

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

Application of Comcast Phone of Missouri, LLC,	)	
dba Comcast Digital Phone, for Adoption of an	)	
Approved Interconnection Agreement between	)	Case No. _____
Southwestern Bell Telephone, LP, dba SBC Missouri,	)	
and the CLEC Coalition	)	

APPLICATION FOR ADOPTION OF INTERCONNECTION AGREEMENT

Comes now Comcast Phone of Missouri, LLC, dba Comcast Digital Phone, by its undersigned attorneys, and applies pursuant to 4 CSR 240-3.513(4)(B), for a Commission order allowing its adoption of an interconnection agreement between Southwestern Bell Telephone, L.P., dba SBC Missouri, and the CLEC Coalition, approved by the Commission by order dated August 8, 2005. In support of this Application, Comcast Phone of Missouri states the following:

1. Comcast Phone of Missouri, LLC (“Comcast Phone-MO” or “the Applicant”) is a limited liability company duly organized and existing under and by virtue of the laws of the State of Delaware. Its headquarters and principal place of business are located at 1500 Market Street, Philadelphia, PA 19102-2148, and its telephone number is 215/665-1700. Copies of the Applicant’s Certificate of Formation, Certificate to transact business within the State of Missouri as a foreign business entity, Certificate of Good Standing, and registration of the fictitious name “Comcast Digital Phone” were previously filed with the Commission with Comcast Phone-MO’s application for certification in Case No. LA-2005-0417, which the Applicant adopts by reference pursuant to 4 CSR 240.2-060(G).

2. Comcast Phone-MO is a direct, wholly-owned subsidiary of Comcast Phone II, Inc., a corporation formed under the laws of the State of Delaware and headquartered at the same address as Comcast Phone-MO. Comcast Phone II, Inc. is an indirect, wholly-owned subsidiary of Comcast Corporation, also headquartered at 1500 Market Street, Philadelphia, Pennsylvania

19102-2148. Comcast Corporation (NASDAQ: CMCSA, CMCSK) is principally involved in the development, management and operation of broadband cable networks and programming content. Comcast Corporation is the largest cable company in the United States, serving more than 21 million cable subscribers.

3. Comcast Phone-MO was certificated by the Commission to provide intrastate telecommunications service by Order dated June 27, 2005, in Case No. LA-2005-0417.

4. All inquiries, correspondence, communications, pleadings, notices, orders, and decisions relating to the case should be addressed to:

Mark P. Johnson
Trina R. LeRiche
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111
816/460-2400
816/531-7545 (facsimile)
mjohnson@sonnenschein.com
tleriche@sonnenschein.com

In addition, please provide copies to:

John G. Sullivan
Vice President and Chief Counsel
Comcast Phone of Missouri, LLC
1500 Market Street
Philadelphia, PA 19102
215/320-8816
215/981-8508 (facsimile)
John_Sullivan@comcast.com

5. By the Application, Comcast Phone-MO moves pursuant to 4 CSR 240-3.513(4)(B) for adoption of the interconnection agreement between SBC Missouri and the CLEC Coalition, which was approved by the Commission by Order dated August 8, 2005, in Case No. TK-2006-0049 ("the Interconnection Agreement"). As demonstrated below, Comcast Phone-

MO has taken all appropriate actions to effect adoption of the Interconnection Agreement, but SBC Missouri has failed, without explanation, to execute the letter of adoption.

6. By letter delivered to SBC Missouri on August 10, 2005, the date on which approval of the Interconnection Agreement became effective according to the terms of the August 8 Order, Comcast Phone-MO informed SBC Missouri that it was adopting the Interconnection Agreement. A copy of the adoption letter is attached hereto as **Exhibit A**. The adoption letter is clear and unequivocal, and can be understood only to adopt the Interconnection Agreement. To demonstrate that Comcast Phone-MO was eligible to adopt an interconnection agreement, a copy of the Commission's certification order in Case No. LA-2005-0417 was included with the adoption letter.

7. Comcast Phone-MO stated in the letter that failure by SBC Missouri to provide signature-ready adoption forms in five business days would constitute unreasonable delay. As of the date of the filing of this Application, ten business days after the delivery of the adoption letter, SBC Missouri has failed to respond in any manner. Under the terms of 4 CSR 240-3.513(4)(B)(2), Comcast Phone-MO is to explain why it has been unable to obtain SBC Missouri's signature on the adoption. Unfortunately, Comcast Phone-MO is not in a position to provide that explanation, as SBC Missouri has failed to provide any explanation for its inaction. On the other hand, SBC Missouri has been energetically contacting other telecommunications carriers to obtain their adoption of interconnection agreements approved by the Commission as part of the recent consolidated arbitrations. SBC Missouri has simply chosen not to respond to Comcast Phone-MO's adoption letter.

8. Consistent with 4 CSR 240-2.060(1)(K), Comcast Phone-MO does not have any pending action or final unsatisfied judgment or decisions against it from any state or federal

agency or court which involves customer service or rates, which action, judgment or decision has occurred within 3 years of the date of application.

9. Consistent with 4 CSR 240-2.060(1)(L), Comcast Phone-MO does not have any overdue annual reports or assessment fees.

Wherefore, Comcast Phone-MO requests that the Commission open a case to consider this Application, that it serve notice on SBC Missouri of the filing hereof, and that it take all other action consistent with 4 CSR 240-3.513(4)(B) to bring about the adoption of the SBC Missouri -- CLEC Coalition interconnection agreement by Comcast Phone-Mo.

Respectfully submitted,

/s/ Mark P. Johnson

Mark P. Johnson Mo. Bar 30740

Trina R. LeRiche Mo. Bar 46080

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4520 Main Street, Suite 1100

Kansas City, MO 64111

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trleriche@sonnenschein.com

ATTORNEYS FOR APPLICANT
COMCAST PHONE OF MISSOURI, LLC

VERIFICATION

STATE OF MISSOURI)

) ss.

COUNTY OF JACKSON)

Comes now Mark P. Johnson, being of lawful age and duly sworn, who swears and affirms as follows:

1. My name is Mark P. Johnson, and I am an attorney for Comcast Phone of Missouri, LLC, the Applicant herein. I have been authorized by the Applicant to verify this Application on its behalf.

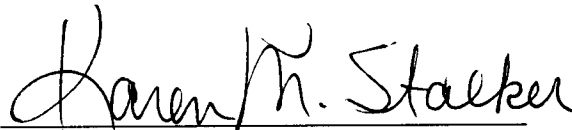
2. I have read the foregoing Application, and its contents are true and correct to the best of my knowledge and belief.

Further affiant sayeth not.



Mark P. Johnson

Subscribed and sworn to before me this 24th day of August, 2005.



Notary Public

My commission expires:

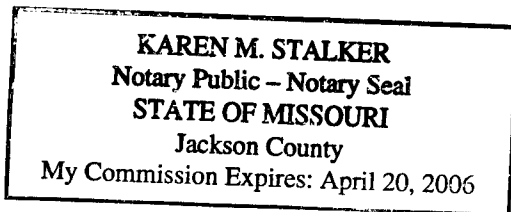


EXHIBIT A



Comcast Cable Communications, Inc.
1500 Market Street
Philadelphia, PA 19102

For Delivery on August 10, 2005

VIA OVERNIGHT MAIL

Director – Contract Management
SBC Telecommunications, Inc.
4 Bell Plaza
311 South Akard, 9th Floor
Dallas, Texas 75202

***RE: ADOPTION OF AN INTERCONNECTION AGREEMENT
BETWEEN SOUTHWESTERN BELL TELEPHONE, L.P. D/B/A SBC
MISSOURI AND COMCAST PHONE OF MISSOURI, LLC FOR THE
STATE OF MISSOURI***

Dear Director:

Pursuant to Section 252(i) of the Communication Act of 1934, as amended (the "Act"), Comcast Phone of Missouri, LLC, a Delaware limited liability company ("Comcast") hereby notifies SBC Missouri ("SBC") of its intent to adopt the M2A Interconnection Agreement between the CLEC Coalition and SBC ("CLEC Coalition M2A"), which was approved by the Missouri Public Service Commission ("PSC") by order dated August 8, 2005, effective August 10, 2005, in Docket No. TK-2006-0049. The adopted agreement ("Agreement") should include all amendments and modifications thereto, as well as any amendments or modifications yet to be filed incorporating PSC decisions, arbitration awards interpreting the agreement, and other relevant regulatory decisions as of this date.

For purposes of Comcast's adoption of the above Agreement, Comcast represents as follows:

1. Comcast adopts (and agrees to be bound by) the terms of the CLEC Coalition M2A in the state of Missouri, including the terms for Intercarrier Compensation. Comcast hereby notifies SBC that Comcast elects Option 3, "long-term Bill and Keep," to govern reciprocal compensation between Comcast and SBC.

2. Notice to Comcast as may be required under the terms of the Agreement shall be provided as follows:

Mr. John G. Sullivan
Vice President and Chief Counsel, Telephony
1500 Market Street
Philadelphia, PA
John_sullivan@comcast.com
Tel: (215) 320-8816
Fax: (215) 981-8508

with a copy to:

Ms. Beth Choroser
Senior Director of Regulatory Compliance
1500 Market Street
Philadelphia, PA
beth_choroser@comcast.com
Tel: (215) 981-7893
Fax: (215) 981-8508

3. Pursuant to the Code of State Regulations, Chapter 3, 4 CSR 240-3.513(4) (A), the adoption of the Agreement shall be deemed approved on the date it is properly submitted to the PSC, and shall become effective between and by Comcast and SBC as provided in the Agreement.
4. Comcast represents and warrants that it holds a certificate of service authority from the PSC, to provide intrastate telecommunications services in the state of Missouri (see the attached PSC order granting Comcast a certificate of service authority).
5. Comcast's adoption of the Agreement (including any and all amendments thereto) does not affect any rights Comcast may have to negotiate or arbitrate amendments to the agreement or a successor agreement; or to adopt a replacement agreement. In adopting the Agreement in the state of Missouri, Comcast does not waive any of its rights or remedies under the Communications Act, and such other state and federal law, rules, regulations, and decisions as may be applicable

In connection with Comcast's adoption of the Agreement as proposed herein, please forward signature-ready adoption papers to the undersigned at the address provided above. Please note that SBC's failure to provide Comcast with signature-ready adoption papers within five (5) business days of SBC's receipt of this notice shall, in Comcast's judgment, constitute an unreasonable delay. In

such case, Comcast shall take actions available under state regulation to hasten the process.

If you have any questions with respect to this adoption notice, please contact me at (215) 981-7893.

Sincerely,

A handwritten signature in cursive script that reads "Beth A. Choroser".

Beth A. Choroser
Senior Director of Regulatory Compliance

cc: Ana Bataille (Comcast)
Richard Wolfe (Comcast)
David Diers (Comcast)
Joyce Gailey (KDW)
James Soto (SBC)
Chris Nations (SBC)

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Comcast Phone of Missouri, LLC for a Certificate of Service Authority to Provide Basic Local, Local Exchange and Interexchange Telecommunications Service throughout the State of Missouri.)
)
) **Case No. LA-2005-0417**
)
)

ORDER GRANTING CERTIFICATE TO PROVIDE BASIC LOCAL,
LOCAL EXCHANGE AND INTEREXCHANGE
TELECOMMUNICATIONS SERVICES

Issue Date: June 27, 2005

Effective Date: July 7, 2005

This order grants a certificate of service authority to provide basic local, local exchange and interexchange telecommunications services in the state of Missouri, classifies those services and the company as competitive and waives certain statutes and regulations.

Procedural History

On May 13, 2005, Comcast Phone of Missouri, LLC, filed with the Missouri Public Service Commission an application for a certificate of service authority to provide basic local, nonswitched local and interexchange telecommunications services in the state of Missouri, and for competitive classification. On May 24, 2005, the Commission issued its Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene, establishing June 23 as the deadline for intervention with regard to interexchange services and June 8 as the deadline with regard to local exchange. There were no requests to intervene.

On June 20, 2005, the Staff of the Commission filed its memorandum, recommending that the Commission grant Comcast a certificate to provide basic local, nonswitched local and interexchange telecommunications services. Staff also recommends that the Commission classify the company and its services as competitive and grant the certificate subject to certain conditions.

Discussion

Comcast seeks certification to provide basic local, local exchange and interexchange services in portions of Missouri served by Southwestern Bell Telephone Company and Sprint Missouri, Inc.

The Commission may grant an application for a certificate of service authority to provide basic local telecommunications services upon a showing that: (1) the applicant as met the statutory requirements;¹ and (2) the grant of authority is in the public interest.² The applicant must also comply with the Commission's procedural rules.³

Comcast is also requesting that it and its services be classified as competitive and that the application of certain statutes and regulatory rules be waived. The Commission may classify a telecommunications services as competitive if the Commission determines that the applicant is subject to a sufficient degree of competition to justify a lesser degree of regulation.⁴ The Commission may only classify a telecommunications carrier as

¹ See Sections 392.450, 392.451 and 392.455, RSMo 2000. All statutory references, unless otherwise specified, are to the Revised Statutes of Missouri (RSMo), revision of 2000.

² Sections 392.430 and 392.440.

³ See Chapter 2, 4 CSR 240.

⁴ Section 392.361.2

competitive if all of its services are so classified.⁵ The Commission may waive the application of certain statutes and rules to a competitive carrier if it determines that such waiver is consistent with the purposes of Chapter 392.⁶

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact. The positions and arguments of all of the parties have been considered by the Commission in making this decision. Failure to specifically address a piece of evidence, position or argument of any party does not indicate that the Commission had failed to consider relevant evidence, but indicates rather that the omitted material was not dispositive of this decision.

Requirements of the Commission's Rules:

Commission Rules 4 CSR 240-2.060(1) and (6) require that an entity seeking certification to provide basic local telecommunications services provide certain information to the Commission in its application, including: a description of the business organization of the applicant, supported by a certificate of the Missouri Secretary of State; names and addresses for contact purposes; a disclosure of any pending or final judgments or decisions against it from any state or federal agency or court involving customer service or rates; a verified statement that there are no outstanding annual reports or assessment fees owed to this Commission; if applicable, a request to be classified as a competitive telecommunications company; a description of the types of services the applicant intends to provide; the

⁵ Section 392.361.3

⁶ See Sections 392.185, 392.361.3 and 392.420.

exchanges in which services are to be offered; and, a proposed tariff with an effective date which is not fewer than 45 days after its issue date.

Having reviewed the application and supporting materials filed by Comcast, the Commission finds that Comcast has complied with each of these requirements except for the proposed tariff. Comcast requests a temporary waiver of 4 CSR 240-3.510(1)(C) until it has entered into interconnection agreements and the Commission has approved such agreements. Comcast agrees to file a tariff after interconnection agreements have been obtained and will not provide service prior to any such tariff being effective.

Requirements of Section 392.450

Section 392.450.1 provides that the Commission may grant a basic local certificate only upon a finding, after notice and a hearing, that the applicant has complied with the certification process established under Section 392.455. Thus, an applicant's satisfaction of the requirements of the Commission's regulations and of Section 392.455 also satisfies Section 392.450.1. As explained below, the Commission does find that Comcast has satisfied the requirements of the Commission's regulations and of Section 392.455, and consequently finds that Comcast has complied with the certification process established by the Commission in satisfaction of Section 392.450.1.

Section 392.450.2 provides that an applicant for a basic local certificate must (1) file and maintain tariffs with the Commission in the same manner as the incumbent local exchange carriers and (2) meet the minimum service standards, including quality of service and billing standards that the Commission requires of the competing incumbent local exchange carriers.

Comcast did not file a proposed tariff in support of its application. However, Comcast stated that it would comply with all applicable Commission rules except those expressly waived by the Commission. Thus, Comcast has agreed to provide services that will meet the minimum basic local service standards required by the Commission, including quality of service and billing standards. Staff recommends that the certificate be granted. Having reviewed Comcast's application and supporting materials, as well as Staff's Memorandum and Recommendation, the Commission finds that Comcast has met the requirements of Section 392.450.2.

Requirements of Section 392.455

Section 392.455 authorizes the Commission to establish a process to grant basic local certification to new entrants and to grant certificates to new entrants to provide basic local telecommunications service on a common carriage basis. That section further requires that a new entrant: (1) possess sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications services; (2) demonstrate that the services it proposes to offer satisfy the minimum standards established by the Commission; (3) set forth the geographical area in which it proposes to offer service and demonstrate that such area follows the exchange boundaries of the incumbent local exchange telecommunications company and is no smaller than an exchange; and, (4) offer basic local telecommunications service as a separate and distinct service. Finally, Section 392.455 also requires that the Commission give due consideration to equitable access for all Missourians to affordable telecommunications services, regardless of where they live or their income.

In support of its application, Comcast filed Exhibit F to its application, which includes the names and qualifications of its key personnel. As exhibits G and H, Comcast submitted an Annual Report and Form 10-k. In its Memorandum, Staff indicated that Comcast has sufficient technical, financial and managerial resources and recommends that the application be granted.

Having reviewed Comcast's application and supporting materials, as well as Staff's Recommendation and Memorandum, the Commission finds that Comcast has met the requirements of Section 392.455(1) in that it has shown that it possesses sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications services.

As previously noted, Comcast has stated that it will comply with all applicable Commission rules except those expressly waived by the Commission. Based on this statement, the Commission finds that Comcast has demonstrated that the services it proposes to offer satisfy the minimum standards promulgated in Section 392.455(2).

In its Application, Comcast seeks certification in the exchange or services areas of the incumbent local exchange companies of Southwestern Bell Telephone Company and Sprint Missouri, Inc. Staff agrees that Comcast has sufficiently identified the exchanges in which it seeks certification and recommends that the application be approved. Having reviewed Comcast's application and supporting materials, as well as Staff's Memorandum and Recommendation, the Commission finds that Comcast has met the requirements of Section 392.455(3) in that it has set forth the geographic area in which it proposes to offer service and has demonstrated that such area follows the exchange boundaries of the

incumbent local exchange telecommunications companies and is no smaller than an exchange.

In its application, Comcast states that it will offer basic local service as a separate and distinct service. Based on this statement, the Commission finds that Comcast has met the requirements of Section 392.455(4), that all providers offer basic local telecommunications service as a separate and distinct service.

In its application, Comcast states that it will give consideration to equitable access for all Missourians, regardless of where they reside or their income, to affordable telecommunications service. Section 392.455(5) requires the Commission to give due consideration in this regard. Comcast's statement furthers this requirement.

Requirement for Competitive Classification

If the requested certification is granted, Comcast will compete with an incumbent local exchange carrier in each exchange in which it provides basic local telecommunications service. The Commission finds that Comcast will be subject to a sufficient level of competition to justify a lesser degree of regulation. Furthermore, all of the services Comcast will offer are qualified for classification as competitive services.

Conclusions of Law

The Missouri Public Service Commission has reached the following conclusions of law:

Jurisdiction:

The Commission is authorized to create a process by which to certify new entrants to provide local exchange telecommunications services in Missouri as common carriers, and is further authorized to grant such certificates, after notice and a hearing, where it is in

the best interest of the public.⁷ The Commission is also authorized to classify services and companies as competitive or transitionally competitive and waive certain statutory provisions and Commission rules.⁸ The Commission may also impose reasonable and necessary conditions upon telecommunications service providers if such conditions are in the public interest and consistent with the provisions and purposes of this chapter.⁹

The Public Interest

Having found that Comcast has met all of the requirements for certification to provide basic local telecommunications services as a common carrier, it remains to be determined whether it is in the public interest to grant the requested certificate. It has been legislated¹⁰ that “[t]he provisions of this chapter shall be construed to . . . promote diversity in the supply of telecommunications services and products throughout the state of Missouri; [and to] . . . [a]llow full and fair competition to function as a substitute for regulation when consistent with the protection of ratepayers and otherwise consistent with the public interest[.]” In consideration of the foregoing, and based upon its findings that Comcast has met all of the requirements for the requested certification, the Commission concludes that granting the requested certification is in the public interest. The Commission also finds that competition in the interexchange telecommunications market is in the public interest and Comcast should be granted a certificate of service authority to provide interexchange telecommunications services.

⁷ Sections 392.430, 392.450 and 392.455.

⁸ Section 392.361.

⁹ Section 392.470.1.

¹⁰ Section 392.180.

Competitive Classification

Comcast seeks competitive classification and the Commission has found that Comcast will be subject to a sufficient degree of competition to justify a lesser degree of regulation. The Commission has further found that all of Comcast's services will be entitled to classification as competitive services. Therefore, the Commission may classify Comcast as a competitive telecommunications company if such lesser degree of regulation is consistent with the protection of ratepayers and promotes the public interest. In consideration of these findings and of the public interest, the Commission concludes that granting competitive classification to Comcast is consistent with the protection of ratepayers and promotes the public interest.

Waivers

The Commission may waive certain statutes and administrative rules for competitively classified carriers "if such waiver or modification is otherwise consistent with the other provisions of Section 392.361 to 392.520 and the purposes of this chapter."¹¹

The Commission has developed a standard list of statutes and regulations that it waives for competitive local exchange and interexchange carriers. The Commission will waive these provisions for Comcast because to do so furthers the purposes of Chapter 392 to foster and encourage the development of competition in the telecommunications industry.

Staff's recommendation indicates that Comcast should be classified as a competitive telecommunications company. Staff agrees that Comcast's switched exchange access

¹¹ Section 392.361.5 and 392.420.

services may be classified as competitive services, conditioned upon certain limitations on Comcast's ability to charge for its access services. Those limitations are as follows:

1. Comcast's originating and terminating access rates will be no greater than the lowest Commission-approved corresponding access rates in effect for each ILEC within whose service area Comcast seeks authority to provide service, unless authorized by the Commission pursuant to Sections 392.220 and 392.230.
2. The Certificate and service classification for switched access services is conditioned on the continued applicability for Section 392.200, and the requirement that any increase in switched access service rates above the maximum switched access service rate set forth herein shall be made pursuant to Sections 392.220 and 392.230, and not Section 392.500 and 392.510.
3. If the directly competing ILEC, in whose service area the applicant is operating, decreases its originating and/or terminating access service rates, the applicant shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates in the directly competing ILEC's service area within 30 days of the directly competing ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap.

The Commission has considered the conditions proposed by Staff and concludes that they are reasonably necessary to protect the public interest and should be adopted.

Compliance

The Commission places Comcast on notice that failure to comply with certain obligations pursuant to law may result in penalties assessed against the company. These obligations include, but are not limited to, the following:

- A) The obligation to file an annual report, as established by Section 392.210, RSMo 2000. Failure to comply with this obligation will make the utility liable to a penalty of \$100 per day for each day that the violation continues. 4 CSR 240-3.540 requires telecommunications utilities to file their annual report on or before April 15 of each year.

B) The obligation to pay an annual assessment fee established by the Commission, as required by Section 386.370, RSMo 2000.

C) The obligation to comply with all relevant laws and regulations, as well as orders issued by the Commission. If the company fails to comply it is subject to penalties for noncompliance ranging from \$100 to \$2,000 per day of noncompliance, pursuant to Section 386.570, RSMo 2000.

D) The obligation to keep the Commission informed of its current address and telephone number.

Furthermore, the company is reminded that, if it is a corporation, its officers may not represent the company before the Commission. Instead, the corporation must be represented by an attorney licensed to practice law in Missouri.

In addition, the company is reminded that Section 392.410.6, RSMo Supp 2004, renders the company's certificate of service authority null and void one year from the date of this order unless it has exercised its authority under that certificate.

IT IS THEREFORE ORDERED:

1. That Comcast Phone of Missouri, LLC, is granted a certificate of service authority to provide basic local telecommunications service in the exchange of Southwestern Bell Telephone Company and Sprint Missouri, Inc., subject to the conditions and recommendation contained in the Staff of the Commission's Memorandum.

2. That Comcast Phone of Missouri, LLC, is granted a certificate to provide nonswitched local exchange telecommunications service restricted to dedicated private line services.

3. That Comcast Phone Missouri, LLC, is granted a certificate to provide interexchange telecommunications services.

4. That Comcast Phone Missouri, LLC, is granted competitive classification.

5. That Comcast Phone Missouri, LLC's certification and competitive status are expressly conditioned on the continued applicability for Section 392.200, and the requirement that any increase in switched access service rates above the maximum switched access service rate set forth herein shall be made pursuant to Sections 392.220 and 392.230, and not Section 392.500 and 392.510.

6. That if the directly competing ILEC, in whose service area the applicant is operating, decreases its originating and/or terminating access service rates, the applicant shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates in the directly competing ILEC's service area within 30 days of the directly competing ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap.

7. That application of the following statutes and Commission regulation is waived:

Statutes

- 392.210.2 - uniform system of accounts
- 392.240(1) - just and reasonable rates
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

Commission Rules¹²

- 4 CSR 240-3.550(5)(C) - exchange boundaries
- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts

8. That Commission rule 4 CSR 240-3.510(1)(C) is waived.

9. That prior to delivering services under its certificate of service authority, Comcast Phone Missouri, LLC shall file, in a separate case, tariff sheets with an effective date which is not fewer than 45 days from the issue date and which reflects the rates, rules, regulations and the services it will offer. The tariff shall also include a listing of the statutes and Commission rules waived above.

10. That this order shall become effective on July 7, 2005.

11. That this case may be closed on July 8, 2005.

BY THE COMMISSION

Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 27th day of June, 2005.

¹² The Commission notes that 4 CSR 240-3.545(2)(C) no longer exists. And, that 4 CSR 240-33.030 has been rescinded.