

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

In the Matter of Southwestern Bell)
Telephone, L.P. d/b/a AT&T Missouri's)
Request for a Waiver/Variance of Section)
47 CSR 240-33.150)

Case No. TE-2007-0313

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and for its recommendation states:

1. On February 23, 2007, Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri, an incumbent local exchange telecommunications carrier, filed a request for waiver or variance of the subscriber carrier selection and verification requirements contained in 4 CSR 240-33.150. The company also requested expedited treatment.

2. As noted correctly in the company's application, the Commission's rules provide that a telecommunications company may request, and the Commission may grant, a waiver of its rules at 4 CSR 240-2.060(4) and 4 CSR 240-33.100, provided the applicant fulfills certain requirements. In the attached Memorandum, labeled Appendix A, the Staff recounts these requirements, and the company has complied with the rule's filing requirements to seek obtain a waiver.

3. The company has sought waivers or variances from the Commission's rules at 4 CSR 240-33.150(2) (governing changes in subscriber selections) and (3) (governing verifications of orders for telecommunications services), and in the attached Memorandum, Staff indicates it has no objection to the relief requested by the company.

WHEREFORE, the Staff recommends that the Commission approve the company's application.

Respectfully submitted,

/s/ David A. Meyer

David A. Meyer

Senior Counsel

Mo. Bar. No. 46620

Attorney for the Staff of the
Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-8706 (Telephone)

(573) 751-9285 (Fax)

e-mail: david.meyer@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 9th of March 2007.

/s/ David Meyer

M E M O R A N D U M

To: Missouri Public Service Commission Official Case File
Case No: TE-2007-0313

From: Applicant: Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri
Sara Buyak
Telecommunications Department
William Voight 3-7-07 David A. Meyer 3-9-07
Utility Operations Division/Date General Counsel's Office/Date

Subject: Staff Recommendation for Approval Waiver/Variance and Request For Expedited Treatment

Date: March 7, 2007

SUMMARY: Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri d/b/a AT&T Missouri (AT&T Missouri) has requested that the Commission approve their Application for a Waiver/Variance of the subscriber carrier selection and verification requirements contained in 4 CSR 240-33.150. This memorandum recommends approval of AT&T Missouri's request.

BACKGROUND: On February 23, 2007, AT&T Missouri, an incumbent local exchange telecommunications carrier, filed a request for Waiver/Variance under Sections 4 CSR 240-2.060(4) and 4 CSR 240-33.100 of the subscriber carrier selection and verification requirements contained in 4 CSR 240-33.150. AT&T Missouri requested expedited treatment.

Sections 4 CSR 240-2.060(4) of the Commission's rule states Applications shall contain:

1. Specific rule from which the variance or waiver is sought;
2. Reasons for variance or waiver, and;
3. Name of utility affected by variance or waiver.

Sections 4 CSR 240-33.100 of the Commission's rule states Applications shall contain:

1. Any telecommunications carrier may request authority for a variance;
2. A variance request shall be filed with the Commission, and;
3. Any variance granted shall be reflected in the tariff.

Sections 4 CSR 240-33.150 of the Commission's rule states:

1. A telecommunications carrier shall obtain authorization from a subscriber;
2. Notify all subscribers with a customer notice, and;
3. Notify all subscribers of the right to switch to another telecommunications carrier.

AT&T Communications, a competitive local exchange telecommunications carrier, will cease providing local exchange telecommunications service to approximately 12,000 local residential customers in Missouri. AT&T will make its residential local exchange services available to them.

Customers are offered three options:

1. Call AT&T Missouri to select your new plan
2. Customers have the right to select another local telephone service provider
3. If the customer does not choose a new provider they will automatically be transferred from AT&T Communications to AT&T Missouri

The Missouri Public Service Commission Staff (Staff) reviewed the customer notification and finds it acceptable.

RECOMMENDATION: The Staff recommends approval of AT&T's application. Staff is unaware of any other filing that may affect or be affected by this filing.

☒ **The Company is not delinquent in filing an annual report and paying the PSC assessment.**

☐ **The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.**

(☐ No annual report ☐ Unpaid PSC assessment. Amount owed: _____)

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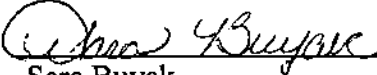
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AFFIDAVIT OF Sara Buyak

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

Sara Buyak, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying staff recommendation, and that the facts therein are true and correct to the best of her knowledge and belief.


Sara Buyak

Subscribed and affirmed before me this 8th day of March 2007.
I am commissioned as a notary public within the County of Callaway,
State of Missouri and my commission expires on 9-21-10



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086


NOTARY PUBLIC