

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

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.

4. On November 22, 2013, Windstream Missouri, Inc., Windstream Iowa Communications, Inc., Windstream Communications, Inc., Windstream Nuvox Missouri, Inc., Windstream KDL, Inc., Windstream Norlight, Inc., Windstream NTI, Inc., Paetec Communications, Inc., McLeodUSA Telecommunications Services, and Talk America, Inc., (“collectively the Companies”) 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 Companies are lawfully entitled and establishes an election date of November 22, 2013.

5. The Staff recommends that the Commission recognize that the Company has elected the following waivers:

- 392.210.2 Accounting requirements (system of accounts)
- 392.240.1 Reasonableness of rates
- 392.245.1 and .4 Maximum Prices (determined, changed and classified)
- 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, etc.)
- 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

5. The Staff recommends that the Commission note in its Order Recognizing Waiver that the Company need not immediately remove any listed waivers from its tariffs, but should do so for each tariff when it is amended in the future.

WHEREFORE, the Staff recommends that the Commission issue an Order wherein it recognizes the Election of Waivers by the Companies as of November 22, 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 9th day of November, 2013.

