

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

In the Matter of the Petition for Waivers)	
On Behalf of the AT&T Joint Petitioners,)	
Pursuant To Section 392.420, RSMo.,)	Case No. _____
as Amended by HB 1779.)	

**PETITION FOR WAIVERS ON BEHALF OF THE
AT&T JOINT PETITIONERS**

COME NOW, AT&T Communications of the Southwest, Inc., TCG Kansas City, Inc.
and TCG St. Louis (hereinafter, the "AT&T Joint Petitioners"), and hereby petition the
Commission for a waiver of the application and enforcement of certain statutes, pursuant to
Section 392.420, RSMo, as amended by HB 1779, effective August 28, 2008. These statutes are
limited to those specifically identified in Section 392.420.

Background of the AT&T Petitioners

1. AT&T Communications of the Southwest, Inc. is a Delaware corporation with its
principal office at One AT&T Way, Bedminster, New Jersey, 07921. AT&T Communications
of the Southwest, Inc. is authorized to do business in Missouri¹ and is an "alternative local
exchange telecommunications company" which is duly authorized to provide
"telecommunications service" within the State of Missouri, as each of those phrases is defined in
Section 386.020, RSMo.

2. TCG Kansas City, Inc. is a Delaware corporation with its principal office at One
AT&T Way, Bedminster, New Jersey, 07921. TCG Kansas City, Inc. is authorized to do

¹ A copy of AT&T Communications of the Southwest, Inc.'s Certificate of Good Standing from the Missouri
Secretary of State was filed with the Commission on October 16, 2007 in Case No. CK-2008-0108.

business in Missouri² and is an "alternative local exchange telecommunications company" which is duly authorized to provide "telecommunications service" within the State of Missouri, as each of those phrases is defined in Section 386.020, RSMo.

3. TCG St. Louis is a New York general partnership with its principal office at One AT&T Way, Bedminster, New Jersey, 07921. TCG St. Louis is authorized to do business in Missouri³ and is an "alternative local exchange telecommunications company" which is duly authorized to provide "telecommunications service" within the State of Missouri, as each of those phrases is defined in Section 386.020, RSMo.

4. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Timothy P. Leahy
Leo J. Bub
Robert J. Gryzmala
Attorneys for the AT&T Joint Petitioners
One AT&T Center, Room 3516
St. Louis, Missouri 63101

5. None of the AT&T Joint Petitioners has any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve retail customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Application.

6. None of the AT&T Joint Petitioners has any annual report or assessment fees that are overdue in Missouri.

² A copy of TCG Kansas City's AT&T Communications of the Southwest, Inc.'s Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on October 16, 2007 in Case No. CK-2008-0109.

³ TCG St. Louis filed a copy of its partnership agreement with the Commission in Case No. TA-96-345.

HB 1779

7. Section 392.420, RSMo authorizes the Commission, among other things, to entertain a petition filed on behalf of an alternative local exchange telecommunications company to suspend or modify the application of the Commission's rules or of certain statutory provisions.

Pursuant to HB 1779, Section 392.490 was amended, and now provides in pertinent part:

[F]or all existing alternative local exchange telecommunications companies, the commission shall waive, at a minimum, the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340. (emphasis added).

8. Each of the AT&T Joint Petitioners is an "alternative local exchange telecommunications company" as the term is defined by Section 386.020(1), RSMo. Each hereby petitions the Commission for a waiver of the application and enforcement of the following statutes, to the extent such a waiver or waivers have not been previously granted to such petitioner by the Commission:

- Section 392.210, subsection 2, RSMo.
- Section 392.240, subsection 1, RSMo.
- Section 392.270, RSMo.
- Section 392.280, RSMo.
- Section 392.290, RSMo.
- Section 392.300, RSMo.
- Section 392.310, RSMo.
- Section 392.320, RSMo.
- Section 392.330, RSMo.
- Section 392.340, RSMo.

9. The above-cited statutes are specifically referenced in Section 392.420.

10. Staff has indicated a preference that carriers file a list of waived rules and statutes in their tariffs, and the AT&T Joint Petitioners intend to do so. The AT&T Joint Petitioners, however, appreciate the Commission's present situation, given its current workload and limited

resources, and the number of filings carriers might make on or around August 28, 2008. Therefore, unless otherwise directed by the Commission or requested by Staff, the AT&T Joint Petitioners will make their administrative tariff filings listing the waivers following the issuance of the Commission's Order granting the AT&T Joint Petitioners' petition.

WHEREFORE, AT&T Communications of the Southwest, Inc., TCG Kansas City, Inc. and TCG St. Louis request that the Commission expeditiously grant their Joint Petition.

Respectfully submitted,

AT&T Communications of the Southwest,
Inc., TCG Kansas City, Inc. and TCG St. Louis

BY 

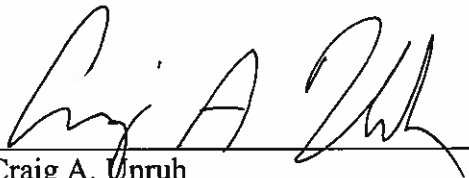
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CITY OF ST. LOUIS)
)
STATE OF MISSOURI) SS

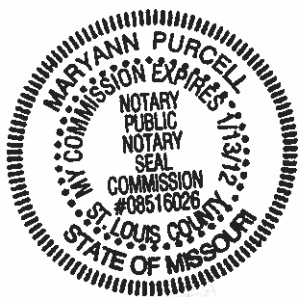
VERIFICATION

I, Craig A. Unruh, being duly sworn upon my oath, state that I am over twenty-one, sound of mind, and Executive Director-Regulatory of AT&T Services, Inc. I am authorized to act on behalf of AT&T Communications of the Southwest, Inc., TCG Kansas City, Inc. and TCG St. Louis regarding the foregoing document. I have read it and verify that the facts contained in it are true and correct according to the best of my knowledge, information and belief.



Craig A. Unruh

Sworn and subscribed to before me this 28th day of August, 2008.





Notary Public

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on August 28, 2008.


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