

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF AMERICAN)	
BROADBAND AND TELECOMMUNICATIONS)	
COMPANY FOR TO AMEND ITS DESIGNATION)	CASE NO.
AS AN ELIGIBLE TELECOMMUNICATIONS)	2021-00392
CARRIER TO RECEIVE KENTUCKY UNIVERSAL)	
SERVICE FUND SUPPORT FOR LIFELINE)	
SERVICE)	

ORDER

On November 5, 2013, in Case No. 2013-00175,¹ the Commission approved American Broadband and Telecommunications Company's (American Broadband) petition for designation as an eligible telecommunications carrier (ETC) for the purpose of offering Lifeline service to qualified low-income households in Kentucky, and participation in the Federal Lifeline program and to receive federal low-income Universal Service Fund (USF) support for wireless services.² American Broadband, at the time of the petition requesting approval as an ETC, did not request Lifeline support from the Kentucky Universal Service Fund (KUSF). On October 12, 2021, American Broadband filed an application seeking to receive KUSF support in order to be reimbursed for providing Lifeline service within the Commonwealth of Kentucky. On October 20, 2021, Commission Staff (Staff) issued an information request to which American Broadband

¹ See Case No. 2013-00175, *Application of American Broadband and Telecommunications Company for Limited Designation as an Eligible Wireless Telecommunications Carrier* (Ky. PSC Nov. 5, 2013).

² *Id.*

responded on November 9, 2021. There are no intervenors in this case, and the matter is submitted to the Commission for a decision based upon the evidentiary record.

American Broadband now seeks to receive KUSF support for the Lifeline customers it serves in Kentucky. American Broadband intends to use the support provided by the KUSF to enhance its current Lifeline offerings to Kentucky customers. American Broadband proposes to provide additional voice minutes to qualifying Lifeline customers. Specifically, American Broadband will use the \$6.00 per customer per month in state support to provide every Kentucky customer enrolled in the Lifeline program unlimited voice minutes, unlimited text messages, and 4.5 GB of data each month for a co-pay of \$14.95.³ The customers will benefit from unlimited voice minutes by having the ability to communicate with employers, health care providers, government services, and to contact friends and family unfettered by limited voice minutes.⁴

American Broadband confirmed that it will collect or otherwise contribute to the KUSF at the current Commission ordered surcharge for each customer served.⁵ American Broadband expects the enhancement to allow it to serve approximately 25,000 low-income households in Kentucky, an increase from a current total of 1,704 customers.⁶ American Broadband confirmed that it would collect or otherwise contribute to the Kentucky Relay Service/Telecommunications Access Program (KY TRS/TAP) surcharge

³ Application at 2.

⁴ *Id.* at 3.

⁵ American Broadband's Response to Commission Staff's First Request for Information (Staff's First Request), Item 2 (filed Nov. 9, 2021).

⁶ *Id.*, Items 1 and 2.

for each customer.⁷ American Broadband also confirmed that it will contribute to the appropriate 911 emergency service authority in accordance with current Kentucky law, specifically KRS 65.7634, which governs support for funding of 911 services.⁸

American Broadband correctly points out in its petition that there is no legal prohibition on wireless carriers being eligible to receive KUSF support for Lifeline services and that the Commission has approved other wireless carriers to receive the KUSF support when requested.⁹ American Broadband also notes several public interest considerations in support of its application, specifically that Kentucky low-income residents will benefit from increased competition within the Lifeline service market, leading to additional consumer choices and delivery of greater value to consumers.¹⁰

The Commission, based upon the evidence of record, finds that American Broadband should be permitted to receive Lifeline support from the KUSF. Given that American Broadband intends to receive support from the KUSF, the Commission points American Broadband to the Commission's July 22, 2021 Order in Case No. 2016-00059,¹¹ which, *inter alia*, directed ETC participating in the Emergency Broadband Benefit (EBB) Program the order in which to seek reimbursement, first from federal funds, and last from the KUSF. Should American Broadband participate in the EBB Program, it must adhere to the priority of reimbursement proscribed in the July 21, 2021 Order.

⁷ *Id.* Item 3.

⁸ *Id.* Item 4.

⁹ Application at 2.

¹⁰ *Id.* at 3.

¹¹ Case No. 2016-00059, *An Inquiry into the State Universal Service Fund* (Ky. PSC July 22, 2021).

IT IS THEREFORE ORDERED that:

1. American Broadband shall be eligible to receive KUSF support for each qualified Lifeline customer beginning in January 2022.
2. American Broadband shall remit to the KUSF the Commission ordered surcharge for each customer it serves in Kentucky, for both Lifeline and otherwise served, beginning in January 2022.
3. American Broadband shall remit to the KY TRS/TAP the Commission ordered surcharge for each customer it serves in Kentucky for both Lifeline and otherwise served, beginning in January 2022.
4. This case is closed and removed from the Commission's docket.

By the Commission

ENTERED
DEC 15 2021
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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2021-00392

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