

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN INQUIRY INTO THE STATE            )  
UNIVERSAL SERVICE FUND            )     CASE NO. 2016-00059

MOTION TO DISMISS

Comes now Momentum Telecom, Inc., a Delaware corporation, certificated as a Competitive Local Exchange Carrier in the state of Kentucky (“Momentum”) and moves the Kentucky Public Service Commission (“Commission”) to dismiss the Requests for Information in the above referenced case. As grounds for this Motion, Momentum represents to the Commission that Momentum resells AT&T’s UNI services to customers in Kentucky, owns and operates its own switches for providing Voice over Internet Protocol (“VoIP”) services to its customers for resale to Kentucky subscribers and sells VoIP services directly to Kentucky subscribers.

Although tariffed, Momentum does not participate in any Lifeline Plans in Kentucky and consequently has made no filings with respect to Lifeline Plans with the Commission, has never filed an FCC Form 497 with the Federal Communication Commission and consequently, has no information with respect to any cost-effective procedures that might be implemented by the Commission to increase oversight of the Lifeline Program, nor has Momentum submitted any KUSF reimbursement forms to the Commission or the Department of Finance and Administration.

In summary, Momentum contains no information responsive to the Commission's requests numbered one through nine and following thereafter requests numbered one through six found in the above referenced case.

The undersigned, Vice President and General Counsel for Momentum, certifies that this response is true and accurate to the best of his knowledge, information, and belief formed after a reasonable inquiry.



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Vice President & General Counsel  
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STATE OF ALABAMA            )  
  )  
COUNTY OF JEFFERSON        )

Charles E. Richardson III, Vice President and General Counsel of Momentum Telecom, Inc., did appear before the undersigned on September 14, 2016, and after having been duly sworn, testified that the statements made in the above referenced Motion to Dismiss are true and accurate to the best of his knowledge, information, and belief formed after a reasonable inquiry.

  
Marissa Leigh Williams, Notary Public

MY COMMISSION EXPIRES APRIL 18, 2019



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