COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE UNIVERSAL SERVICE FUND

CASE NO. 2016-00059

ORDER

On May 11, 2020, the Commission issued an Order in this proceeding directing Eligible Telecommunications Carriers (ETCs) that receive reimbursement from the Kentucky Universal Service Fund (KUSF) to file certain information with the Commission no later than May 18, 2020, so that the Commission could determine if a temporary increase in payment from the KUSF, in exchange for an increase in voice or data, would be beneficial to the public during the worldwide pandemic. The Commission requested information regarding usage for both voice service and data in order to determine whether the current crisis has caused an increase in voice or data usage and whether a temporary increase in available voice minutes or data, or both, would be beneficial during the crisis.

The Commission’s request focused on several areas, particularly on Lifeline customers’ increased usage of voice and data, and whether those increases led to the customers exceeding the ETCs’ voice and data limits. The Commission sought information on the ETCs’ willingness to increase voice or data limits and the approximate costs for providing that additional service.

The Commission received several responses to its request for information. In response to Commission inquiries, several ETCs provided information regarding the approximate costs to provide unlimited voice and also to increase data limits over the
Federal minimum requirements for Lifeline customers. The responses varied. For example, Telrite Corporation (Telrite)\(^1\) and TAG Mobile, LLC (TAG Mobile)\(^2\) reported that they had not experienced an increase in voice usage. Other ETCs, however, reported that they had experienced increases in voice usage. A group of ETCs (Kentucky ETCs), filing a joint response, reported an increase of 35 percent in voice usage and 37 percent in data usage, and noted that Lifeline customers may also be taking advantage of large carriers temporarily opening their Wi-Fi networks, and that this availability may have offset a more significant increase in data and voice usage.\(^3\) Boomerang Wireless, LLC (Boomerang Wireless) reported a 30 percent increase in voice usage.\(^4\)

The Commission also sought information regarding whether the ETCs would be willing to provide additional data or unlimited voice if the Commission increased the payment from the KUSF and the cost to provide additional data. All responding ETCs stated that they would be willing to provide unlimited voice service and increased data if the Commission would increase the payment from the KUSF.

The ETCs did not provide a specific amount an increased payment from the KUSF would have to be to cover the cost of providing unlimited voice service. Boomerang Wireless stated that, when determining a possible increase in unlimited voice, the

\(^1\) Telrite Corporation’s d/b/a Life Wireless Response to Commission’s Requests for Information (filed May 25, 2020), Response to Request 1. (Telrite’s Response).

\(^2\) Tag Mobile, LLC’s Responses to Commission’s Requests for Information (filed May 26, 2020), Response to Request 1. (Tag Mobile’s Response).

\(^3\) Joint Responses of Q Link Wireless, LLC, Global Connection Inc. of America Dba Standup Wireless, Amerimex Communications Corp. Dba Safetynet Wireless, I-Wireless, LLC Dba Access Wireless, Airvoice Wireless, LLC Dba Feel Safe Wireless and Sage Telecom Communications, LLC Dba Truconnect (collectively Kentucky ETC) to Commission Staff’s Information Requests In the Order Dated May 11, 2020 (filed May 26, 2020), Response to Request 1. (Kentucky ETCs’ Response).

Commission should consider reductions in federal support for voice services due to the Federal Communications Commission’s 2016 Lifeline Modernization Order\(^5\) and 47 C.F.R. § 54.403.\(^6\) The Kentucky ETCs also raised recent cost increases to ETCs in Kentucky for the Commission to consider when considering an increase in payment from the KUSF.\(^7\) The information provided also indicates that an extra gigabyte per month would require an additional payment of between $10.00 and $12.50 per month.\(^8\)

Telrite recommended that any additional payment and provision of additional services be as permanent as possible.\(^9\) TAG Mobile recommended that the increased services remain in place until the ramifications of the pandemic can be determined,\(^10\) the Kentucky ETC’s recommended that the additional services remain in place at least through December 31, 2020,\(^11\) and Boomerang Wireless recommended that they remain in place for at least a year.\(^12\)

The nation is in the grip of a pandemic to which there is no discernible end. The Commission noted in its May 11, 2020 Order in this matter that “access to the

\(^{5}\) Lifeline and Link Up Reform and Modernization, WC Docket No. 11-42; Telecommunications Carriers Eligible for Universal Service Support, WC Docket No 09-197; Connect America Fund, WC Docket No. 10-90, Third Report and Order, Further Report and Order, and Order on Reconsideration (Rel. April 27, 2016). (Lifeline Modernization Order).

\(^{6}\) Boomerang Wireless’ Response to Request 4.

\(^{7}\) Kentucky ETCs’ Response to Request 5, noting that ETCs have to pay a $.70 fee for 911, $.07 for the KUSF, and $.03 for the Telecommunications Relay Service/Telecommunications Access Program.

\(^{8}\) Id; TAG Mobile stated that an additional gigabyte of date would cost it $11.35 per month. TAG Mobile’s Response to Request 5.

\(^{9}\) Telrite’s Response to Request 7.

\(^{10}\) TAG Mobile’s Response to Request 7.

\(^{11}\) Kentucky ETCs’ Response to Request 7.

\(^{12}\) Boomerang Wireless’ Response to Request 7.
telecommunications network to access medical advice and professionals is, and will continue to be, of upmost importance while the state of emergency continues.”\(^\text{13}\) As of the date of this Order, the pandemic and the corresponding state of emergency still continue, and the need to access the telecommunications network is just as urgent now as it was in May of this year.

Based upon the responses to its May 11, 2020 Order, the Commission finds that, beginning August 1, 2020, payment from the KUSF should be increased temporarily by $4.50 for a total of $8.00 per Lifeline customer for ETCs that provide unlimited voice service to Kentucky Lifeline customers on and after August 1, 2020. The increased payment will continue until July 31, 2021; however, the Commission will initiate a review of the effect the increased payment has on the KUSF no later than March 1, 2021.\(^\text{14}\) The Commission has calculated that, under current circumstances,\(^\text{15}\) the KUSF can sustain the increased payment for over one year before the Commission would have to increase the KUSF surcharge.

The Commission will not provide increased support for additional data; the necessary increase in the surcharge to cover the cost of only one gigabyte of data, in addition to unlimited voice, would require a significant increase in the KUSF surcharge. The Commission has previously signaled its reluctance to substantially increase the

\(^{13}\) Case No. 2016-00059, An Inquiry Into the State Universal Service Fund (Ky. PSC May 11, 2020), Order at 2.

\(^{14}\) The Commission’s review will take into account, inter alia, the benefit of the provision of unlimited voice and the increased draw on the KUSF, as well as the federal decrease of support for voice-only services pursuant to the Lifeline Modernization Order.

\(^{15}\) Nothing will prevent the Commission from adjusting the surcharge should it become necessary for the continuation of the provision of unlimited voice service.
KUSF surcharge\textsuperscript{16} and finds that equities weigh against a substantial increase in the KUSF surcharge in exchange for only one additional gigabyte of data.

ETCs that currently do not provide unlimited voice but elect to increase their service to include unlimited voice service should file with the Commission a notice that they will begin offering unlimited voice service. The notice should also include the services they were providing to Lifeline customers prior to providing unlimited voice. ETCs that currently offer unlimited voice service should also update the Commission on the services they are providing Lifeline customers.

Based upon the foregoing, IT IS THEREFORE ORDERED that:

1. Beginning August 1, 2020, and ending July 31, 2021, unless otherwise ordered by the Commission, the payment from the KUSF shall be increased to $8.00 per month per Lifeline customer for ETCs that provide unlimited voice service in Kentucky.

2. ETCs that currently do not provide unlimited voice service, upon electing to provide unlimited voice service, shall file notice in this docket of their intent to do so. The notice shall contain all current services the ETC provides to Lifeline customers in Kentucky.

3. ETCs that currently do provide unlimited voice service shall file in this docket a notice of the current services that the ETC provides to Lifeline customers in Kentucky.

4. No later than March 1, 2021, the Commission shall initiate a formal review of the effect on the KUSF from the increased payment for unlimited voice service.

5. Nothing contained in this Order shall prohibit the Commission from issuing further Orders in this matter.
By the Commission

ATTEST:

[Signature]
Acting Executive Director

Case No. 2016-00059
*Denotes Served by Email

Service List for Case 2016-00059

**JM Steinhart**
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Duluth, GEORGIA  30155

**NET TALK.COM, INC.**
NET TALK.COM, INC.
1100 NW 163rd Drive, Suite 3
North Miami Beach, FL  33169

***Alexander Statsky***
Telrite Corporation
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Covington, GA  30014

***Tempo Telecom, LLC***
Tempo Telecom, LLC
5607 Glendridge Drive, Suite 300
Atlanta, GA  33042

***L Allyson Honaker***
Goss Samford, PLLC
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Lexington, KENTUCKY  40504

***MCC Telephony of the South, LLC d/b/a***
MCC Telephony of the South, LLC d/b/a
One Mediacom Way
Mediacom Park, NY  10918

***Pix Wireless, LLC***
Pix Wireless, LLC
21346 Saint Andrews Blvd, Suite 225
Boca Raton, FL  33433

***Flatel Wireless, Inc dba Zing PCS***
Flatel Wireless, Inc dba Zing PCS
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Wellington, FL  33414

***Thacker-Grigsby Telephone Company, Inc***
Thacker-Grigsby Telephone Company, Inc
60 Communications Lane
P. O. Box 789
Hindman, KY  41822

***IBFA Acquisition Company, LLC***
IBFA Acquisition Company, LLC
353 Sacramento Street
Suite 1500
San Francisco, CA  94111

***UnityComm, LLC***
UnityComm, LLC
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Syracuse, IN  46567

***Brad Thomas***
South Central Rural Telecommunications
1399 Happy Valley Road
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Glasgow, KY  42141

***CityNet Kentucky, LLC***
CityNet Kentucky, LLC
3600 University Avenue
Morgantown, WV  26505

***Simple Signal, Inc.***
Simple Signal, Inc.
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Dana Point, CA  92629

***R. Brooks Herrick***
Dinsmore & Shohl, LLP
101 South Fifth Street
Suite 2500
Louisville, KENTUCKY  40202

***Leslie County Telephone Company, Inc***
Leslie County Telephone Company, Inc.
24014 Highway 421
P. O. Box 969
Hyden, KY  41749

***Lewisport Telephone Company, Inc.***
Lewisport Telephone Company, Inc.
30 Pell Street
Lewisport, KY  42351

***Brandenburg Telecom, LLC***
Brandenburg Telecom, LLC
200 Telco Drive
Brandenburg, KY  40108

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*Service list for Case 2016-00059*
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<tr>
<th>Company Name</th>
<th>Address</th>
<th>City, State, Zip</th>
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<td>Brandenburg Telephone Company, Inc.</td>
<td>200 Telco Road, P. O. Box 599, Brandenburg, KY 40108</td>
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<tr>
<td>Highland Telephone Cooperative, Inc.</td>
<td>7840 Morgan County Highway, P. O. Box 119, Sunbright, TN 37872</td>
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<td>Blue Jay Wireless, LLC</td>
<td>4240 International Pkwy, Suite 140, Carrollton, TX 75007</td>
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<tr>
<td>Cindy D McCarty</td>
<td>Staff Attorney, East Kentucky Network, LLC dba Appalachian 101 Technology Trail, Ivel, KY 41642</td>
<td></td>
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<tr>
<td>Goss Samford, PLLC</td>
<td>2365 Harrodsburg Road, Suite B325, Lexington, KENTUCKY 40504</td>
<td></td>
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<tr>
<td>Globalstar USA, LLC</td>
<td>300 Holiday Square Blvd, Covington, LA 70433</td>
<td></td>
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<tr>
<td>Telecommunication Properties, Inc.</td>
<td>3030 Warrenville Road, Suite 340, Lisle, IL 60532</td>
<td></td>
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<tr>
<td>Douglass E Hart</td>
<td>441 Vine Street, Suite 4192, Cincinnati, OHIO 45202</td>
<td></td>
</tr>
<tr>
<td>Eric Schimpf</td>
<td>Global Connection Inc. of America 5555 Oakbrook Pkwy, Suite 620, Norcross, GA 30093</td>
<td></td>
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<tr>
<td>ExteNet Systems, Inc.</td>
<td>3030 Warrenville Road, Suite 340, Lisle, IL 60532</td>
<td></td>
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<tr>
<td>AmeriMex Communications Corp. dba SafetyNet</td>
<td>2323 Curlow Road, Suite 7B, Dunedin, FL 34698</td>
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<tr>
<td>Logan Telephone Cooperative, Inc.</td>
<td>10725 Bowling Green Road, P. O. Box 97, Auburn, KY 42206</td>
<td></td>
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<tr>
<td>Velocity The Greatest Phone Company Ever, Inc.</td>
<td>7130 Spring Meadows Drive West, Holland, OH 43528</td>
<td></td>
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<tr>
<td>Honorable Douglas F Brent</td>
<td>Attorney at Law, Stoll Keenon Ogden, PLLC 2000 PNC Plaza, 500 W Jefferson Street, Louisville, KENTUCKY 40202-2828</td>
<td></td>
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<tr>
<td>Patriot Mobile LLC</td>
<td>3341 Regent Blvd, Suite 130-352, Irving, TX 75063</td>
<td></td>
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<tr>
<td>KDDI America, Inc.</td>
<td>7 Teleport Drive, Staten Island, NY 10311</td>
<td></td>
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<tr>
<td>American Broadband and Telecommunications</td>
<td>1 Seagate, Suite 600, Toledo, OH 43699</td>
<td></td>
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<tr>
<td>Cumberland Cellular Partnership db/a Bluegrass</td>
<td>2902 Ring Road, P. O. Box 5012, Elizabethtown, KY 42701</td>
<td></td>
</tr>
<tr>
<td>Cheryl Winn</td>
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<tr>
<td>American Broadband and Telecommunications</td>
<td>1 Seagate, Suite 600, Toledo, OH 43699</td>
<td></td>
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<tr>
<td>Kentucky RSA #3 Cellular General Partnership,</td>
<td>2902 Ring Road, P. O. Box 5012, Elizabethtown, KY 42701</td>
<td></td>
</tr>
</tbody>
</table>
*Kentucky RSA #4 Cellular General Partnership, Kentucky RSA #4 Cellular General Partnership, 2902 Ring Road P. O. Box 5012 Elizabethtown, KY 42701

*AT&T Corp. AT&T Corp. Meidinger Tower 462 S 4th Street, Suite 2400 Louisville, KY 40202

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*Bluegrass Wireless, LLC Bluegrass Wireless, LLC 2902 Ring Road P. O. Box 5012 Elizabethtown, KY 42701

*Teleport Communications America, LLC Teleport Communications America, LLC Meidinger Tower 462 S 4th Street, Suite 2400 Louisville, KY 40202

*QuantumShift Communications, Inc. dba vCom QuantumShift Communications, Inc. dba vCom 12657 Alcosta Blvd, Suite 418 San Ramon, CA 94583

*NetDiverse, LLC NetDiverse, LLC 825 North 300 West, Suite C-149 Salt Lake City, UT 84103

*BellSouth Long Distance, Inc. dba AT BellSouth Long Distance, Inc. dba AT&T Long 462 S 4th Street, Suite 2400 Louisville, KY 40202

*Inter-Mountain Cable, Inc. dba MTS C Inter-Mountain Cable, Inc. dba MTS 20 Laynesville Road P. O. Box 160 Harold, KY 41635

*BellSouth Telecommunications, LLC dba AT&T BellSouth Telecommunications, LLC dba AT&T Meidinger Tower 462 S 4th Street, Suite 2400 Louisville, KY 40202

*Image Access, Inc. dba NewPhone Image Access, Inc. dba NewPhone 7324 Southwest Freeway, Suite 475 Houston, TX 77074

*Gearheart Communications Company, Inc. dba Gearheart Communications Company, Inc. dba 20 Laynesville Road Harold, KY 41635

*Cricket Wireless, LLC Cricket Wireless, LLC 1010 N St Mary's Street, 9th Floor San Antonio, TX 78215

*Calla Dunlap 1725 Windward Concourse, Suite 150 Alpharetta, GEORGIA 30005

*e-Tel, LLC dba e-Tel/Murray, LLC e-Tel, LLC dba e-Tel/Murray, LLC 1515 Broadway Paducah, KY 42001

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*Bluegrass Telephone Company, Inc. dba
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Service List for Case 2016-00059
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*Boomerang Wireless, LLC
Boomerang Wireless, LLC
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*Foothills Rural Telephone Cooperative
Foothills Rural Telephone Cooperative
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*Phone Club Corporation
Phone Club Corporation
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*Total Call Mobile, Inc.
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Gardena, CA  90248

*Cellular Services, LLC
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Dania, FL  33004

*Touchtone Communications, Inc.
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*TracFone Wireless, Inc.
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*Touchtone Communications, Inc.
Touchtone Communications, Inc.
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*IM Telecom, LLC d/b/a Infiniti Mobile
IM Telecom, LLC d/b/a Infiniti Mobile
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*ComTech 21, LLC
ComTech 21, LLC
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*Lycamobile USA, Inc.
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*i-Wireless, LLC
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*dishNet Wireline, LLC
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*Beaver Telecom, LLC
Beaver Telecom, LLC
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*Crexendo Business Solutions, Inc.
Crexendo Business Solutions, Inc.
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*Magna5 LLC
Magna5 LLC
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Frisco, TX  75034

*Vonage Business Networks, Inc.
Vonage Business Networks, Inc.
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Holmdel, NJ  07733

*SL Wireless, LLC d/b/a MobileNation d/b/a Twigby
SL Wireless, LLC d/b/a MobileNation d/b/a Twigby
1275 North Reed Station Road
Carbondale, IL  62902

*Denotes Served by Email
Service List for Case 2016-00059
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<tr>
<th>Company Name</th>
<th>Address</th>
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<tr>
<td>Consumer Cellular, Incorporated</td>
<td>12447 SW 69th Avenue, Portland, OR 97223</td>
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<td>Windstream NuVox, LLC</td>
<td>Windstream NuVox, LLC 4001 N Rodney Parham Road, Little Rock, AR 72212</td>
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<td>Windstream Communications, LLC</td>
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<td>US LEC of Tennessee, LLC dba PAETEC</td>
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<td>PAETEC Communications, LLC</td>
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<tr>
<td>Mountain Rural Telephone Cooperative</td>
<td>425 Main Street, Suite 1, P.O. Box 399, West Liberty, KY 41472</td>
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<tr>
<td>Talk America, LLC</td>
<td>Talk America, LLC 4001 N Rodney Parham Road, Little Rock, AR 72212</td>
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<tr>
<td>OneTone Telecom, Inc.</td>
<td>OneTone Telecom, Inc. 100 Century Plaza, Suite 9-1, Seneca, SC 29672</td>
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<td>Network Telephone, LLC</td>
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<td>NextGen Communications, Inc.</td>
<td>NextGen Communications, Inc. 2401 Elliott Avenue, Suite 200, Seattle, WA 98121</td>
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<td>McLeodUSA Telecommunications Services</td>
<td>McLeodUSA Telecommunications Services, LLC 4001 N Rodney Parham Road, Little Rock, AR 72212</td>
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<tr>
<td>Kentuckky RSA #1 Partnership</td>
<td>Kentucky RSA #1 Partnership One Verizon Way, Mailcode VC53S309D, Basking Ridge, NJ 07920</td>
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<td>Windstream Communications, LLC</td>
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<td>Rural Cellular Corporation dba Verizon Wireless</td>
<td>One Verizon Way, Mailcode VC53S309D</td>
</tr>
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<td></td>
<td>Basking Ridge, NJ 07920</td>
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<tr>
<td>Kynect Communications, LLC</td>
<td>14675 Dallas Parkway, Suite 150</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75254</td>
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<td></td>
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<tr>
<td>Win.Net Telecommunications, Inc.</td>
<td>332 W Broadway, Suite 214</td>
</tr>
<tr>
<td></td>
<td>Louisville, KY 40202</td>
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</tr>
<tr>
<td>Easy Telephone Service Company dba Easy</td>
<td>4352 SE 95th Street</td>
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<td></td>
<td>Ocala, FL 34480</td>
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<tr>
<td>Solavei, LLC</td>
<td>10500 NE 8th Street, Suite 1300</td>
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<tr>
<td></td>
<td>Bellevue, WA 98004</td>
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<td></td>
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</tr>
<tr>
<td>Ted Heckman</td>
<td>Managing Director, Regulatory &amp; Government</td>
</tr>
<tr>
<td></td>
<td>Cincinnati Bell Telephone Company LLC</td>
</tr>
<tr>
<td></td>
<td>221 E Fourth Street, Room 103-1080</td>
</tr>
<tr>
<td></td>
<td>Cincinnati, OH 45201-2301</td>
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<tr>
<td>Cumberland Cellular, LLC dba Duo Broadband</td>
<td>2150 N Main Street</td>
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<tr>
<td></td>
<td>Jamestown, KY 41269</td>
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<tr>
<td>Wild Telecommunications, Inc.</td>
<td>220 Greenbriar Road</td>
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<tr>
<td></td>
<td>Lexington, KY 40503</td>
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<td></td>
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<tr>
<td>MuniNet Fiber Agency</td>
<td>1500 Broadway Street</td>
</tr>
<tr>
<td></td>
<td>Paducah, KY 42001</td>
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<td></td>
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<tr>
<td>The Electric Plant Board of the City db/a</td>
<td>1500 Broadway Street</td>
</tr>
<tr>
<td></td>
<td>Paducah, KY 42001</td>
</tr>
<tr>
<td>Edward T Depp</td>
<td>Dinsmore &amp; Shohl, LLP</td>
</tr>
<tr>
<td></td>
<td>101 South Fifth Street</td>
</tr>
<tr>
<td></td>
<td>Suite 2500</td>
</tr>
<tr>
<td></td>
<td>Louisville, KENTUCKY 40202</td>
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<tr>
<td>Velocity Networks of Kentucky, Inc.</td>
<td>5550 77 Center Drive, Suite 220</td>
</tr>
<tr>
<td></td>
<td>Charlotte, NC 28217</td>
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<td>Denotes Served by Email</td>
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<td>Service List for Case 2016-00059</td>
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