

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)	
MIDWEST ENERGY COOPERATIVE, d/b/a)	
MIDWEST ENERGY AND COMMUNICATIONS,)	Case No. U-17861
for designation as an eligible telecommunications)	
carrier in the state of Michigan.)	
_____)	

At the May 26, 2021 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Tremaine L. Phillips, Commissioner
Hon. Katherine L. Peretick, Commissioner

ORDER

On March 19, 2015, Midwest Energy Cooperative (Midwest), then doing business as Midwest Connections, filed an application (March 19 application) pursuant to Section 214(e)(2) of the Communications Act of 1934, 47 USC 214(e)(2), for designation as an eligible telecommunications carrier (ETC) for access to universal service fund (USF) support for the purpose of participating in the Federal Communications Commission’s (FCC’s) Rural Broadband Experiment (RBE) program funding opportunities. Midwest filed supplemental information on May 5, 2015 and May 20, 2015. On June 3, 2015, the Commission issued an order approving Midwest’s application as a High Cost only ETC for the census blocks listed in Exhibit 1 of the March 19 application. These census blocks were awarded by the FCC as a result of the RBE program. On September 25, 2018, Midwest filed an application to expand its ETC service area

and to add Lifeline to its ETC designation as a recipient of an award from the Connect America Fund Phase II Auction (CAF II). Midwest filed an amended application on December 14, 2018 and an amended exhibit on January 3, 2019. On February 21, 2019, the Commission issued an order approving Midwest's expansion as a High Cost and Lifeline ETC in the exchanges and census blocks listed in the amended exhibit filed on January 3, 2019.

On February 7, 2020, the FCC released FCC 20-5 Report and Order in which it authorized and established the framework for the Rural Digital Opportunity Fund Phase I auction (RDOF auction).¹ The RDOF will provide up to \$20.4 billion towards the expansion of broadband into unserved and underserved areas, with a focus on improving network speeds.

On December 7, 2020, the FCC announced the winning bidders of the RDOF auction.² Midwest was among the winners of the auction and was awarded additional funding toward census blocks in Michigan. The auction winners are required to use money awarded in the auction to expand broadband and meet various broadband goals throughout the census blocks. Additionally, the auction money award is contingent upon Midwest's designation as an ETC in the census blocks it received in the auction. The award winners have been given a deadline of June 7, 2021, to provide evidence of ETC designation in the locations they have been assigned as winning bidders.

On March 4, 2021, Midwest Energy Cooperative, d/b/a Midwest Energy and Communications, filed an application (March 4 application) pursuant to Section 214(e)(2) of the

¹ FCC 20-5 Report and Order, <https://docs.fcc.gov/public/attachments/FCC-20-5A1.pdf> (accessed May 17, 2021).

² FCC December 7, 2020 Public Notice of RDOF Awards, <https://www.fcc.gov/document/auction-904-winning-bidders> (accessed May 17, 2021).

Communications Act of 1996, 47 USC 214(e)(2), requesting approval to expand its current High Cost and Lifeline ETC designation to include the census blocks on pages 32-125 and the exchanges on pages 13-19 of Exhibit 1 of its March 4 application. Midwest seeks to include in its ETC designation all census blocks it was awarded in the FCC's RDOF auction. Midwest is seeking expansion in several census blocks that include Tribal lands, including land belonging to the Nottawaseppi Huron Band of Potawatomi Indians. Midwest confirms that it will continue to provide all the services and functionalities required under federal law in accordance with 47 CFR 54.101(a) and 54.202(a). Midwest is currently a licensed provider of basic local exchange service in the state of Michigan and operates as an ETC under Study Area Code 316131.

Midwest certifies that it will use any federal High Cost support it receives only for the provision, construction, maintenance, and upgrading of facilities along with the provision of supported services in the service area for which the support is intended. Midwest states that it is committed to meeting its federal broadband deployment obligations.

After reviewing Midwest's application, the Commission finds that the application to expand the ETC designation as requested will further the interest of the consumer and should be approved. The Commission also finds that all other aspects of the original June 3, 2015 order remain in effect and that Midwest shall continue to meet all ETC, RBE, CAF II, and RDOF auction requirements.

THEREFORE, IT IS ORDERED that the application filed by Midwest Energy Cooperative, d/b/a Midwest Energy and Communications, to expand its designation as a High Cost and Lifeline eligible telecommunications carrier to include all census blocks listed on pages 32-125 and all exchanges on pages 13-19 of Exhibit 1 of the March 4, 2021 application, is approved.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Tremaine L. Phillips, Commissioner

Katherine L. Peretick, Commissioner

By its action of May 26, 2021.

Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

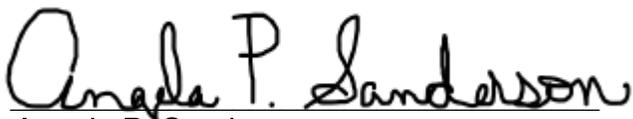
Case No. U-17861

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on May 26, 2021 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).


Brianna Brown

Subscribed and sworn to before me
this 26th day of May 2021.



Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2024

Service List for Case: U-17861

Name	Email Address
Midwest Energy Cooperative	dave.allen@teammidwest.com
Mowitt S. Drew III	mdrew@kotsangster.com
Shannon M. Heim	shannon.heim@lawmoss.com