

In the Matter of the Revised Tariff Filing of)
Alma Communications Company, d/b/a Alma) **File No. _____**
Telephone Company.)

Comes now Alma Communications Company d/b/a Alma Telephone Company (“Company”), for its Motion for Expedited Treatment approving proposed 6th Revised Sheet 30-4 which would raise Company’s local rate to the minimum established by the FCC effective June 1, 2012, and hereby states the following:

1. The FCC's November 18, 2011 *USF/ICC Transformation Order*, WC Docket No. 10-90 et al., 26 FCC rcd 17663), created a minimum local rate Company had to adopt in 2012 in order to avoid losing federal USF support.

2. The *Transformation Order* was unclear as to what specific date in 2012 tariffs meeting the minimum local rate had to be made effective in order to prevent loss of USF. As the Transformation Order specified that the fiscal year in which USF support would be reduced for failure to meet the minimum began July 1, 2012, initially there was a widespread belief that July 1, 2012 was that date.

3. Company was among those that had been preparing its rate increase to be effective July 1, 2012. Customer notification and the tariff filing had been scheduled for late May, 2012.

4. On May 14, 2012, 6 months after the *Transformation Order*, the FCC issued its *Third Order on Reconsideration*, WC Docket No. 10-90, et al. The *Third Order*, at paragraphs 15-20, and at changes made to FCC rules 47 CFR 54.313 and 54.318 set forth at pages 27-29, specified an effective date for the minimum local rates of June 1, 2012. As it now stands, the minimum local rate is to be effective June 1, 2012 in order to avoid loss of USF.

5. The timing of the *Third Order*'s clarification precluded the Company from filing this proposed tariff, and providing the customer notice of this rate change any earlier. Company respectfully requests that the Commission approve the proposed tariff on an expedited basis to be effective June 1, 2012.

6. §392.220.2 RSMo authorizes the Commission, for good cause shown, to allow this rate change without requiring thirty days' notice to the Commission. There is no similar language in 392.230.5 RSMo to allow the rate change to become effective upon less than 30 days' notice to customers. Without resorting to arguments as to statutory construction, the Company proposes to resolve this tension by not billing customers the proposed rates until the July local service period, which runs from July 1 to July 31. Given the exigencies imposed by the FCC's Third Order, issued May 14 and establishing a required effective date a scant 18 days later, this appears to be the most efficient way to meet the 30 day customer notice established in Missouri statute.

6. In support of this Motion for Expedited Treatment, pursuant to 4 CSR 240-2.080(14), Company states the following:

A. Company requests that the Commission Act by entering the requested Order on or before May 31, 2012;

B. If the Commission fails to act by the date requested, Company is subject to partial loss of USF support for six months.¹

C. This Motion has been presented as quickly as possible after receipt and review of the FCC's *Third Order*.

WHEREFORE, the Company respectfully requests that, on an expedited basis, the Commission enter an Order approving the proposed tariff on an expedited basis to be effective June 1, 2012.

Respectfully submitted,

/s/Craig S. Johnson
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¹ For local rate increases effective after June 1, 2012, the *Third Order* specifies the local rates can be updated by report filed January 2, 2013.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was electronically mailed this 16th day of May, 2012 to PSC Staff and the Office of the Public Counsel.

/s/Craig S. Johnson
Craig S. Johnson