

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

In the Matter of the Notice of Election for)
 Waiver of Commission Rules and Statutes) **Case No. TE-2011-0160**
 Pursuant to Section 392.420, RSMo, as)
 Amended by HB 1779)

ORDER GRANTING WAIVERS

Issue Date: December 23, 2010

Effective Date: December 23, 2010

Section 392.420, RSMo, as amended by H.B. 1779, states in part that:

“Notwithstanding any other provision of law in this chapter and chapter 386, RSMo, where an alternative local exchange telecommunications company is authorized to provide local exchange telecommunications services in an incumbent local exchange telecommunications company’s authorized service area, the incumbent local exchange telecommunications company may opt into all or some of the above-listed statutory and commission rule waivers by filing a notice of election with the commission that specifies which waivers are elected.”

On December 1, 2010, Lathrop Telephone Company (Lathrop or the Company) filed a notice with the Missouri Public Service Commission (“Commission”) that it elects certain waivers or rules and statutory provisions pursuant to Section 392.420, RSMo (Supp. 2009).

On December 15, 2010, the Commission Staff submitted its memorandum concerning the application. It noted that:

1. The Company is an incumbent local exchange telecommunications company as that term is used in Section 392.420.

2. The Company is currently compliant in obligations relating to Commission assessment, Missouri Universal Service Fund, Relay Missouri, and the submission of an annual report.

The Company noted that alternative local exchange telecommunications companies had been granted certificates in its service area in Commission Case Numbers TA-2009-0083 and TA-2009-0108. The waivers requested by the Company are:

- 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 Disposition of Proceeds of Sales of Stocks, Bonds, Notes and Other Indebtedness
- 392.340 Reorganization

The Staff recommends that the Commission acknowledge the elected waivers and require Lathrop to submit revised tariffs reflecting the waivers.

Based on the requirements of Section 392.420 and 392.245.5(8) and the verified application and Staff recommendation, the Commission finds that the waivers are consistent with the provisions and purposes of Chapter 392, RSMo. Therefore, the Commission shall grant the requested waivers.

THE COMMISSION ORDERS THAT:

1. Lathrop Telephone Company's Notice of Election for Waiver of the above-listed provisions is granted.
2. Lathrop Telephone Company shall amend its tariff currently filed with the Commission to reflect the granted waivers.

3. This order is effective upon issuance, after which this case may be closed.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name and title.

Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
On this 23rd day of December, 2010.