

## BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Application of Big	)	
River Telephone Company, LLC to	)	
Expand its Certificate of Basic Local	)	Case No. TA-2007-0093
Service Authority to Include Provision	)	
of Basic Local Exchange	)	
Telecommunications Services in the	)	
Exchanges of BPS Telephone Company	)	
and to Continue to Classify the	)	
Company and its Services as Competitive.	)	

### ISSUES LIST

COMES NOW Big River Telephone Company, LLC ("Big River") pursuant to Commission Order and 4 CSR 240.080 and with consent of the parties in this proceeding hereby files the following Issues List:

**Issue 1.** Section 392.450.1 states that an applicant for a certificate of service authority to provide basic local telecommunications service must show that it has complied with the certification process established pursuant to Section 392.455, which in turn sets out several requirements for an applicant to meet before a certificate can be granted. An applicant seeking a certificate of service authority to provide basic local telecommunications service in an area served by a small incumbent local exchange telecommunications company such as BPS also must comply with the provisions of Section 392.451 in order for the Commission to approve its application. Pursuant to these statutes the Commission has promulgated 4 CSR 240-3.510 setting out the requirements for an application for certificate of basic local service authority. Has Big River demonstrated that it meets all of the applicable requirements of Sections 392.450, 392.451, and 392.455 and 4 CSR 240-3.510, such that the Commission should approve its application to expand its area of basic local service authority to include the BPS exchanges?

**Issue 2.** In its Application, Big River has requested that the company and the services it proposes to offer in the BPS service area be classified as competitive under Section 392.361. Section 392.451 states that the Commission shall adopt rules requiring applicants to “comply with all of the same rules and regulations as the commission may impose on the incumbent local exchange telecommunications company with which the applicant seeks to compete.” Is Big River’s request to continue to be classified as competitive and to designate the services it proposes to offer in the BPS service area as competitive services permissible under Section 392.451, such that the Commission should grant the requested continued classification?

**Issue 3.** In its application for a certificate of service authority, Big River has requested that the Commission waive certain statutory provisions and rules that have been waived for other applicants requesting competitive local exchange authority pursuant to Section 392.361. Section 392.451 states that the Commission shall adopt rules requiring applicants to “comply with all of the same rules and regulations as the commission may impose on the incumbent local exchange telecommunications company with which the applicant seeks to compete.” Is Big River’s request for waivers of statutes and rules relative to providing service in BPS exchanges permissible under Section 392.451, such that the Commission should grant the requested waivers?

Respectfully submitted,

/s/ Carl J. Lumley

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I hereby certify that a true and correct copy of this document was emailed to the parties listed below on this 26th day of January, 2007.

/s/ Carl J. Lumley

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