

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the matter of the Application of The	)	
Hamilton Telephone Company for Certificate	)	
of Service Authority as an Interexchange	)	
and Non-Switched Local Exchange	)	Case No. _____
Telecommunications Service Carrier to Provide	)	
Telecommunication Relay Services	)	
throughout the State of Missouri	)	

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY AS AN  
INTEREXCHANGE AND NON-SWITCHED LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICE CARRIER TO  
PROVIDE TELECOMMUNICATION RELAY SERVICES THROUHOUT  
MISSOURI**

Comes now The Hamilton Telephone Company, ("Hamilton" or "Applicant"), pursuant to Sections 392.361, 392.410, 392.420, 392.430, 392.440, and 392.470, RSMo, and 4 CSR 240-2.060 and 240-3.510, and in support of its Application for a certificate of service authority as an interexchange and non-switched local exchange telecommunications service carrier to provide telecommunication relay services throughout the State of Missouri and to classify said services as competitive, states to the Missouri Public Service Commission ("Commission") as follows:

1. Hamilton is a corporation duly organized and existing under and by virtue of the laws of Nebraska. Its headquarters and principal place of business are located at 1001 12<sup>th</sup> Street, Aurora, NE 68818, and its telephone number is (402) 694-5101. A copy of the Applicant's Certificate of Good Standing from the Nebraska Secretary of State's Office is attached as Appendix A. A copy of its Certificate of Registration to do business in Missouri is attached as Appendix B. A summary of Hamilton's senior

managerial and industry experience demonstrating that Hamilton possesses the managerial and technical expertise to provide the services it proposes is attached as Appendix C.

2. All inquiries, correspondence, communications, pleadings, notices, orders, and decisions relating to the case should be addressed to:

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and:

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Hamilton Telecommunications  
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3. Hamilton provides telecommunication relay services (TRS). Specifically, Hamilton intends to provide Missouri Telecommunication Relay Services throughout the entire state of Missouri pursuant to a contract with the Missouri Public Service Commission if awarded the contract by the Commission. Hamilton's certification as an interexchange and non-switched local exchange telecommunications service carrier in Missouri will allow Hamilton to bid to provide TRS in Missouri, providing the relay users and citizens of Missouri and the Commission with another option to choose for

provision of TRS for the State's citizens. Therefore, Hamilton's certification in the State of Missouri is in the public interest.

4. Hamilton seeks Commission certification to provide telecommunications relay services throughout Missouri. Specifically, Hamilton seeks authority as an interexchange and non-switched local exchange telecommunications service carrier to offer and provide telecommunication relay services, pursuant to Sections 392.430, 392.440, and 392.470, RSMo.

5. The Commission may grant Hamilton a certificate of service authority as an interexchange and non-switched local exchange telecommunications service carrier to provide telecommunication relay services (TRS) if the Commission finds such authority to be in the public interest. Approval of this Application will serve the public interest because Hamilton's proposed services are consistent with the public interest and with the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Approval of this Application will expand the availability of innovative, high quality, and reliable telecommunications relay services within the State of Missouri.

6. Hamilton is a competitive provider of TRS in a number of states across the country, and Hamilton thus seeks classification of itself and its services as competitive. Applicant submits that the services it provides are subject to sufficient competition to justify competitive classification and promote the public interest. See Section 392.361. Expeditious grant of this Application will further competition and allow Hamilton to compete with other TRS bidders, consistent with the Commission's policies and the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Applicant submits that the public interest will be served by Commission

approval of this application because Applicant's proposed services will create and enhance competition and expand customer service options. Approval will also expand the availability of innovative, high quality, and reliable telecommunications services within the state of Missouri. Accordingly, all of the services which Hamilton proposes to provide should be designated as competitive, and Hamilton should be designated as a competitive telecommunications company.

7. Hamilton will not unjustly discriminate among its customers as is prohibited by Section 392.200 RSMo. Applicant is willing to comply with all applicable Commission rules, except those which are specifically waived by the Commission. Consistent with the Commission's treatment of other certificated interexchange telecommunication carriers, Hamilton requests that the following statutes and regulations be waived for Hamilton with respect to its interexchange service offerings, pursuant to Sections 392.361.5 and 392.420, RSMo:

Statutes:

- 392.210.2 Accounting requirements (system of accounts)
- 392.240.1 Reasonableness of rates
- 392.270 Accounting requirements (valuation of property)
- 392.280 Accounting requirements (depreciation rates/accounts)
- 392.290 Issuance of stocks, bonds and other indebtedness
- 392.300 Transfer of property and ownership of stock
- 392.310 Approval of issuing stocks, bonds and other indebtedness
- 392.320 Certificate of Commission to be recorded-stock dividends
- 392.330 Accounting requirements (proceeds of sales of stock, bonds, notes)
- 392.340 Company reorganization

Rules:

- 4 CSR 240-3.520 Applications to sell or transfer assets
- 4 CSR 240-3.525 Applications to merge or consolidate
- 4 CSR 240-3.530 Applications to issue stocks, obtain loans
- 4 CSR 240-3.535 Applications to acquire stock
- 4 CSR 240-3.545(8)(C) Listing of Waivers in Tariff

- 4 CSR 240-3.550 Telco Records and Reports (except (5)(B), (D) and (E))
- 4 CSR 240-3.555 Residential Customer Inquiries
- 4 CSR 240-3.560 Procedure for Ceasing Operations
- 4 CSR 240-10.020 Depreciation Records
- 4 CSR 240-30.020 Residential Telephone Underground Systems
- 4 CSR 240-30.040 Uniform System of Accounts
- 4 CSR 240-32.010 General Provisions
- 4 CSR 240-32.040 Metering, Inspections and Tests
- 4 CSR 240-32.050 Customer Services
- 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 240-32.090 Connection of equipment and Inside Wiring
- 4 CSR 240-32.100 Provision of Basic Local and Interexchange Services
- 4 CSR 240-32.130-170 Prepaid Calling Cards (except 32.140 and 32.150(1))
- 4 CSR 240-32.180-190 Caller ID blocking requirements
- 4 CSR 240-33.010 Service and Billing Practice General Provisions
- 4 CSR 240-33.040 Billing and Payment standards
- 4 CSR 240-33.045 Clear identification and placement of charges on bills
- 4 CSR 240-33.050 Deposits
- 4 CSR 240-33.060 Residential Customer Inquiries
- 4 CSR 240-33.070 Discontinuance of service
- 4 CSR 240-33.080 Disputes by Residential Customers
- 4 CSR 240-33.090 Settlement agreements with residential customers
- 4 CSR 240-33.130 Operator service requirements
- 4 CSR 240-33.140 Payphone requirements (except (2))
- 4 CSR 240-33.150 "Anti-slamming" requirements
- 4 CSR 240-33.160 Customer Proprietary Network Information

8. Hamilton does not have any pending action or final unsatisfied judgment or decisions against it from any state or federal agency or court which involves customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of application.

9. Hamilton does not have any overdue annual reports or assessment fees.

10. Hamilton possesses the necessary financial resources to provide the requested services.

11. Applicant requests a temporary waiver of 4 CSR 240-3.510(1)(C), which requires that an application for a certificate of service authority as an interexchange telecommunications carrier to provide telecommunications services shall include a proposed tariff with a 45-day effective date, but allows applicants the option of postponing tariff submittal. Applicant will file a tariff in a manner consistent with the Commission's practices in similar cases before providing service.

WHEREFORE, applicant The Hamilton Telephone Company respectfully requests that the Commission grant it a certificate of service authority as an intrastate interexchange and non-switched local exchange telecommunications service carrier to provide telecommunication relay services as herein requested, grant competitive status to Applicant and Applicant's requested services, grant a waiver of the aforesaid statutes and regulations set forth in this Application, and grant such other relief as the Commission deems appropriate.

Respectfully submitted,

/s/ Brian McCartney

Brian T. McCartney                      Mo. Bar 47788  
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Attorneys for The Hamilton Telephone Company

**Certificate of Service**

I hereby certify that a true and correct copy of the above and foregoing document was sent by electronic submission, hand-delivered or sent by U.S. Mail, postage prepaid, this 12<sup>th</sup> day of April, 2012 to:

Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

**Brian T. McCartney**

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