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NOTICE OF WEST PLAINS §
TELECOMMUNICATIONS, INC. FOR §
TEXAS UNIVERSAL SERVICE FUND §
ELECTION UNDER 16 TAC § 26.407 §

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COMMISSION STAFF’S FINAL RECOMMENDATION

COMES NOW the Staff of the Public Utility Commission of Texas (Commission), representing the public interest and files this Final Recommendation, and would show the following:

I. BACKGROUND

On December 14, 2018, West Plains Telecommunications, Inc. (West Plains) filed its written notice of election under 16 Texas Administrative Code (TAC) § 26.407. On February 14, 2019, West Plains filed its annual report, indicating its reported rate of return as -2.53 percent.¹

Pursuant to 16 TAC § 26.407(f)(1)(B), Commission Staff must file a final recommendation on the reported or staff adjusted rate of return within 90 days after the annual report was filed. West Plains filed its annual report on February 14, 2019. Consequently, 90 days after February 14, 2019, is May 15, 2019. On May 13, 2019, Staff filed a request for extension to file a final recommendation, which was granted in Order No. 2 on May 21, 2019. Order No. 2 set a deadline of May 24, 2019 for Staff to file a final recommendation. Therefore, this pleading is timely filed.

II. RECOMMENDATION

Under 16 TAC § 26.407(f), Staff must review the annual report, adjust for information filed by the utility, if necessary, and file a memorandum for the Commission’s consideration regarding its determination of the appropriate earned rate of return.

Staff reviewed West Plains’ application, and details its analysis in the memorandum of Diana Zake, of the Commission’s Competitive Markets Division, filed separately with confidential

¹ West Plains Annual Report for Small ILECs General Question #11.

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status. Staff made adjustments to West Plains' as-filed information, as detailed in the memorandum. Staff disagrees with West Plains' earned rate of return as -2.53 percent and places it within Category 1.

III. CONCLUSION

Staff respectfully requests that the Commission issue an order determining West Plains' earned rate of return as the rate of return recommended by Staff and categorizing West Plains into Category 1.

Date: May 23, 2019

Respectfully Submitted,

**PUBLIC UTILITY COMMISSION OF TEXAS
LEGAL DIVISION**

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**DOCKET NO. 49009
CERTIFICATE OF SERVICE**

I certify that a copy of this document will be served on all parties of record on May 23, 2019 in accordance with 16 TAC § 22.74.



Patrick D. Todd