

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

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

**NOTIFICATION OF ELECTION OF WAIVERS ON
BEHALF OF THE AT&T COMPANIES**

COME NOW, Southwestern Bell Telephone Company, d/b/a AT&T Missouri, AT&T Communications of the Southwest, Inc., TCG Kansas City, Inc., TCG St. Louis, SBC Long Distance, LLC d/b/a AT&T Long Distance, SNET America, Inc. d/b/a/ AT&T Long Distance East, and BellSouth Long Distance, Inc. d/b/a AT&T Long Distance Service (hereinafter, collectively, “the AT&T Companies”), and each of the AT&T Companies hereby notifies the Commission of its election to waive and be exempt from the application and enforcement of certain commission rules and statutes, pursuant to Sections 392.245.5(8), 392.420 and 392.461 RSMo.

Background of the AT&T Companies

1. Southwestern Bell Telephone Company, d/b/a AT&T Missouri (“AT&T Missouri”) is a Missouri corporation with its principal Missouri office at One AT&T Center, Room 3520, St. Louis, Missouri 63101. AT&T Missouri is authorized to do business in Missouri¹ and its fictitious name is duly registered with the Missouri Secretary of State.² AT&T Missouri is a “local exchange telecommunications company” and a “public utility”, and is duly

¹ A copy of Southwestern Bell Telephone Company’s Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on August 15, 2007, in Case No. IK-2008-0044.

² A copy of the registration of the fictitious name “AT&T Missouri” was filed with the Commission on July 17, 2007, in Case No. TO-2002-185.

authorized to provide “telecommunications service” within the State of Missouri, as each of those terms is defined in Section 386.020, RSMo 2000.

2. AT&T Communications of the Southwest, Inc. is a Delaware corporation with its principal office at One AT&T Way, Bedminster, New Jersey 07921. AT&T Communications of the Southwest, Inc. is authorized to do business in Missouri³ and is an “alternative local exchange telecommunications company” which is duly authorized to provide “telecommunications service” within the State of Missouri, as each of those terms is defined in Section 386.020, RSMo.

3. TCG Kansas City, Inc. is a Delaware corporation with its principal office at One AT&T Way, Bedminster, New Jersey 07921. TCG Kansas City, Inc. is authorized to do business in Missouri⁴ and is an “alternative local exchange telecommunications company” which is duly authorized to provide “telecommunications service” within the State of Missouri, as each of those terms is defined in Section 386.020, RSMo.

4. TCG St. Louis is a New York general partnership with its principal office at One AT&T Way, Bedminster, New Jersey 07921. TCG St. Louis is authorized to do business in Missouri⁵ and is an “alternative local exchange telecommunications company” which is duly authorized to provide “telecommunications service” within the State of Missouri, as each of those terms is defined in Section 386.020, RSMo.

5. SBC Long Distance, LLC d/b/a/ AT&T Long Distance (“AT&T Long Distance”), formed as a limited liability company in each of Delaware and Virginia and whose principal office is located at 5130 Hacienda Drive, Dublin, California 94568, is authorized to do business

³ A copy of AT&T Communications of the Southwest, Inc.’s Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on October 16, 2007, in Case No. CK-2008-0108.

⁴ A copy of TCG Kansas City’s Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on October 16, 2007, in Case No. CK-2008-0109.

⁵ TCG St. Louis filed a copy of its partnership agreement with the Commission in Case No. TA-96-345.

in Missouri.⁶ Its fictitious name is duly registered with the Missouri Secretary of State.⁷ Pursuant to the Commission's Report and Order issued November 27, 2001, in Case Nos. TA-2001-475 and TA-99-47, AT&T Long Distance's predecessor in interest, Southwestern Bell Communications Services, Inc. d/b/a SBC Long distance was granted a certificate of service authority to provide intrastate interexchange telecommunications services.

6. SNET America, Inc. d/b/a/ AT&T Long Distance East ("AT&T Long Distance East"), a Connecticut corporation whose principal office is located at 310 Orange Street, New Haven, Connecticut 06510, is authorized to do business in Missouri.⁸ Its fictitious name is duly registered with the Missouri Secretary of State.⁹ Pursuant to the Commission's Order Approving Interexchange Certificate of Service Authority and Order Approving Tariff issued August 22, 2006, in Case No. TA-2007-0041, AT&T Long Distance East was granted a certificate of service authority to provide intrastate interexchange telecommunications services.

7. BellSouth Long Distance, Inc. d/b/a AT&T Long Distance Service ("AT&T Long Distance Service"), a Delaware corporation whose principal office is located at 675 West Peachtree Street NW, 17E21, Atlanta, Georgia 30375, is authorized to do business in Missouri.¹⁰ Its fictitious name is duly registered with the Missouri Secretary of State.¹¹ Pursuant to the Commission's Order Approving Interexchange Certificate of Service Authority and Order Approving Tariff issued June 6, 1997, in Case No. TA-97-476, AT&T Long Distance Service was granted a certificate of service authority

⁶ A copy of a certificate from the Secretary of State reflecting that SBC Long Distance, LLC is authorized to do business in Missouri was filed with the Commission on February 27, 2009, in Case No. XE-2009-0308.

⁷ A copy of the registration of the fictitious name "AT&T Long Distance" was filed with the Commission on February 27, 2009, in Case No. XE-2009-0308.

⁸ A copy of AT&T Long Distance East's Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on February 27, 2009, in Case No. XE-2009-0308.

⁹ A copy of the registration of the fictitious name "AT&T Long Distance East" was filed with the Commission on February 27, 2009, in Case No. XE-2009-0308.

¹⁰ A copy of AT&T Long Distance Service's Certificate of Good Standing from the Missouri Secretary of State was filed with the Commission on February 27, 2009, in Case No. XE-2009-0308.

¹¹ A copy of the registration of the fictitious name "AT&T Long Distance Service" was filed with the Commission on February 27, 2009, in Case No. XE-2009-0308.

to provide intrastate interexchange telecommunications services. Later, pursuant to the Commission's Order Approving Merger, Granting Certificate of Service Authority, and approving Tariff issued July 1, 2004, in Case No. LM-2004-0552, AT&T Long Distance Service was granted a certificate of service authority to provide basic local telecommunications services.

8. Except as set forth below, none of the AT&T Companies has any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve Missouri retail customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Notification.¹²

9. None of the AT&T Companies has any overdue annual reports or regulatory assessment fees in Missouri.

10. Each of the AT&T Companies may be contacted at the electronic mail address, facsimile and telephone numbers of its attorneys, as set out under the signature block of this Notification. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Jeffrey E. Lewis
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Robert J. Gryzmala
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Election of Waivers

11. Staff has opened this Case File TE-2012-0073 to allow telecommunications companies to file notifications of elections of waivers exercised pursuant to Sections 392.245.5(8), 392.420 and 392.461, as amended by HB 338.

12. In accordance with Sections 392.245.5(8), 392.420 and 392.461, as amended by HB 338, each of the AT&T Companies hereby exercises its statutory right to elect to waive the

¹² See, *Barry Road Associates, Inc. d/b/a Minsky's Pizza, et al. v. Southwestern Bell Telephone Company, d/b/a AT&T Missouri*, et al., Case No. 1016CV02438, Jackson County Circuit Court.


application and enforcement of the statutes and rules listed in Paragraph 4 of the Motion of the Staff of the Missouri Public Service Commission (*see, In the Matter of the Waiver of Certain Rules and Statutes to Telecommunications Companies*, October 18, 2011, File No. TE-2012-0073).

WHEREFORE, each of the AT&T Companies hereby notifies the Commission of its election made pursuant to this Notification of Election, commencing on the date of this filing.

Respectfully submitted,

The AT&T Companies:

Southwestern Bell Telephone Company, d/b/a/
AT&T Missouri,
AT&T Communications of the Southwest, Inc.,
TCG Kansas City, Inc.,
TCG St. Louis,
SBC Long Distance, LLC d/b/a/ AT&T Long
Distance,
SNET America, Inc. d/b/a/ AT&T Long Distance
East, and
BellSouth Long Distance, Inc. d/b/a AT&T Long
Distance Service

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CITY OF ST. LOUIS)
)
STATE OF MISSOURI) SS

VERIFICATION

I, Alan G. Kern, being duly sworn upon my oath, state that I am over twenty-one, am sound of mind, and am authorized to act on behalf of Southwestern Bell Telephone Company, d/b/a/ AT&T Missouri, AT&T Communications of the Southwest, Inc., TCG Kansas City, Inc., TCG St. Louis, SBC Long Distance, LLC d/b/a/ AT&T Long Distance, SNET America, Inc. d/b/a/ AT&T Long Distance East, and BellSouth Long Distance, Inc. d/b/a AT&T Long Distance Service, regarding the document to which this Verification is appended. I have read the document and verify that the facts contained in it are true and correct according to the best of my knowledge, information and belief.



Alan G. Kern

Sworn and subscribed to before me this 13th day of January, 2012.



Notary Public

Certificate of Service

I hereby certify that copies of the foregoing were mailed, hand-delivered, transmitted by facsimile or electronically mailed to the following this 13th day of January, 2012.


Robert J. Gryzmala

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