

Ferguson, Lisa

From: Ferguson, Lisa
Sent: Monday, March 30, 2009 3:35 PM
To: 'sharonl@accutel.net'
Subject: Accutel of Texas_CLEC_2008 Missouri Public Service Commission Annual Report_Deficiency Email

Thank you for submitting your 2008 Annual Report to the Missouri Public Service Commission (Commission). As a result of my review, I have identified the following items that are not in compliance with Chapter 3 of 4 CSR 240 for Nonpublic Treatment of the Annual Report, and which need(s) to be corrected:

1. The affidavit was only partially correct. There needs to be an explanation as to why the information is being kept under seal and that the information is not available to the public in any format. Please refer to the items below:

Provide both a fully completed version to be kept under seal and a redacted public version that clearly informs the reader that the redacted information has been submitted under seal. The cover of each version must clearly identify whether it is the public or the non-public version. Each page of each version of the report containing non-public information should be clearly identified as containing such information.

B. Submit both versions of the annual report with a cover letter stating that the utility is designating some or all of the information in its annual report as confidential information, including the name, phone number and e-mail address (if available) of the person responsible for addressing questions regarding the confidential portions of the annual report.

C. Prominently attach a detailed and notarized affidavit to both versions that identifies the specific types of information to be kept under seal, provides a reason why the specific information should be a closed record, and stating that none of the requested information is available to the public in any format.

1. Your response to page 1, question 2a, was incorrect. The latest effective date is 04/27/2000 instead of 07/29/2000 as submitted. Please include this information on any future submissions.

The guidelines for submitting a confidential annual report are outlined in the instructions of the report form, as well as its cover letter, which was sent to the company contact provided to the Commission.

A response for this item is required in order to accept your annual report as complete. Pending your response, I have provided the Commission's Data Center with a copy of this email to be filed in conjunction with your annual report.

Your prompt attention to resolving this matter is appreciated. The Commission's rule 4 CSR 240-3.540 (4) states that a utility company which receives a notice of deficiency for the information provided in the annual report shall respond to that notice within **20 days**, or the utility company is subject to a penalty of **\$100 for each day** that it is late in filing its response to the deficiency.

The completed document/revision should be submitted electronically under EFIS (accessible from the Commission's Web page <http://www.psc.mo.gov/>) or mailed to:

Data Center
Missouri Public Service Commission

200 Madison Street, Suite 100, Jefferson City, MO 65101
(P.O. Box 360, Jefferson City, MO 65102-0360)

When contacting the Commission concerning your report, please reference the following identification number:
BMAR-2009-1058.

Should you have any questions or need assistance in this process, please contact me.

A COMPANY RESPONSE TO THE ABOVE DEFICIENCIES IS REQUIRED.

Sincerely,

Lisa Ferguson

Lisa Ferguson, Utility Regulatory Auditor

Missouri Public Service Commission, St. Louis Office
9900 Page Avenue, Overland MO 63132
(314) 877-2778 Ext. 229

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