

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

In the Matter of the Waiver of)
Certain Rules and Statutes to)
Telecommunications Companies)

File No. TE-2012-0073

STAFF RESPONSE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and for its Response states:

1. On September 8, 2011, the Missouri Public Service Commission’s (“Commission”) Staff filed a motion asking the Commission to adopt a list of standard waivers, grant those standard waivers to all telecommunications companies except those that request that those waivers not be granted, and waive the Commission regulations that require that these waivers be listed in future applications and tariffs.

2. After further discussion with the rural telecommunications carriers, the Staff proposes the following modifications to the process it outline in its September 8, 2011 Motion, as follows:

- a. Extend the standard waivers to all those telecommunications companies that file a notice with the Commission in this matter to the effect that they adopt the current standard waiver list as set forth in the Staff’s Motion (making the process an “opt-in” rather than “opt-out”);
- b. Clarify that telecommunications companies need no longer list the “standard waivers” in their tariffs or applications (but may do so if they wish); however, when the Commission certificates a telecommunications

company, it will note that the standard waivers apply to the newly certificated company;

- c. Clarify that telecommunications companies may elect waivers in whole or in part, and are not limited in the number of times they may seek a waiver or group of waivers; and
- d. Clarify that, as to all competitive local exchange telecommunications companies, pursuant to §392.420 RSMo Supp. 2010, for whom the Commission is required to waive certain statutory and regulatory provisions, failure to participate in this docket will not deprive them of any waiver they are entitled to receive as a matter of law.

WHEREFORE, the Staff again moves that the Commission adopt the “standard” list of waivers listed in its Motion, grant them to all telecommunications companies who file a notice in this matter that they wish to be included in the companies to whom the waivers are granted, waive the requirements that these waivers be listed in the application and tariff, and make the clarifications set forth above.

Respectfully submitted,



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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 29th day of September, 2011.

A handwritten signature in black ink, appearing to be "All Day".