

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

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

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission and for its Motion states:

1. On August 28, 2013, §392.420 RSMo was amended by S.B. 237, allowing price-cap-regulated telecommunications companies to elect waivers of §392.245.1 and .4.

2. The Staff is given to understand that the companies that may elect this waiver do so because a narrow reading of the subsections waived may have in some way constrained their pricing flexibility, and not allowed them to take full advantage of the elections of waiver previously acknowledged by the Commission. Companies that elect these waivers do so in addition to other waivers already acknowledged by the Commission. These waivers additionally clarify waivers the companies already enjoyed.

3. On November 21, 2013, Spectra Communications Group, LLC d/b/a CenturyLink ("the Company") filed a Notice of Election that comports with the Staff's recommended procedure, elects waivers consistent with §§392.245.5(8), 392.420 and 392.461, elects waivers to which the Company is lawfully entitled and establishes an election date of November 21, 2013.

4. The Staff recommends that the Commission recognize that the Company has elected the following waivers in addition to those previously elected in this matter:

392.245.1 and .4 Maximum Prices (determined, changed and classified)

**WHEREFORE,** the Staff recommends that the Commission issue an Order wherein it recognizes the Election of Waivers by the Company as of November 21, 2013.

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 9<sup>th</sup> day of November, 2013.

