

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

In the Matter of the Local Exchange Rate	)	
Tariff Filing of Ozark Telephone Company	)	File No. TT-2012 _____
To Comply with the FCC's April 25, 2012	)	
Second Order on Reconsideration	)	

**Motion for Expedited Treatment**

Comes now Ozark Telephone Company ("Company"), and for its Motion for Expedited Treatment and Waiver of Commission Rules, states to the Missouri Public Service Commission ("Commission" or "PSC") as follows:

1. On November 18, 2012, the Federal Communications Commission (FCC) issued its *USF/ICC Transformation Order* (FCC *USF/ICC Order*).<sup>1</sup> Among other things, the FCC's *USF/ICC Order* required all incumbent local exchange companies (ILECs) to file new state access tariff provisions to address intrastate Voice over Internet Protocol (VoIP) traffic. Specifically, the *FCC USF/ICC Order* required changes to the rates, terms, and conditions for intrastate, toll VoIP traffic, essentially requiring Company to apply its interstate rates to intrastate toll VoIP traffic. Company timely made such tariff filings, which are now in effect.

2. On April 25, 2012, the FCC issued its *Second Order of Reconsideration* in WC Docket No. 10-90 which modified the compensation for originating VoIP-PSTN traffic on a prospective basis. The *Second Order* finds that intrastate access rates shall

---

<sup>1</sup> *Report and Order and Further Notice of Proposed Rulemaking*, WC Docket No. 10-90 et al., FCC 11-161.

apply to intrastate, originating VoIP traffic on a prospective basis (beginning July 13, 2012) for an interim period ending June 30, 2014.

3. Good cause. The FCC's *USF/ICC Order* and subsequent clarifications and modifications have given rise to many substantive and dramatic changes for Missouri's small rural telephone companies, including numerous rate changes and tariff filings. The Company acted as soon as possible to file this pleading.

**Request for Expedited Relief pursuant to 4 CSR 240-2.080(14)**

4. Date for Requested Relief. The Company requests action as soon as possible and no later than July 13, 2012 in order to allow an order granting expedited approval to become effective.

5. Harm avoided. Company would be charging an incorrect rate for intrastate originating VoIP traffic. Amending the tariffs with less than 30 days' notice will have no negative effect on the Company's customers because it will simply make the tariffs consistent with federal law and the federally-proscribed rate.

6. Pleading filed as soon as possible. Although the FCC's *Second Order* was issued on April 25, 2012, it was not published in the Federal Register until May 29, 2012. This pleading was filed as soon as possible after Company's counsel and consultants reviewed the *Second Order*.

WHEREFORE, the Company respectfully requests that the Commission grant expedited treatment, approve the tariffs to go into effect on July 13, 2012, and issue such other relief as is necessary and reasonable in the circumstances.

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](mailto:trip@brydonlaw.com)  
[bmccartney@brydonlaw.com](mailto: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 18<sup>th</sup> day of June, 2012, to:

General Counsel  
Missouri Public Service Commission  
Governor Office Building, 8<sup>th</sup> Floor  
P.O. Box 360  
Jefferson City, MO 65102  
[gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov)

Office of the Public Counsel  
Governor Office Building, 6<sup>th</sup> Floor  
P.O. Box 2230  
Jefferson City, MO 65102  
[opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)

/s/ W.R. England  
W.R. England