notice, the case now revolves around the assertions set forth in its Recommendation, to wit:

- TCM is unable to provide Lifeline enrollment forms in a timely manner.
- TCM has incorrect addresses for a significant number of subscribers.
- Duplicate subscribers are contained in TCM's subscriber list.
- TCM's monitoring of agents remains questionable.
- TCM subscribers may have minimal involvement in filling-out and understanding forms.
- TCM fails to ensure subscriber information is correct.
- TCM continues to enroll Missouri subscribers despite claiming new sales activity ceased after 2014.
- Some TCM subscribers appear to be ineligible and/or potentially fraudulent.
- TCM has failed to adequately respond to some data requests.

3. As the Staff has already set out its position in its Recommendation concerning these assertions, the hearing should be relatively straightforward. Therefore, the Staff requests that the Parties file a Stipulation of Fact, List of Disputed Facts, Witness List and any Stipulated Procedural Issues, such as time limits, on December 5,

2016, and that the matter be set for a hearing over two days at least one month later (to allow time for discovery, the discovery period to end a week before the hearing date, assuming that parties make witnesses reasonably available for deposition prior thereto and meaning that no further data requests or other written discovery may be submitted after that cut-off date but responses to prior submittals shall remain due), starting at a time that allows for travel from St. Louis on the first day. Staff has consulted with Total Call Mobile and it has consented to the procedures proposed in this paragraph.

WHEREFORE, the Staff submits its Response.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7th day of October, 2016.

