

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

In the Matter of the Waiver of	)	
Certain Rules and Statutes to	)	File No. TE-2012-0073
Telecommunications Companies	)	

**NOTICE OF ELECTION OF WAIVER OF
COMMISSION RULES AND STATUTES**

COMES NOW, Fidelity Communications Services II, Inc. ("Company") pursuant to Sections 392.420 and 392.461 RSMo. and notifies the Missouri Public Service Commission ("Commission") of its election to waive and be exempt from the application and enforcement of certain commission rules and statutes.

1. Company is a Missouri corporation duly authorized to conduct business in the state of Missouri, with its principal office located at 64 North Clark Sullivan, MO 63080. Copies of Company's Certificate of Good Standing from the Missouri Secretary of State were filed in Case No. TC-2011-0404, and are incorporated by reference herein. Company is a "local exchange telecommunications company" and a "public utility" and is duly authorized to provide "telecommunications service" within the state of Missouri as each of those terms is defined in Section 386.020 RSMo.

2. All correspondence, communications, and orders and decisions in this matter should be sent to:

W.R. England, III
Brian T. McCartney
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
Jefferson City, MO 65102-0456
trip@brydonlaw.com
bmccartney@brydonlaw.com

3. Company has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve Missouri retail customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Notification. No Missouri annual reports or assessment fees are overdue.

4. In Case No. CE-2009-0195, Company previously waived some, but not all, of the rules and statutes allowed to be waived after the passage of H.B. 1779 in 2008.

5. At that time, one or more alternative local exchange carriers and/or interconnected voice over Internet protocol (VoIP) providers were authorized or registered to provide service in the Company's authorized service area, and the same is true today.

6. Staff has opened this Case File TE-2012-0073 to allow telecommunications companies to file notifications of elections of waivers exercised pursuant to Sections 392.420 and 392.461, as amended by HB 338.

9. In accordance with Sections 392.420 and 392.461, as amended by HB 338, the Company hereby exercises its statutory right to elect to waive the application and enforcement of the following statutes and rules (which are identical to those listed in Paragraph 4 of the Motion of the Staff of the Missouri Public Service Commission filed October 18, 2011 in this File):

392.210.2 Accounting requirements (system of accounts)
 392.240.1 Reasonableness of rates
 392.270 Accounting requirements (valuation of property)
 392.280 Accounting requirements (depreciation rates/accounts)
 392.290 Issuance of stocks, bonds and other indebtedness
 392.300 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 Accounting requirements (proceeds of sales of stock, bonds, notes)
 392.340 Company reorganization
 4 CSR 240-3.520 Applications to sell or transfer assets
 4 CSR 240-3.525 Applications to merge or consolidate
 4 CSR 240-3.530 Applications to issue stocks, obtain loans
 4 CSR 240-3.535 Applications to acquire stock
 4 CSR 240-3.545(8)(C) Listing of Waivers in Tariff
 4 CSR 240-3.550 Telco Records and Reports (except (5)(B), (D) and (E))
 4 CSR 240-3.555 Residential Customer Inquiries
 4 CSR 240-3.560 Procedure for Ceasing Operations
 4 CSR 240-10.020 Depreciation Records
 4 CSR 240-30.020 Residential Telephone Underground Systems
 4 CSR 240-30.040 Uniform System of Accounts
 4 CSR 240-32.010 General Provisions
 4 CSR 240-32.040 Metering, Inspections and Tests
 4 CSR 240-32.050 Customer Services
 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 240-32.090 Connection of equipment and Inside Wiring
 4 CSR 240-32.100 Provision of Basic Local and Interexchange Services
 4 CSR 240-32.130-170 Prepaid Calling Cards (except 32.140 and 32.150(1))
 4 CSR 240-32.180-190 Caller ID blocking requirements
 4 CSR 240-33.010 Service and Billing Practice General Provisions
 4 CSR 240-33.040 Billing and Payment standards
 4 CSR 240-33.045 Clear identification and placement of charges on bills
 4 CSR 240-33.050 Deposits
 4 CSR 240-33.060 Residential Customer Inquiries
 4 CSR 240-33.070 Discontinuance of service
 4 CSR 240-33.080 Disputes by Residential Customers
 4 CSR 240-33.090 Settlement agreements with residential customers
 4 CSR 240-33.130 Operator service requirements
 4 CSR 240-33.140 Payphone requirements (except (2))
 4 CSR 240-33.150 "Anti-slamming" requirements
 4 CSR 240-33.160 Customer Proprietary Network Information

WHEREFORE, the Company hereby notifies the Commission of its election made pursuant to this Notification of Election, commencing on the date of this filing.

Respectfully submitted,

By: /s/ Trip England

W.R. England, III Mo. #23975

Brian T. McCartney Mo. #47788

BRYDON, SWEARENGEN &
ENGLAND P.C.

312 East Capitol Avenue

Jefferson City, MO 65102-0456

trip@brydonlaw.com

bmccartney@brydonlaw.com

(573) 635-7166

(573) 634-7431 (Fax)

Attorneys for Company

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the above and foregoing document were sent by electronic mail, or hand-delivered, on this 1st day of March, 2012, to:

General Counsel
Missouri Public Service Commission
Governor Office Building, 8th Floor
P.O. Box 360
Jefferson City, MO 65102
gencounsel@psc.mo.gov

Office of the Public Counsel
Governor Office Building, 6th Floor
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

/s/ W.R. England

W.R. England

VERIFICATION

STATE OF MISSOURI)
) ss
COUNTY OF FRANKLIN)

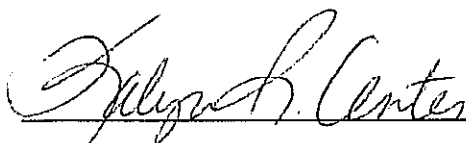
I, Dave Beier, being duly sworn upon my oath, state that I am over twenty-one, am sound of mind, am Vice President – Regulatory of Fidelity Communications Services II, Inc., and am authorized to act on behalf of the Company regarding the document to which this Verification is appended. I have read the document and verify that the facts contained in it are true and correct according to the best of my knowledge, information and belief.



Dave Beier

Subscribed and sworn to before me this 19th day of March, 2012

KALYN R. CENTER
Notary Public-Notary Seal
State Of Missouri
Franklin County
My Commission Expires November 4, 2014
Commission # 10427483



Notary Public

My Commission Expires: 11/4/2014