

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Notice of Election,)	
And Request for Waiver by)	
Chariton Valley Telecom Corporation)	
of Commission Rules and)	Case No. _____
Statutes Pursuant to Section 392.420)	
RSMo., as Amended by 2008 HB 1779.)	

Notice of Election, Request for Waiver of Commission Rules and Statutes
Chariton Valley Telecom Corporation

Comes now Chariton Valley Telecom Corporation, hereinafter “Company”, and hereby notifies the Missouri Public Service Commission of its election for waiver of certain Commission rules and statutory provisions, and its request for waiver of certain Commission rules and statutory provisions. In support of this Notice and Request, Company states as follows:

1. Company is a Missouri corporation duly authorized to conduct business in Missouri, with its principal office located at 1213 E. Briggs Drive, P.O. Box 67, Macon, Missouri, 63552. Company is an alternative “local exchange telecommunications company” or “competitive local exchange company”, also referred to as a “CLEC”, and is duly authorized to provide “telecommunications service” within the State of Missouri as each of those terms is defined in Section 386.020, RSMo 2000.¹

¹ Section 386.020, RSMo, as revised by House Bill 1779, effective August 28, 2008.

2. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to the following counsel for Company:

Craig S. Johnson, Of Counsel
Berry Wilson, LLC
MoBar # 28179
304 E. High St., Suite 100
P.O. Box 1606
Jefferson City, MO 65102
(573) 638-7272
(573) 638-2693 FAX
craigsjohnson@berrywilsonlaw.com

3. All correspondence, communications, and orders and decisions of the Commission issued in this matter should be sent to the following representative of the Company:

James Simon
General Manager
Chariton Valley Telecom Corporation
1213 E. Briggs Drive
P.O. Box 67
Macon, Missouri 63552
(660) 395-9600
(660) 395-4403 FAX

4. Company has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application. No Missouri annual reports or assessment fees are overdue.

5. Section 392.420 RSMo, as revised by HB 1779 and effective on August 28, 2008, states in relevant part:

In the case of an application for certificate of service authority to provide basic local telecommunications service filed by an alternative local exchange telecommunications company, and for all existing alternative local exchange telecommunications companies, the commission shall waive, at a minimum, the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340.

(emphasis added).

6. Under Section 392.420 RSMo, Company is entitled to waiver of certain statutes and Commission rules as a result of the enactment of 2008 HB 1779. Company competes with incumbent Spectra Communications Group, LLC, d/b/a Centurytel. Incumbent Spectra has obtained waivers of statutes and Commission rules pursuant to 2008 HB 1779 by order of November 3, 2008 in IE-2009-0880.

7. Company hereby exercises its statutory right to elect to opt into the waiver of the application and enforcement of some, but not all, of the quality of service and billing standards rules and the statutory sections listed in §392.420 RSMo.

8. As a competitive company, Company has already been granted waiver of the following statutes and Commission rules, as set forth in Company's Tariff, PSC Mo. No. 1, Section 3, Original Sheet 1:

Statutes:

392.210.2 Uniform System of Accounts

392.240.1 Rates-Rentals-Service & Physical Connections

392.270 Valuation of Property (ratemaking)

392.280 Depreciation Accounts

392.290 Issuance of Securities

- 392.300.2 Acquisition of Stock
- 392.310 Stock and Debt Issuance
- 392.320 Stock Dividend Payment
- 392.330 Issuance of Securities, Debts, and Notes
- 392.340 Reorganization

Commission Rules:

- 4 CSR 240-10.020 Depreciation Fund Income
- 4 CSR 240-30.010(2) (C) Posting of Tariffs
- 4 CSR 240-30.0040 Uniform System of Accounts
- 4 CSR 240-32.030 (4) (C) Exchange Boundary Maps
- 4 CSR 240-33.030 Minimum Charges
- 4 CSR 240-35 Reporting of Bypass and Customer-Spec Arrgmts

9. Company's historically obtained waivers do not include the current "standard" waivers for ILECs. Company hereby elects or requests to have waived the following additional statutes and Commission rules in order to have, at a minimum, the standard waivers:

Statutes:

- 392.300 transfer of property and ownership of stock (only susbs 2 now waived)

Commission Rules:

- 4 CSR 240-3.550 (4) and (5)(A), held order records, quality of service reports;
- 4 CSR 240-32.060, engineering and maintenance;
- 4 CSR 240-32.070, quality of service;

4 CSR 240-32.080, service objectives and surveillance levels;

4 CSR 240-33.040(1) through (3) and (5) through (10), billing and payment standards;

4 CSR 240-33.045, clear identification and placement of charges on bills;

10. Section 392.245(8) RSMO provides that:

“all alternative local exchange telecommunications companies shall not be required to comply with customer billing rules, network engineering and maintenance rules, and rules requiring the recording and submitting of service objectives or surveillance levels established by the commission”.

11. Section 392.245 RSMO provides that:

“for all existing alternative local exchange telecommunications companies, the commission shall waive, **at a minimum**, the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340.” (emphasis added)

12. Pursuant to Sections 392.245(8) and 392.245 RSMO, Company hereby requests that, in addition to the waivers elected or requested in paragraph 9 above, that the Commission also grant Company waiver from compliance with the following rules found in 4 CSR 240:

Chapter 2:

2.065(2), tariff filing timelines

Chapter 3:

3.520, asset transfer requirements

3.525, merger requirements

3.535, utility stock purchase requirements

3.545, tariff filing intervals

3.550, records and reports, including outage reports

Chapter 30:

30.020, underground residential systems

Chapter 32:

32.040, metering, inspections, and testing

32.050, customer service, access to personnel, directory requirements

Chapter 33:

33.040, billing and payment standards residential customers

33.045, surcharge billing requirements

33.060, customer inquiry requirements

33.070, discontinuance of service requirements

33.080, customer dispute requirements

33.090, residential settlement agreements re bill payments

33.130, operator service requirements

WHEREFORE, Company hereby requests that the Commission enter an order granting Company the additional waivers set forth in paragraphs 9 and 12.

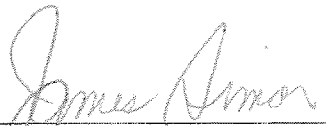
Respectfully Submitted;

/s/
Craig S. Johnson, Atty.
Mo Bar # 28179
1648-A East Elm St.
Jefferson City, MO 65101
(573) 632-1900
(573) 634-6018 (fax)
craig@csjohnsonlaw.com
Attorney for Company

VERIFICATION

STATE OF MISSOURI)
) ss
COUNTY OF MACON)

I, James Simon, General Manager of Chariton Valley Telecom Corporation,
hereby verify and affirm that I have read the foregoing Notice of Election and Request
for Waiver of Commission rules and of Statutes, and that the statements contained therein
are true and correct to the best of my information and belief.

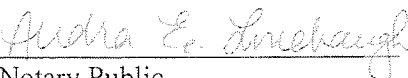


James Simon

Subscribed and sworn to before me this 10 th day of December, 2008.



AUDRA E. LINEBAUGH
My Commission Expires
May 27, 2010
Chariton County
Commission #06434277



Notary Public

My commission expires: May 27, 2010

CERTIFICATE OF SERVICE

A copy of this document was served on the following parties by e-mail on this 10th day of December, 2008, to:

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
gencounsel@psc.mo.gov

Mike Dandino
Office of Public Counsel
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

_____/s/_____
Craig S. Johnson