

James M. Fischer Larry W. Dority

## Attorneys at Law Regulatory & Governmental Consultants

101 Madison, Suite 400 Jefferson City, MO 65101 Telephone: (573) 636-6758 Fax: (573) 636-0383

November 21, 2006

## HAND-DELIVERED

Mr. Wess Henderson Executive Director Missouri Public Service Commission 200 Madison Street Jefferson City, MO 65101

RE: Case No. IR-2006-0374

Dear Mr. Henderson:

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Executive Director MO PSC

In accordance with the Stipulation and Agreement and First Amended Stipulation and Agreement ("Stipulation") and the Commission's Order Approving Stipulation and Agreement and First Amended Stipulation and Agreement entered in the above-referenced matter on May 30, 2006, FairPoint Communications Missouri, Inc. d/b/a FairPoint Communications ("FairPoint") respectfully submits the Report to the Executive Director of the Commission as contemplated in Section II, C, (4) of the Stipulation, which provides:

(4) Within one hundred and twenty (120) days after the Closing Date, the Executive Director of the Commission must receive from CassTel or FairPoint Missouri a report that shows (1) the credits issued (and payments issued in lieu thereof), and (2) the cash distributions made and (3) the amount paid to the West Central Missouri Community Action Agency. The report shall identify which part of the amount paid to the West Central Missouri Community Action Agency originated from credits and which part originated from cash distributions.

As set forth in the Notice of Closing filed by FairPoint on July 27, 2006 in Case No. TM-2006-0306, FairPoint advised the Commission that the above-referenced closing date of the subject transaction was Wednesday, July 26, 2006. Pursuant to discussions and meetings with the Staff of the Commission, FairPoint is enclosing herewith two separate checks payable to the West Central Missouri Community Action Agency ("Agency"), representing the amounts to be paid to the Agency per the Stipulation, for ultimate delivery by the Commission.

- (1) With the July 16, 2006 customer billing, CassTel issued customer credits in the amount of \$350,023.32, at \$55.48 per access line. Pursuant to Section II, C, (1) of the Stipulation, twenty-six (26) customers were issued checks in the amount of \$55.48, dated from July 19 through July 27, 2006. One check was never cashed; thus, payment was stopped resulting in the enclosed check from CassTel to the Agency in the amount of \$55.48.
- With respect to the cash distributions, in accordance with the terms of the Stipulation FairPoint issued checks to those customers identified as "Cash Distribution Qualifying Customers" on August 4, 2006, in the total amount of \$3,249,984.85 (\$520.08 per check). Checks also were sent to "Cash Distribution Qualifying Access Customers" totaling \$499,999.96.

Thereafter, based on customer initiated contacts to FairPoint, the Staff and the Office of the Public Counsel (including complaints filed with the Commission), claims regarding additional customers meeting the qualification definition of the Stipulation were investigated and, as a result, twenty-one (21) additional checks were issued to individual customers totaling \$10,921.68. (Leaving an additional amount of \$10,906.53 over and above the original stipulated cash distribution total of \$3,250,000.00.)

At the end of the 90-day period for cashing said checks (as specifically provided in the written customer notice and imprinted upon the checks), checks totaling \$17,682.74 had not been cashed. Deducting the additional amount of \$10,906.53 from the \$17,682.74, leaves a balance of \$6,776.21. Accordingly, enclosed herewith is the additional check from FairPoint to the Agency in the amount of \$6,776.21.

The additional amount of \$10,906.53 will be paid by CassTel under separate cover.

(3) The enclosed checks (from CassTel in the amount of \$55.48 and from FairPoint in the amount of \$6,776.21) totaling \$6,831.69 represent the amount paid to the West Central Missouri Community Action Agency, reflecting the amounts paid from the credits and the cash distributions, respectively.

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Mr. Wess Henderson, Executive Director

November 21, 2006

If you have any questions regarding this information, please contact me at 636-6758, Ext. 2. Thank you.

Sincerely,

arry W. Dority

Enc: (2 checks)

cc: General Counsel's Office

Office of the Public Counsel

Counsel of Record

CASS COUNTY TELEPHONE COMPANY P.O. BOX 647 • PH. 816-779-5510 PECULIAR, MO 64078

Issue Date 11/17/2006

Order of WEST CENTRAL MISSOURI COMMUNITY ACTION AGENCY

Fifty-Five and 48/100

200 N. ÖAKLAND

HARRISONVILLE, MO 64701

#D22578# #101003773# #D1011200#

CASS COUNTY TELEPHONE COMPANY 022578

oc No Invoice No 17242 11/17/2006

Invoice Date 11/17/2006

Orig Inv Amt 55.48 Transaction Amt 55.48 Unit Price 0.00 Total Amount 55.48

Description: CR REF NOT CASHED BY CUST

55.48 Contel 6,776.21 Fanjoint 10906.53 constel \$ 17,738.22 Total

anno fackson 660 476 2183

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CHECK NO. 1301007097 CHECK DATE 11/16/06

**Detach Before Depositing** 

FairPoint Communications CassTel PO Box 199 Dodge City, KS 67801 Bank of America N.A.
Allanta, Deluth County, Georgia

CUSTOMER NO.

CHECK NUMBER

CHECK NUMBER

**DATE** 11/16/06

\*\*\*\*\*\*6776.21

AY SIX THOUSAND SEVEN HUNDRED SEVENTY-SIX AND 21/100-

TO THE

ORDER OF: WEST CENTRAL MISSOURI

COMMUNITY ACTION AGENCY

المتعاد المتعاد

AUTHORIZED SIGNATURE



Phone: 816-380-3624 • Fax: 816-380-5367



November 21, 2006

**OVER NIGHT DELIVERY** 

Mr. Wess Henderson Executive Director Missouri Public Service Commission 200 Madison Street Jefferson City, MO 65101

RE: Case No. IR-2006-0374

Dear Mr. Henderson:

Per the letter from Larry W. Dority, counsel for FairPoint Communications Missouri, Inc. d/b/a FairPoint Communications, in the above-referenced matter dated November 21, please find enclosed herein a check in the amount of \$10,906.53 payable to the West Central Missouri Community Action Agency which Cass County Telephone is willing to pay. If you have any questions regarding this letter, you may contact me at (816) 380-5983.

Sincerely,

Debi Long

Chief Financial Officer

Enc: (1 check)

cc: General Counsel's Office Office of the Public Counsel

Parties of Record

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Executive Director MO PSC

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To The Order of WEST CENTRAL MISSOURI			
COMMUNITY ACTION AGENCY 200 N. OAKLAND			
HARRISONVILLE, MO 64701			) Li (7.) 2-CR
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#022579# #101003773# #01011200#

## CASS COUNTY TELEPHONE COMPANY 022579

Doc No 017243 Invoice No 11/21/06

Invoice Date 11/21/2006

Orig Inv Amt 10,906.53 Description: IR-2006-0374 STIPLTD CASH DIST

Transaction Amt 10,906.53

Unit Price 0.00 Total Amount 10,906.53