

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by internet and audio conference on the 28<sup>th</sup> day of April, 2021.

In the Matter of the Application of Air Link Rural )  
Broadband, LLC for Expanded Designation as an )  
Eligible Telecommunications Carrier Pursuant to ) **File No. DA-2021-0307**  
Section 214(e)(2) of the Communications Act of )  
1934, as Amended )

**ORDER GRANTING EXPANDED DESIGNATION AS  
AN ELIGIBLE TELECOMMUNICATIONS CARRIER**

Issue Date: April 28, 2021

Effective Date: May 28, 2021

On March 20, 2021, Air Link Rural Broadband (Air Link) requested authority to expand its existing Eligible Telecommunications Carrier (ETC) designation.<sup>1</sup> Air Link was recently awarded federal Rural Digital Opportunity Fund (RDOF) support to build broadband facilities in more rural areas. The RDOF funding requires Air Link to extend broadband service to a designated number of locations in certain census blocks. Air Link seeks to expand its ETC designation to include the census blocks it was awarded. Air Link included Exhibit A with its application which outlines the specific census blocks for which it requests designation.

The Commission issued notice and set a deadline for intervention. No person or entity sought intervention in this matter, and no party has requested a hearing.

The Staff of the Missouri Public Service Commission (Staff) conducted an investigation and on April 20, 2021, filed its recommendation and memorandum. Staff

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<sup>1</sup> Air Link is presently registered as an interconnected voice over internet protocol (IVoIP) service provider.

recommended that the Commission approve Air Link's request for designation as an eligible telecommunications carrier for the purpose of receiving federal high-cost and low-income support for census blocks identified in the applicant's Exhibit A. Staff stated Air Link met the requirements of Commission Rule 20 CSR 4240-31.016 governing eligible telecommunications carriers. Staff notes that Air Link requests a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017, and recommends that such waiver be granted.

Under federal authority, the application is within the Commission's jurisdiction to decide.<sup>2</sup> Since no law requires a hearing, this is a non-contested case.<sup>3</sup> Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.<sup>4</sup> Consequently, the Commission bases its decision on the verified filings.

Based upon its review of the verified application and Staff's recommendation and memorandum, the Commission finds that Air Link has met the requirements for ETC designation. Further, for good cause shown, Air Link will be granted a waiver of the 60-day filing requirement of the Commission's rules.

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<sup>2</sup> 47 U.S.C. § 214(e)(2).

<sup>3</sup> *In the Matter of Kansas City Power & Light Co.'s Request for Authority to Implement a General Rate Increase for Elec. Serv. v. Pub. Serv. Comm'n*, 509 S.W.3d 757, 783-784 (Mo. App. W.D. 2016).

<sup>4</sup> *State ex rel. Pub. Counsel v. Pub. Serv. Comm'n*, 210 S.W.3d 344, 353-354 (Mo. App. W.D. 2006).

**THE COMMISSION ORDERS THAT:**

1. Air Link's application is granted. Air Link is granted ETC designation for the purpose of receiving federal high-cost and low-income support in all census block groups described in Exhibit A to its application.
2. Air Link is granted a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017.
3. This order shall become effective on May 28, 2021.
4. This file shall be closed on May 29, 2021.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and  
Holsman CC., concur.

Pridgin, Regulatory Law Judge