STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held in its office in Jefferson City on the 2nd day of June, 2021.

In the Matter of the Application of Windstream Communications, LLC for Designation as an Eligible Telecommunications Carrier to Receive Rural Digital Opportunity Fund Auction Support	)))))	**File No. TA-2021-0354**

ORDER GRANTING DESIGNATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

Issue Date: June 2, 2021 Effective Date: June 12, 2021

On April 16, 2021, Windstream Communications, LLC (Windstream) filed its application for designation as a wireless Eligible Telecommunications Carrier.[1] Windstream was recently awarded federal Rural Digital Opportunity Fund (RDOF) support to build broadband facilities in more rural areas.

The Commission issued notice and set a deadline for intervention. No intervention requests were received.

The Staff of the Missouri Public Service Commission (Staff) conducted an investigation and on May 24, 2021, filed its recommendation and memorandum. Staff recommended that the Commission approve Windstream's request for designation as an eligible telecommunications carriers for the purpose of receiving federal high-cost and low-income support for census blocks identified in Exhibit A of the application. Staff stated Windstream met the requirements of Commission Rule 20 CSR 4240-31.016 governing

[1] Windstream is presently certificated in Missouri as an interconnected voice over internet protocol (IVoIP) services provider. That application was deficient due to Windstream not having identified Missouri counsel. Windstream has since corrected the deficiency.

eligible telecommunications carriers. Staff notes that Windstream 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.[2] Since no law requires a hearing, this is a non-contested case.[3] Non-contested cases do not require formal proceedings or hearings before the Commission, and as such, there is no evidentiary record.[4] 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 Windstream has met the requirements for ETC designation. Further, for good cause shown, Windstream will be granted a waiver of the 60-day filing requirement of the Commission's rules.

Because Windstream needs this order to be effective as soon as possible to comply with FCC requirements, the Commission will make this order effective in less than thirty days.

THE COMMISSION ORDERS THAT:

1. Windstream's application is granted. Windstream is granted ETC status for the purpose of receiving federal high-cost and low-income support in the area identified by census block groups described in Exhibit A to its application.

2. Windstream is granted a waiver of the 60-day notice requirement of Commission Rule 20 CSR 4240-4.017.

---

[2] 47 U.S.C. § 214(e)(2).
[3] *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).
[4] *State ex rel. Pub. Counsel v. Pub. Serv. Comm'n*, 210 S.W.3d 344, 353-354 (Mo. App. W.D. 2006).

3. This order shall become effective on June 12, 2021.

4. This file shall be closed on June 13, 2021.

BY THE COMMISSION

Morris L. Woodruff
Secretary

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

Pridgin, Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 2nd day of June, 2021.

Morris L. Woodruff
Secretary

Digitally signed by MOPSC
DN: CN=MOPSC, O=MOPSC, OU=, E=kim.happy@psc.mo.gov, C=US
Reason: I attest to the accuracy and integrity of this document
Location: Cole County, Missouri
Date: 2021.06.02 12:50:54-05'00'
Foxit PhantomPDF Version: 10.1.1

MISSOURI PUBLIC SERVICE COMMISSION

June 2, 2021

File/Case No. TA-2021-0354

Missouri Public Service Commission
Staff Counsel Department
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounselservice@psc.mo.gov

Office of the Public Counsel
Marc Poston
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@opc.mo.gov

Missouri Public Service Commission
Whitney Payne
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
whitney.payne@psc.mo.gov

Windstream Communications, LLC
Carol Keith
4001 Rodney Parham Rd
Little Rock, AR 72212
carol.keith@windstream.com

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



Morris L. Woodruff
Secretary

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.