

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

In the Matter of the Application of	)	
<b>YourTel America, Inc.</b>	)	
To Amend its Designation as an Eligible	)	Case No. RA-2011-0376
Telecommunications Carrier in the State of	)	
Missouri	)	

**MOTION FOR EXPEDITED TREATMENT AND TEMPORARY RULE WAIVER**

COMES NOW YourTel America, Inc. ("YourTel" or "Company") and respectfully requests expedited treatment of a portion of its pending Application in this matter, as an emergency response to the devastating tornado that struck Joplin, Missouri on Sunday, May 22, 2011. In support of this Motion, Applicant states the following:

1. On May 17, 2011, YourTel filed its Application to Amend its Designation as an Eligible Telecommunications Carrier in the State of Missouri, in order to expand its wireless ETC service area to a statewide basis. On May 18, 2011, the Commission issued its *Order Directing Notice and Filing*, setting an intervention deadline of June 17, 2011 and a June 24, 2011 deadline for a Staff Recommendation.

2. On Sunday, May 22, 2011, Joplin, Missouri was hit by a major tornado that has resulted in at least 89 fatalities, numerous injuries and devastating property damage in a significant portion of the city and surrounding area. Telecommunications facilities have been heavily damaged in the area as a result of this tornado, leaving many citizens without telephone service.

3. However, cellular services have been restored in the Joplin area as of Monday morning, May 23, and YourTel is in a position to immediately transport wireless

telephone equipment to the Joplin area and offer wireless ETC service to customers in need of same, upon approval by the Commission.

4. YourTel America respectfully requests expedited treatment by the Commission of its pending ETC expansion Application in this case *as to Joplin, Missouri and vicinity* so that YourTel can begin offering wireless ETC service in the tornado-stricken area.

5. YourTel America is well-known to the Commission as a CLEC, IXC and wireless provider and an Eligible Telecommunications Carrier (ETC) for both CLEC and wireless customers. YourTel is well-qualified to provide these services, which are desperately needed in the wake of the massive May 22 tornado in Joplin.

6. YourTel also respectfully requests that the Commission temporarily waive 4 CSR 240-3.570 (5)(B), which forbids customer self-certification of eligibility for low-income ETC services, for the Joplin area, since many potential customers will be unable to provide documentation that was lost or destroyed in the tornado. This type of temporary waiver was granted in Louisiana after Hurricane Katrina, and is logical and reasonable in the current circumstance in the Joplin area.

7. Pursuant to the requirements of 4 CSR 240-2.080 (16), YourTel requests that the Commission grant this request for expedited treatment and temporary rule waiver as soon as possible, on the day it is filed or as soon thereafter as absolutely possible, since the need for telecommunications services in Joplin is severe and immediate.

8. The grant of this motion and request will enable YourTel America to immediately begin to meet the emergency needs of the citizens of Joplin for

telecommunications services. There would be no negative effect on the Company's customers or the general public. People qualifying for low-income wireless ETC services would benefit immediately by being restored to the telecommunications network at a time when communications are extremely important for the purposes of reaching other family members, contacting emergency personnel when needed and making calls to arrange housing, repairs or other necessities in the wake of the tornado damage.

9. This Motion for Expedited Treatment is being filed at the earliest opportunity after the devastating tornado that occurred in Joplin, Missouri just last evening (May 22, 2011).

WHEREFORE, YourTel America, Inc. respectfully requests expedited treatment of its pending Application in this case for amendment and expansion of its designation as an Eligible Telecommunications Carrier (ETC) in the State of Missouri, as to Joplin, Missouri and vicinity, and for temporary waiver of 4 CSR 240-3.570(5)(B) for the same area.

Respectfully submitted,

***/s/ William D. Steinmeier***

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COUNSEL FOR YOURTEL AMERICA, INC.

Dated: May 23, 2011

## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been served electronically on the Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov) and on the General Counsel's office at [gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov) this 23<sup>rd</sup> day of May 2011.

***/s/ William D. Steinmeier***

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William D. Steinmeier

