

CITY  UTILITIES
Bringing Power Home.

August 31, 2005

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

FILED²
SEP 06 2005
Missouri Public
Service Commission

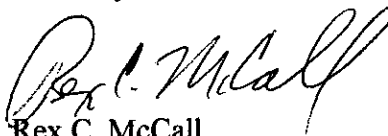
Re: In the Matter of the Application of City Utilities of Springfield, Missouri,
For Waiver of Portions of Rule 4 CSR 240-31.065

Dear Mr. Roberts:

Please find enclosed for filing an original and eight copies of City Utilities of Springfield, Missouri's Application for Waiver of Portions of Rule 4 CSR 240-31.065.

If you need anything further, please let me know.

Sincerely,



Rex C. McCall
Assistant General Counsel

Enclosures

c: Dana K. Joyce
Missouri Office of the Public Counsel
Peter Gose

FILED

SEP 06 2005

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the application of the)
City of Springfield, Missouri, through the)
Board of Public Utilities, for a waiver of)
portions of Rule 4 CSR 240-31.065)
requiring a billing surcharge for the)
Universal Service Fund Assessment.)

Case No. _____

APPLICATION FOR WAIVER OF PORTIONS OF RULE 4 CSR 240-31.065

Comes now the City of Springfield, Missouri, through the Board of Public Utilities, pursuant to Rule 4 CSR 240-2.060(4), and files this application requesting that the Missouri Public Service Commission ("Commission") issue an order that waives portions of Rule 4 CSR 240-31.065 that require a separate line item surcharge identified as "Missouri Universal Service Fund."

In support of its application, Applicant states as follows:

1. Applicant is a constitutional charter city established and existing under Article VI, Sections 19 and 19(a) of the Missouri Constitution of 1945. Pursuant to Article XVI of its Charter, Applicant has delegated the operation of its gas, water, electric, and telecommunications utilities to an administrative board known as "the Board of Public Utilities of Springfield, Missouri." The Board operates the utilities under the name "City Utilities of Springfield, Missouri." City Utilities' principal place of business is 301 E. Central, Springfield, MO 65802.

2. Correspondence, communications, orders, and decisions of the Commission in regard to this application should be addressed to:

Rex C. McCall
Assistant General Counsel
301 E. Central
P.O. Box 551
Springfield, MO 65801

(417) 831-8605
(417) 831-8303 (fax)
rex.mccall@cityutilities.net

3. Applicant was granted a certificate of service authority to provide intrastate interexchange telecommunications services in the State of Missouri in Case No. TA-97-313 on July 11, 1997.

4. There are no pending actions or final unsatisfied judgments or decisions against Applicant from any state or federal agency or court that involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of this application.

5. Applicant has no overdue annual reports or assessment fees.

6. Rule 4 CSR 240-31.065 provides as follows:

(1) All applicable carriers shall place on each retail end-user customer's bill, a surcharge equal to the percentage assessment ordered by the commission.

(2) The surcharge shall appear as a separate line item detailed as "Missouri Universal Service Fund."

(3) The surcharge percentage shall be applied to each customer's total charges equating to the applicable carrier's net jurisdictional revenues.

(4) All applicable carriers shall remit to the Fund Administrator the funds received as a result of the application of the MoUSF surcharge. The remittance of all funds received as a result of the application of the MoUSF surcharge shall constitute full satisfaction of a carrier's annual percentage assessment.

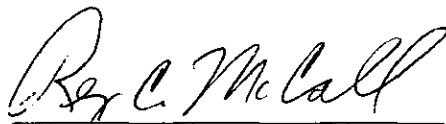
(5) No carrier may recover its Universal Service Fund (USF) assessment in any way other than through this surcharge.

7. The amount of the Missouri Universal Service Fund charge for all of Applicant's customers is approximately \$50.00 per month. The amount is so small that it would cost more than twice the surcharge to collect it separately, which would be a waste of resources leading to

unnecessary increases in costs and rates. Applicant proposes that it not assess the surcharge to its customers. Instead, Applicant requests that it merely remit the amount of the Missouri Universal Service Fund charge to the Universal Fund Administrator without a separate line item for the surcharge. The Missouri Universal Services Fund charge would be paid from the base rates charged by the City of Springfield.

WHEREFORE, the City of Springfield, Missouri, through the Board of Public Utilities, respectfully requests the Commission to (1) waive Rule 4 CSR 240-31.065 to the extent that it requires the City of Springfield to assess a Missouri Universal Services Fund surcharge, collect such surcharge from its customers, and show the surcharge as a separate line item; (2) order that the City of Springfield may remit the amount of the Universal Services Fund surcharge to the Fund Administrator from funds collected through the City of Springfield's base rates; and (3) order the City of Springfield to monitor the amount of the surcharge and, if the amount remitted increases substantially, to apply to the Commission to rescind the waiver of Rule 4 CSR 240-31.065.


Respectfully submitted,

A handwritten signature in black ink, reading "Rex C. McCall". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Rex C. McCall
Assistant General Counsel
301 E. Central
P.O. Box 551
Springfield, MO 65801
(417) 831-8605
(417) 831-8303
rex.mccall@cityutilities.net
ATTORNEY FOR APPLICANT

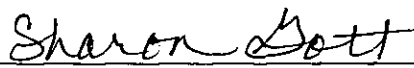
STATE OF MISSOURI)
)
COUNTY OF GREENE) ss.

John Twitty, having been duly sworn upon his oath, states that he is the General Manager of City Utilities of Springfield, Missouri and, as such, is duly authorized by the City of Springfield, Missouri acting through its Board of Public Utilities, to execute this Application and to make this verification on its behalf; that the matters and things stated in the foregoing Application are true and correct to the best of his information, knowledge, and belief.



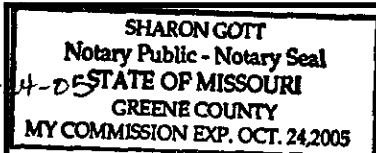
John Twitty
General Manager

Subscribed and sworn to before me, a notary public, on this 25th day of August, 2005.



Notary Public

My commission expires: 10-4-05



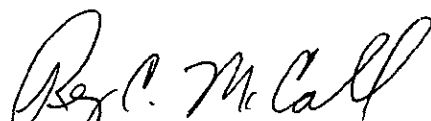
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent by United States Mail, postage prepaid, to the following on this 30th day of August, 2005:

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Dana K. Joyce, General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Missouri Universal Service Fund Administrator
QSI Consulting, Inc.
Attn: Peter Gose
14530 NW 63rd Street
Parkville, MO 64153



Rex C. McCall