

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

In the matter of the Application of Cincinnati Bell)	
Any Distance Inc. for a Certificate of Service)	File No. CA-2010-0098
Authority to Provide Basic Local and Non-Switched)	
Exchange Telecommunications Services in the)	
State of Missouri and to Classify the Services)	
and the Company as Competitive.)	

STAFF RESPONSE

COMES NOW the Staff of the Missouri Public Service Commission and for its response to the Order Directing Filing, states as follows:

1. On October 22, 2009, the Commission ordered the Staff to advise it as to whether it recommended certain waivers that Cincinnati Bell Any Distance Inc. ("the Company") requested in its Application but were not listed in the Notice of Application. The Commission specifically sought Staff's recommendation concerning §392.300.1 RSMo 2000 and several regulations.

2. Section 392.420 RSMo Supp 2008 provides, in part:

In the case of an application for certificate of service authority to provide basic local telecommunications service filed by an alternative local exchange telecommunications company, and for all existing alternative local exchange telecommunications companies, the commission shall waive, at a minimum, the application and enforcement of its quality of service and billing standards rules, as well as the provisions of subsection 2 of section 392.210, subsection 1 of section 392.240, and sections 392.270, 392.280, 392.290, 392.300, 392.310, 392.320, 392.330, and 392.340.

As §392.300.1 RSMo 2000 is within the waivers the Commission shall grant pursuant to the above-quoted statutory provision, the Staff recommends that the waiver be granted.

3. As noted above, the Commission shall waive quality of service and billing standards rules. The waivers requested by the Company are:

- 4 CSR 240-3.550 (4) and (5)(A) Held order records and quality of service reports
- 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 240-33.040(1) through (3) and (5) through (10) Billing and payment standards
- 4 CSR 240-33.045 Clear identification and placement of charges on bills
- 4 CSR 240-33.080 (1) Toll-free number for billing disputes on bills

4 CSR 240-33.130 (1), (4) and (5) Operator service billing requirements

As all of the requested rules pertain to quality of service and billing standards, they fall within the group of rules that the Commission shall waive, and the Staff recommends that such waivers be granted.

4. The Order Directing Filing also mentions 4 CSR 240-33.030, but that rule was rescinded in 2004, and waiver is not necessary or recommended.

5. As the law now mandates these waivers when requested, the Staff believes that the public and other telecommunications carriers are on sufficient notice that the waivers may be elected. Therefore, the Notice of Application no longer needs to specifically enumerate them.

WHEREFORE, the Staff recommends that the Commission grant the requested waivers without additional notice to the public or other telecommunications carriers or further action by the Company.

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 28th day of October, 2009.

