

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 26th day of
April, 2005.

In the Matter of Northeast Missouri)	
Rural Telephone Company Request)	<u>Case No. IE-2005-0347</u>
for Waiver of Compliance with the)	Tariff File No. JI-2005-0851
Requirement of 4 CSR 240-31.065(1))	

ORDER GRANTING WAIVER AND APPROVING TARIFFS

On April 1, 2005, Northeast Missouri Rural Telephone Company filed an application for a waiver along with tariff sheets designed to add provisions for low-income assistance and disabled assistance through the Missouri Universal Service Fund. The tariff sheets bear an effective date of May 1, 2005. Northeast Missouri Rural Telephone requests a waiver of 4 CSR 240-31.065, which, if not waived, would require Northeast Missouri Rural Telephone to collect its Universal Service Fund assessment through an explicit surcharge. Northeast Missouri Rural Telephone asserts that the administrative cost and burden of passing the surcharge through to its customers is likely to be greater than the amount collected from its customers.

On April 19, 2005, the Staff of the Commission filed its recommendation concerning the waiver request and the tariff sheets. Staff states that, since the cost of implementing a surcharge is likely to be greater than the amounts to be collected, Northeast Missouri Rural Telephone has demonstrated good cause to waive 4 CSR 240-31.065. Staff also recommended approval of the tariff sheets. The Commission agrees with Staff that Northeast Missouri Rural Telephone has demonstrated good cause. Although a surcharge is

mandatory under normal circumstances, the Commission will not require a company to implement one if it would be likely to create more costs than it collects. The Commission will grant the waiver and approve the tariffs.

IT IS THEREFORE ORDERED:

1. That the application for waiver filed by Northeast Missouri Rural Telephone Company on April 1, 2005, is granted.

2. That the following tariff sheets, Tariff File No. JI-2005-0851, filed on April 1, 2005, by Northeast Missouri Rural Telephone Company are approved for service on and after May 1, 2005:

P.S.C. Mo. No. 2

First Revised Sheet No. 4-33 Replacing Original Sheet 4-33
First Revised Sheet No. 4-34 Replacing Original Sheet 4-34
First Revised Sheet No. 4-35 Replacing Original Sheet 4-35
First Revised Sheet No. 4-36 Replacing Original Sheet 4-36
First Revised Sheet No. 4-37 Replacing Original Sheet 4-37
Third Revised Sheet No. 4-38 Replacing Original Sheet 4-38
Original Sheet 4-39
Original Sheet 4-40

3. That this order shall become effective on May 1, 2005.

4. That this case may be closed on May 2, 2005.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Davis, Chm., Clayton and Appling, CC., concur
Gaw, C., concurs with concurring opinion to follow
Murray, C., absent

Mills, Deputy Chief Regulatory Law Judge