

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Application of)
McLeodUSA Telecommunications, Inc.) File No.
for Waiver of Certain Commission)
Rules and Statutes.)

**APPLICATION OF McLEODUSA TELECOMMUNICATIONS, INC.
FOR WAIVER OF CERTAIN COMMISSION RULES AND STATUTES**

COMES NOW McLeodUSA Telecommunications, Inc. ("McLeodUSA"), by its undersigned Counsel, pursuant to Section 392.420 R.S.Mo. and 4 CSR 240-2.060, and hereby requests that the Missouri Public Service Commission ("Commission") issue an order waiving certain Commission rules and statutes.

In support of its application McLeodUSA states to the Commission as follows:

1. Name and Address: Applicant's legal name is McLeodUSA Telecommunications, Inc.

McLeodUSA maintains its principal place of business at:

12400 Olive Blvd., Suite 430
St. Louis, Missouri 63141
Telephone Number: 636-537-5743
Facsimile: 330-486-3690

2. Contact Persons: All inquiries, correspondence, communications, pleadings, notices, orders, and decisions relating to this Application should be directed to:

Edward J. Cadieux
Director/Regulatory Counsel
12400 Olive Blvd., Suite 430
Saint Louis, Missouri 63141
Telephone: (636) 537-5743
Facsimile: (330) 486-3690
email: Edward.Cadieux@windstream.com

3. Corporate Structure: McLeodUSA is an Iowa corporation authorized to conduct business within the State of Missouri. A copy of its Certificate of Good Standing is attached hereto and incorporated herein by reference as **Exhibit 1**. Further, McLeodUSA is a Competitive Local Exchange Carrier (“CLEC”) authorized by the Commission to provide basic local exchange services and long distance.

4. Classification of Services as Competitive: By previous orders the Commission has classified McLeodUSA and its services as competitive.

5. Waiver of Rules and Statutes: The Commission has previously waived certain statutes and regulations as to McLeodUSA, but because of the passage of time, the list is not as comprehensive as would be consistent with current Commission practices. Pursuant to Section 392.420 R.S.Mo. [see also Section 392.245.5(8), which provides good cause for this request], McLeodUSA requests that the following statutes and regulations be waived:

<u>Statutes</u>	<u>Missouri Public Service Commission Rules</u>
392.210.2	4 CSR 240-3.550(4) and (5)(A)
392.240.1	4 CSR 240-10.020
392.270	4 CSR 240-30.040
392.280	4 CSR 240-32.060
392.290	4 CSR 240-32.070
392.300	4 CSR 240-32.080
392.310	4 CSR 240-33-.040 [except subsection (4)]
392.320	4 CSR 240-33.045
392.330	4 CSR 240-33.080(1)
392.340	4 CSR 240.33.130(1), (4) and (5)

In addition to the waiver of the aforesaid rules and statutes, McLeodUSA further requests that the Commission waive rule 4 CSR 240-32.050(4)(B) to the extent that it approved wavier of said Rule in connection with Southwestern Bell Telephone Company d/b/a AT&T Missouri’s

Application for Waiver of the General Distribution Requirement of White Pages Directories Under Rule 4 CSR-32.050(4)(B) (File No. IE-2009-0357). No public utility will be affected by the requested wavier of these statutes and regulations.

6. Pending Actions: McLeodUSA does not have any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or customer rates, which action, judgment, or decision has occurred within three years of the date of this Application.

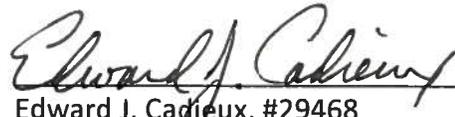
7. Compliance with Orders and Regulations: McLeodUSA will comply with all applicable orders and regulations of the Commission.

8. Annual Reports and Fees: McLeodUSA does not have any overdue annual reports or assessment fees.

9. Exemption from Rule 4.020(2) Advance Notice Requirement: Based on the course of prior similar applications, McLeodUSA does not anticipate that this matter will be a contested case. However, in the alternative McLeodUSA requests a waiver of the 60-day advance notice requirement of Rule 4.020(2) for good cause on the grounds that the purpose of such notice requirement will not likely have any bearing on this proceeding, as no advance communications with the Commission are likely to occur.

WHEREFORE, McLeodUSA respectfully requests that the Commission issue an Order to grant waiver of the identified statutes and regulations, including a waiver of 4 CSR 240-32.050(4)(B) to the extent it granted such waiver to AT&T Missouri in File No. IE-2009-0357, and grant such other and further relief to McLeodUSA as the Commission deems meet and proper.

Respectfully submitted,

A handwritten signature in black ink that reads "Edward J. Cadieux". The signature is written in a cursive style with a horizontal line drawn through the middle of the name.

Edward J. Cadieux, #29468

Director/Regulatory Counsel

Windstream Communications, Inc.

12400 Olive Blvd., Suite 430

Saint Louis, Missouri 63141

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Facsimile: (330) 486-3690

Email: Edward.Cadieux@windstream.com

Attorney for McLeodUSA Telecommunications, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the parties listed below on this 21st day of May, 2012, by either e-mail or U.S. Mail, postage prepaid.


Edward J. Cadieux

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EXHIBIT 1

STATE OF MISSOURI



Robin Carnahan
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.

using in Missouri the name

MCLEODUSA TELECOMMUNICATIONS SERVICES, INC.

F00422362

a IOWA entity was created under the laws of this State on the 13th day of February, 1996, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 15th day of May, 2012

A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State

