

In the Matter of

File No. _____

1. Tempo is a Georgia limited liability company with offices located at 3060 Peachtree Road NW, Suite 1065, Atlanta, Georgia 30305 and 2300 Main Street, Suite 340, Kansas City, Missouri 64108. Tempo is a commercial mobile radio service (“CMRS”) provider, and provides prepaid wireless voice and data services in various states. Tempo has been authorized to conduct business in Missouri as reflected in **Exhibit 1**. On October 3, 2013 the Commission issued its Order granting Tempo's Application for designation as an eligible telecommunications carrier in File No. TA-2013-0545. In addition to prepaid wireless Lifeline service as an ETC, Tempo also provides other prepaid wireless voice and data services in

Missouri.

2. In its October 3, 2103 Order in File No. TA-2013-0545 the Commission expressly conditioned its designation of Tempo as an ETC on the condition that Tempo "only use the MoUSF Board-approved form when enrolling Lifeline subscribers in Missouri."

3. Effective April 30, 2014, the Commission revised its rules regarding ETCs including by adopting section 31.120(5)(B) which allows ETCs to use the MoUSF's sample enrollment form or their own company-specific form.

4. However, subsection 31.120(5)(C)5 expressly states that a company-specific form shall not be considered approved by the Board or the Commission.

5. Out of an abundance of caution and for sake of clarity, rather than simply assuming that the Commission intended to implicitly remove the aforesaid condition requiring use of a Board-approved enrollment form, Tempo hereby asks that the Commission amend its prior order and delete that condition.

6. Pursuant to 4 CSR 240-2.060(1)(I), communications concerning this Application should be directed to:

Carl J. Lumley
Curtis, Heinz, Garrett & O'Keefe, P.C
130 S. Bemiston, Suite 200
Clayton, MO 63105
(314) 725-8788 (telephone)
(314) 725-8789 (facsimile)
CLumley@lawfirmemail.com

with a copy to:

Angela F. Collins
Cahill Gordon & Reindel LLP
1990 K Street, N.W., Suite 950
Washington, D.C. 20006
202-862-8930 (telephone)
866-255-0185 (facsimile)
acollins@cahill.com

7. Pursuant to 4 CSR 240-2.060(1)(K), Tempo states that it has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of this Application.

8. Pursuant to 4 CSR 240-2.060(1)(L), Tempo states that no annual report or assessment fees are overdue.

9. Tempo does not view Rule 4 CSR 240-4.020(2) as requiring Tempo to provide 60 days advance notice of the intent to file this Application, but to the extent the Commission disagrees, Tempo requests a waiver of that requirement.

WHEREFORE, for the forgoing reasons, Tempo respectfully requests that the Commission expeditiously amend its prior order designating Tempo as an ETC for the provision of prepaid wireless Lifeline services in the State of Missouri by removing the condition requiring Tempo to use the MoUSF Board-approved enrollment form, and for such other and further relief as deemed proper by the Commission herein.

Respectfully submitted,

/s/ Carl J. Lumley

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Cahill Gordon & Reindel LLP
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Attorneys for Tempo Telecom, LLC

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing has been served by forwarding the same by electronic mail and/or first class mail, postage prepaid this 23 day of February, 2016 to the following:

Office of the Public Counsel
PO Box 2230
Jefferson City, Missouri 65102
opcservice@ded.mo.gov

Office of General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, Missouri 65102
staffcounsel@psc.mo.gov

/s/ Carl J. Lumley

VERIFICATION

STATE OF GEORGIA)
County of BIBB) ss.

I, Scott Murphy, being first duly sworn upon oath, depose and say that I am the CFO of Tempo Telecom, LLC, and as such am authorized to make this verification on its behalf; that I have read the foregoing Application; that I know the contents thereof; and that the facts set forth in the foregoing Application are true and correct to the best of my knowledge, information and belief.



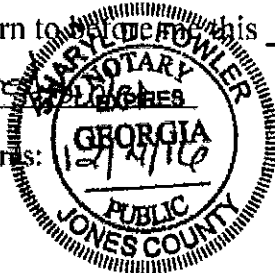
Scott Murphy

Subscribed and sworn to before me this 22nd day of February, 2016.



Notary Public

My Commission expires:



STATE OF MISSOURI



Jason Kander
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

I, JASON KANDER, Secretary of State of the STATE OF MISSOURI, do hereby certify that the records in my office and in my care and custody reveal that

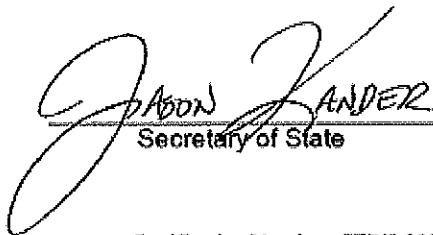
TEMPO TELECOM, LLC

using in Missouri the name

TEMPO TELECOM, LLC
FL1277234

a GEORGIA entity was created under the laws of this State on the 19th day of December, 2012, and is Active, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 23rd day of February, 2016.


Secretary of State

Certification Number: CERT-02232016-0037

