

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Notice of Election for)	
Waiver of Commission Rules and Statutes)	File No. IE-2011-0080
Pursuant to Section 392.420, RSMo,)	
As Amended by HB 1779)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and for its recommendation states:

1. On September 17, 2010, Craw-Kan Telephone Cooperative, Inc. (“the Company”) filed notification with the Missouri Public Service Commission that it elected waivers of certain Commission rules and statutory provisions pursuant to §392.420 RSMo Supp 2008.

2. Section 392.420 RSMo Supp 2008 states in relevant part:

In the case of an application for certificate of service authority to provide basic local telecommunications service filed by an alternative local exchange telecommunications company, and for all existing alternative local exchange telecommunications companies, the commission shall waive, at a minimum, the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340. Notwithstanding any other provision of law in this chapter and chapter 386, RSMo, where an alternative local exchange telecommunications company is authorized to provide local exchange telecommunications services in an incumbent local exchange telecommunications company's authorized service area, the incumbent local exchange telecommunications company may opt into all or some of the above-listed statutory and commission rule waivers by filing a notice of election with the commission that specifies which waivers are elected.

3. The Company is an incumbent local exchange telecommunications company as that term is used in Section 392.420. Furthermore, in the attached Memorandum, labeled as Appendix A, Staff states its position that prior Commission cases, along with the most recent annual reports submitted by companies, adequately demonstrate that alternative local exchange telecommunications companies are

authorized to provide service in the Company's territory, although there is no evidence that any are currently providing service in the Company's territory.

4. The Company is currently compliant in obligations relating to Commission assessment, Missouri Universal Service Fund, Relay Missouri, and the submission of an annual report.

5. In the attached Memorandum, labeled Appendix A, the Staff recommends the Commission grant the following waivers:

- 392.280 Accounting (depreciation/accounts)
- 392.290 Issuance of stocks, bonds and other indebtedness
- 392.300 Transfer of property and ownership of stock
- 392.310 Approval of issuing stocks, bonds and other indebtedness
- 392.320 Certificate of Commission to be recorded stock dividends
- 392.330 Disposition of proceeds of sales of stocks, bonds, notes, and other indebtedness
- 392.340 Reorganization
- 4 CSR 240-3.550(4) and (5)(A) Held order records, Quality of service reports.
- 4 CSR 240-32.060 Engineering and maintenance
- 4 CSR 240-32.070 Quality of Service
- 4 CSR 240-32.080 Service objectives and surveillance levels
- 4 CSR 240-33.040 (1) through (3) and (5) through (10) Billing and payment standards
- 4 CSR 240-33.045 Clear identification and placement of charges on bills

WHEREFORE, Staff recommends that the Commission acknowledge the Company's election of the waivers listed in its Notice of Election for Waivers and require it to file revised tariff pages that designate the rules and statutes waived.

Respectfully submitted,



Colleen M. Dale
Senior Counsel
Missouri Bar No. 31624
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4255 (Telephone)
cully.dale@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 24th day of September, 2010.

A handwritten signature in black ink, appearing to be "All the way" or similar, written in a cursive style.

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case Nos. IE-2011-0078 IE-2011-0080 IE-2011-0083 IE-2011-0084
Company Name: Steelville Telephone Exchange, Inc.
Craw-Kan Telephone Cooperative, Inc.
Mid-Missouri Telephone Company
Oregon Farmers Mutual Telephone Company

From: Lisa Mahaney
Telecommunications Department

William Voight 9/23/10
Utility Operations Division/Date

Subject: Request for Waivers

Date: 9/23/10

Steelville Telephone Exchange, Inc., Craw-Kan Telephone Cooperative, Inc., Mid-Missouri Telephone Company, and Oregon Farmers Mutual Telephone Company (Companies), competitive local exchange telecommunications companies, filed Notice of Election for Waiver of Commission Rules and Statutes pursuant to 4 CSR 240-2.060 and Section 392.420, RSMo, as amended by House Bill 1779, effective August 28, 2008. The Commission Staff (Staff) has no objections to the requested waivers identified in the filing.

Steelville Telephone Exchange, Inc. and Craw-Kan Telephone Cooperative, Inc. request the Commission waive the following:

COMMISSION RULES

4 CSR 240-3.550 (4) and (5)(A)
4 CSR 240-32.060
4 CSR 240-32.070
4 CSR 240-32.080
4 CSR 240-33.040(1-3) and (5-10)
4 CSR 240-33.045

STATUTES

392.280
392.290
392.300
392.310
392.320
392.330
392.340

Mid-Missouri Telephone Company and Oregon Farmers Mutual Telephone Company request the Commission waive the following:

STATUTES

392.280

Staff recommends the Commission grant to Companies all of the waivers listed above and order Companies to incorporate the waivers in their tariffs.

☒ The Company is not delinquent in filing an annual report, paying the PSC assessment, MoUSF, and Relay Missouri.

☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.

(☐ No annual report ☐ Unpaid PSC assessment. Amount owed:
☐ Unpaid MoUSF ☐ Unpaid Relay Missouri)

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Amended by HB1779)

Case Nos. IE-2011-0078
IE-2011-0080
IE-2011-0083
IE-2011-0084

In the Matter of the Notice of Election of)
Mid-Missouri Telephone Company for)
Waiver of Commission Rules and Statutes)
Pursuant to Section 392.420 RSMo., as)
Amended by 2008 HB 1779)

AFFIDAVIT OF LISA MAHANEY

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Lisa Mahaney, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying memorandum, and that the facts therein are true and correct to the best of her knowledge and belief.



LISA MAHANEY

Subscribed and affirmed before me this 23rd day of September 2010.



NOTARY PUBLIC

CARLA K. SCHNIEDERS
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: August 25, 2012
Commission Number: 08533187