

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

In the Matter of the Application of Cincinnati Bell Any )  
Distance Inc. for a Certificate of Service Authority to )  
Provide Basic Local and Non-Switched Local ) **File No. CA-2010-0098**  
Exchange Telecommunications Services in the State )  
of Missouri and to Classify Said Services and the )  
Company as Competitive )

**ORDER GRANTING ADDITIONAL WAIVERS**

Issue Date: October 28, 2009

Effective Date: October 29, 2009

On October 19, 2009, the Commission issued an order granting to Cincinnati Bell Any Distance Inc., a certificate to provide basic local and non-switched telecommunications services. In that order, the Commission granted waivers of certain statutes and Commission rules. The statutes and rules waived did not include those requested in the company's application and which the Commission must waive under Section 392.420, RSMo Supp 2008.

On October 22, the Commission issued an order directing the Staff of the Commission to file a recommendation with regard to the excluded waivers. In addition to those waivers already granted by the Commission, Staff recommends that the Commission waive the following:

- §392.300.1
- Commission rule 4 CSR 240-3.550 (4) and (5)(A)
- Commission rule 4 CSR 240-32.060
- Commission rule 4 CSR 240-32.070
- Commission rule 4 CSR 240-32.080
- Commission rule 4 CSR 240-33.040 (1) – (3) and (5) – (10)
- Commission rule 4 CSR 240-33.045
- Commission rule 4 CSR 240-33.080 (1)
- Commission rule 4 CSR 240-33.130 (1), (4) and (5)

The Commission also sought Staff's recommendation with regard to Commission rule 4 CSR 240-33.030. Staff points out, however, that this Commission rule was rescinded in 2004. A waiver of this rule is apparently not necessary.

In addition to those statutes and rules waived in its order issued on October 19, the Commission will waive the statute and rules set out above.

**THE COMMISSION ORDERS THAT:**

1. In addition to those statutes and rules waived in its Order Granting Certificate to Provide Basic Local Telecommunications Services, issued on October 19, 2009, the following statute and rules are waived:

- §392.300.1
- Commission rule 4 CSR 240-3.550 (4) and (5)(A)
- Commission rule 4 CSR 240-32.060
- Commission rule 4 CSR 240-32.070
- Commission rule 4 CSR 240-32.080
- Commission rule 4 CSR 240-33.040 (1) – (3) and (5) – (10)
- Commission rule 4 CSR 240-33.045
- Commission rule 4 CSR 240-33.080 (1)
- Commission rule 4 CSR 240-33.130 (1), (4) and (5)

2. This order shall become effective on October 29, 2009.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Kennard L. Jones, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 28th day of October, 2009.