

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

In the Matter of the Petition for Waiver )  
of Certain Rules and Statutes on ) **File No. XE-2011-0154**  
behalf of Zone Telecom, Inc. ) Tariff No. YX-2011-0269

## ORDER GRANTING WAIVERS

Issue Date: December 21, 2010

Effective Date: December 29, 2010

On August 28, 2008, House Bill 1779 became effective, modifying §392.420, RSMo 2000 (Supp. 2009), so that it now provides, in pertinent part:

The commission is authorized, in connection with ... a certificate of interexchange ... service authority ... to entertain a petition to suspend or modify the application of its rules or the application of any statutory provision contained in sections 392.200 to 392.340 if such waiver or modification is otherwise consistent with the other provisions of sections 392.361 to 392.520 and the purposes of this chapter.

On November 29, 2010, Zone Telecom, Inc. (“Zone”) filed a petition with the Missouri Public Service Commission (“Commission”) that the Commission waive certain rules and statutory provisions pursuant to Section 392.420, RSMo (Supp 2009). Zone also submitted a tariff filing to identify these waivers. That tariff filing has been assigned Tariff File No. YX-2011-0269 and bears a proposed effective date of December 29, 2010.

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

1. The company is an interexchange 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 waivers requested by the Company are:

4 CSR 240-3.550 (4) and (5)(A) Held order records and 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  
4 CSR 240-33.080 (1) Toll-free number for billing disputes on bills  
4 CSR 240-33.130 (1), (4) and (5) Operator service billing requirements

392.210.2 Accounting (system of accounts)  
392.240.1 Rates  
392.270 Accounting (valuation)  
392.280 Accounting (depreciation/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 Disposition of proceeds of sales of stocks, bonds, notes, and other indebtedness  
392.340 Reorganization

The Staff recommends that the Commission grant the requested waivers and either approve or allow the tariff listing these waivers to take effect by operation of law.

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 and allow the compliance tariff to become effective by operation of law.

**THE COMMISSION ORDERS THAT:**

1. Zone Telecom, Inc.'s Requests for Waiver of the above-listed provisions are granted.
2. This order shall become effective December 29, 2010.
3. This file may be closed December 30, 2010.

**BY THE COMMISSION**



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 21st day of December, 2010.