

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

In the Matter of the Application of Global )	
Tel*Link Corporation for Waiver of )	<b>File No. XE-2010-0247</b>
Commission Rules and Statutes )	Tariff No. YX-2010-0557

**STAFF RECOMMENDATION**

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

1. On February 26, 2010, Global Tel\*Link Corporation (the “Company”), filed an application for waiver of certain Commission rules and statutes, requesting that the Commission waive certain rules and statutory provisions pursuant to §392.420 RSMo Supp. 2008 and a proposed tariff listing the requested waivers.

2. Section 392.420, as amended by H.B. 1779, states in relevant part that

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.

3. Section 392.245.5(8) does provide, however, that the Commission shall retain the authority to hear and resolve customer complaints based upon certain federal regulations and standards, the company’s tariff, or Commission rules “other than those related to customer billing, network engineering and maintenance, and service objectives and surveillance levels or a failure to provide service in a manner that is safe, adequate, usual and customary in the telecommunications industry.”

4. In addition to that retention of authority, the Staff notes that these waivers do not relieve the Company of any reporting or other obligations that arise from a source other than the waived rules or statutory provisions, such as undertakings made in a Stipulation or Agreement or as a merger or other condition.

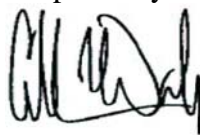
5. The Company is an interexchange telecommunications company as that term is used in the statutory provisions recited above. In the attached Memorandum, labeled Appendix A, the Staff recommends the Commission grant the following waivers:

- 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
- 392.300.1 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
- 4 CSR 240-3.550(4) and (5)(A) Held order records, Quality of service reports.
- 4 CSR 240-10.020 Income on Depreciation Fund Investments
- 4 CSR 240-30.040 Uniform System of Accounts
- 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
- 4 CSR 240-33.130 (1), (4), and (5) Operator service billing requirements

6. The Company is currently compliant in obligations relating to Commission assessment, Missouri Universal Service Fund, Relay Missouri, and the submission annual reports.

WHEREFORE, the Staff recommends that the Commission grant the Company the waivers requested in its Application and either approve the accompanying tariff or allow it to become effective by operation of law.

Respectfully submitted,



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Attorney for the Staff of the  
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### **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 11<sup>th</sup> day of March, 2010.

A handwritten signature in black ink, appearing to be "Allan D. [unclear]", written in a cursive style.

# M E M O R A N D U M

To: Missouri Public Service Commission Official Case File  
Case No. XE-2010-0247 File No. YX-2010-0557  
Company Name: Global Tel\*Link Corporation

From: Sara Buyak  
Telecommunications Department

William Voight 3/11/10  
Utility Operations Division/Date

Subject: Staff Recommendation to Approve Global Tel\*Link Corporation's Request for Waivers.

Date: March 10, 2010

On February 26, 2010, Global Tel\*Link Corporation (Global) filed a Petition For Waiver of Commission Rules and Statutes and tariff sheet, PSC Mo. No. 2, 1<sup>st</sup> Revised Page 1, to exempt Global from certain statutory requirements and Commission rules. The requested waivers and a brief description of each are as follows:

Commission Rules (4CSR 240 - )	Brief Description
3.550(4) and (5)(A)	Held order records, Quality of service reports.
10.020*	Income on Depreciation Fund Investments
30.040*	Uniform System of Accounts
32.060	Engineering and maintenance
32.070	Quality of Service
32.080	Service objectives and surveillance levels
33.040(1) through (3) and (5) through (10)	Billing and payment standards
33.045	Clear identification and placement of charges on bills
33.080(1)	Toll-free number for billing disputes
33.130, sections (1), (4) and (5)	Operator service billing requirements

Missouri Statutes	Brief description of Commission's authority
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 indebttness
392.300.1	Transfer of property and ownership of stock
392.310*	Approval of issuing stocks, bonds and other indebttness
392.320*	Certificate of Commission to be recorded stock dividends
392.330*	Account for disposition of proceeds of all sales of stocks, bonds, notes, and other indebttness
392.340*	Reorganization
* Rules and statues were previously waived	

Global requests the Commission grant the waivers pursuant to Sections 392.245.5 (8), 392.420, 4 CSR 240-2.060, 4 CSR 240-2.080, and 4 CSR 240-3.015. The Telecommunications Department Staff (Staff) wishes to note that the waivers are the same or similar as those previously granted by the Commission to other carriers.

Under section 392.420, the Commission may approve these waivers “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.”

The Staff recommends because the requested waivers of the above-listed statutory and Commission rule provisions are consistent with the other provisions of sections 392.361 to 392.520 and the purposes of Chapter 392, that the Commission approve the request at its earliest convenience, and permit the tariff sheet to go into effect by operation of law.

The Staff is unaware of any other matter that may affect the matters in this case.

- ☒ The Company is not delinquent in paying the PSC assessment.  
☒ The Company is delinquent: (☒ No annual report ☒ No USF ☒ No Relay  
☐ Unpaid PSC assessment. Amount owed: )

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OF THE STATE OF MISSOURI**

In the Matter of the Application of Global     )  
Tel\*Link Corporation for Waiver of     ) Case No. XE-2010-0247  
Commission rules and Statute     )

**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 15th day of March 2010.

  
NOTARY PUBLIC



CASSIE M. MELLOWAY  
My Commission Expires  
October 30, 2011  
Cole County  
Commission #07337959