

PUBLIC SERVICE COMMISSION
BOX 360
PERSON CITY MO 65102

33 (12-91)

FIRST CLASS



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DEC 27 2011

Missouri Public
Service Commission

RETURNED TO SENDER
ADDRESSSEE
UNKNOWN

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ADDRESSSEE
UNKNOWN

Network Service Billing, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 7th day of
December, 2011.

In the Matter of an Investigation Into)
Tariff Provisions Governing)
Liabilities in Utility Operations)

File No. AO-2012-0173

ORDER OPENING INVESTIGATION

Issue Date: December 7, 2011

Effective Date: December 7, 2011

The Commission is directing Staff to investigate tariff provisions addressing liability for damages as follows.

Recent actions before the Commission have raised issues regarding tariff provisions that address matters otherwise determined by tort law, including liability, immunity, and indemnification among public utilities, customers, and third persons. The evidence in those actions shows that such provisions are multifarious and disparate among public utilities. The Commission will consider whether uniform standards for such provisions can benefit public utilities, customers, and third persons.

To assist in that consideration, the Commission will direct Staff to survey provisions currently in effect, examine other states' policies on such provisions, and file a report. The report shall include any Staff recommendation on the matter. The Commission will also solicit public utilities' and other interested persons' informal written comments.

For all comments, and other documents generated as part of this investigation, this file will constitute the repository. This file is open to any person to file relevant comments,

and to view comments and other documents, as follows. Any person may submit comments:

- Electronically through the Commission's electronic filing and information system (EFIS) at <http://www.psc.mo.gov>. Click on the EFIS/Case filings link on the left side of the page. Scroll down and click on the public comment link. Please reference File No. AO-2012-0173.
- By hard copy mailed to the Commission at P.O. Box 360, Jefferson City, Missouri 65102. Please Reference File No. AO-2012-0173.

Any person may file view the documents in this file by following the link at <http://www.psc.mo.gov>.

The following requirements do not apply to this investigation:

- Representation through an attorney authorized to appear before the Commission;
- Compliance with laws restricting communications with the Commission, including ex parte regulations; and
- Application to intervene.

Those things are unnecessary because a contested case neither exists nor is likely to exist in this file.

THE COMMISSION ORDERS THAT:

1. This file shall constitute the repository for all comments and other documents generated as part of this investigation.
2. The Commission's Staff shall conduct an investigation and file a report as described in the body of this order no later than March 30, 2012.

3. Any person may file comments relevant to this matter as set forth in the body of this order.

4. The Commission's Data Center shall deliver this order to each public utility that has an effective tariff on file with the Commission.

5. The Commission's Public Information Office shall make this order available to the members of the General Assembly and to media serving the State of Missouri.

6. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

Gunn, Chm., Davis, Jarrett and
Kenney, CC., concur.

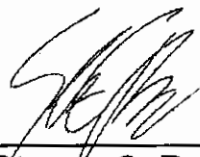
Jordan, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 7th day of December 2011.



Steven C. Reed
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

December 7, 2011

File/Case No. AO-2012-0173

Office of the Public Counsel
Lewis Mills
200 Madison Street, Suite 650
P.O. Box 2230
Jefferson City, MO 65102
opcservice@ded.mo.gov

Missouri Public Service Commission
Office General Counsel
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Missouri Telecom, Inc.
Legal Department
515 Cleveland, Suite C
Monett, MO 65708

Missouri Utilities Company
Legal Department
P.O. Box 506
Clinton, MO 64735

Missouri-American Water Company
Legal Department
727 Craig Road
St. Louis, MO 63141

Mitel NetSolutions, Inc.
Legal Department
7300 W. Boston Street
Chandler, AZ 85226-3229

Mobilitie, LLC
Legal Department
660 Newport Center Dr., Suite 200
Newport Beach, CA 92660

MoKan Communications, Inc.
Legal Department
112 South Broadway
P. O. Box 429
Louisburg, KS 66053

MoKan Dial, Inc.
Legal Department
112 S. Broadway
P.O. Box 429
Louisburg, KS 66053

Moore Bend Water Company, Inc.
Legal Department
872 Painter Rd.
PO Box 6640
Branson, MO 65615

Multiline Long Distance, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

National Access Long Distance, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

National Directory Assistance, LLC
Legal Department
12700 Townepark Way
Louisville, KY 40243

Nationwide Long Distance Service, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

Navigator Telecommunications, L.L.C.
Legal Department
8525 Riverwood Park Dr.
P.O. Box 13860
North Little Rock, AR 72113

NECC Telecom, Inc.
Legal Department
4969 US Hwy 42, Ste. 2700
Louisville, KY 40222

Net One International, Inc.
Legal Department
6933 University Blvd
Winter Park, FL 32792

Net Talk.com, Inc.
Legal Department
1100 NW 163rd Drive, Suite B-4
Miami, FL 33169-5816

Netelligent Corporation
Legal Department
405 South Woods Mill Rd., Ste 105
Chesterfield, MO 63017

Netwolves Network Services, LLC
Legal Department
4710 Eisenhower Blvd., Ste. E8
Tampa, FL 33634

Network Billing Systems, L.L.C.
Legal Department
155 Willowbrook Blvd., Ste. 130
Wayne, NJ 07470

Network Communications International Corp.
Legal Department
606 East Magrill Street
Longview, TX 75601

Network Innovations, Inc.
Legal Department
1101 S. Lake Street, 6th Floor
Chicago, IL 60607

Network Operator Services, Inc.
Legal Department
119 W. Tyler, Ste 260
P.O. Box 3529
Longview, TX 75606

Network Service Billing, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

Network Utilization Services
Legal Department
P.O. Box 990165
326 Commonwealth Ave. 1-F
Boston, MA 02199

NetworkIP, L.L.C.
Legal Department
119 W. Tyler St., Ste. 100
Longview, TX 75601

Neutral Tandem-Missouri, LLC
Legal Department
550 West Adams Street, Suite 900
Chicago, IL 60661

New Century Telecom, Inc.
Legal Department
3050 Royal Blvd. South, #175
Alpharetta, GA 30022

New Florence Telephone Company
Legal Department
150 S. Main
P.O. Box 146
Rockland, ID 83271

New Horizons Communications Corp.
Legal Department
420 Bedford Street, Suite 250
Lexington, MA 02420

New London Telephone Company
Legal Department
P.O. Box 88
Roachdale, IN 46172

NextG Networks Central
Legal Department
2216 O'Toole Avenue
San Jose, CA 95131-1326

NextGen Communications, Inc.
Legal Department
275 West Street
Annapolis, MD 21401

NobelTel, LLC
Legal Department
5973 Avenida Encinas
Suite 202
Carlsbad, CA 92008

Norstar Telecommunications, LLC
Legal Department
10025 Scenic View Road
Vienna, VA 22182

North Oak Sewer District, Inc.
Legal Department
17721 N. Service Road, Suite A
Wright City, MO 63390

Northeast Missouri Long Distance, L.L.C.
Legal Department
718 South West Street
P.O. Box 98
Green City, MO 63545

Northeast Missouri Rural Telephone Company
Legal Department
718 South West Street
P.O. Box 98
Green City, MO 63545

NOS Communications, Inc.
Legal Department
250 Pilot Road, Suite 300
Las Vegas, NV 89119

NOSVA Limited Partnership
Legal Department
250 Pilot Road, Suite 300
Las Vegas, NV 89119

NovaTel LTD
Legal Department
11550 IH-10 West, Suite 110
San Antonio, TX 78230

Oakbrier Water Company, Inc.
Legal Department
406 South Allen
Bernie, MO 63822

Operator Service Company LLC
Legal Department
5302 Avenue Q
Lubbock, TX 79412

Opex Communications, Inc.
Legal Department
707 Wilshire Blvd. 12th FL.
Los Angeles, CA 90017
contact@nationwideregulatorycompliance.com

Orchard Farm Telephone Company
Legal Department
P.O. Box 88
Roachdale, IN 46172

Oregon Farmers Mutual Long Distance, Inc.
Legal Department
118 East Nodaway
P.O. Box 227
Oregon, MO 64473

Oregon Farmers Mutual Telephone Company
Legal Department
118 East Nodaway
P.O. Box 227
Oregon, MO 64473

Osage Water Company
Legal Department
137 W. Franklin
P.O. Box 506
Clinton, MO 64735

Otelco Telecommunications, LLC
Legal Department
215 Roe Street
P.O. Box 38
Pilot Grove, MO 65276

Ozark Shores Water Company
Legal Department
62 Bittersweet Road
P.O. Box 9
Lake Ozark, MO 65049

Ozark Telephone Company
Legal Department
816 Oneida
P.O. Box 547
Seneca, MO 64865

P.C.B., Inc.
Legal Department
PO Box 1337
Washington, MO 63090

Pacific South Telecom, Inc.
Legal Department
3419 Westminster Ave., Suite 312
Dallas, TX 75205

PAETEC Business Services
Legal Department
1 Martha's Way
Hiawatha, IA 52233

PAETEC Communications, Inc.
Legal Department
600 Willowbrook Office Park
One PAETEC Plaza
Fairport, NY 14450

Pay Tel Communications, Inc.
Legal Department
4230 Beechwood Drive
PO Box 8179
Greensboro, NC 27419

Peace Valley Telephone Co., Inc.
Legal Department
P.O. Box 9
7101 State Rt. W
Peace Valley, MO 65788-0009
pvtelco@pvtelephone.com

Peaceful Valley Service Company
Legal Department
3408 B Peaceful Valley Road
Owensville, MO 65066

Peerless Network of Missouri, LLC
Legal Department
222 S. Riverside Plaza
Suite 2730
Chicago, IL 60606

Pioneer Telephone
Legal Department
39 Darling Avenue
South Portland, ME 04106
regulatory@pioneertelephone.com

Port Perry Service Company
Legal Department
728 PCR 724
PO Box 43
Perryville, MO 63775

PowerNet Global Communications
Legal Department
100 Commercial Drive
Fairfield, OH 45014
solutions@pngmail.com

Preferred Long Distance Inc.
Legal Department
16830 Ventura Blvd Ste 350
Encino, CA 91436

Prime Link Long Distance, Inc.
Legal Department
1000 W. Nifong Blvd., Bldg #1
Columbia, MO 65203
primelink@tranquility.net

Primus Telecommunications, Inc.
Legal Department
7901 Jones Branch Dr. # 900
McLean, VA 22102-3316

Protocol Telecom L.L.C.
Legal Department
14927 S. Caenen Lane
Olathe, KS 66062

Public Communications Services, Inc.
Legal Department
12021 Sunset Hills Rd, Suite 100
Reston, VA 20190

Public Funding Corporation of Ozark, Mo
Legal Department
205 North 1st Street
P.O. Box 295
Ozark, MO 65721

Public Wireless, Inc.
Legal Department
25 East Trimble Road
San Jose, CA 95131

Pulse Telecom LLC
Legal Department
4969 US Hwy 42, Ste. 2700
Louisville, KY 40222

QuantumShift Communications, Inc.
Legal Department
12657 Alcosta Boulevard, Suite 418
San Ramon, CA 94583

Quasar Communications Corporation
Legal Department
15610 Boulder Oaks Drive
Houston, TX 77084-3009

QX Telecom, LLC
Legal Department
230 5th Avenue, Suite 800
New York, NY 10001

R. D. Sewer Co., L.L.C.
Legal Department
P.O. Box 302
Wappapello, MO 63966

Raytown Water Company
Legal Department
9820 East 63rd Street
Raytown, MO 64133

Reduced Rate Long Distance, L.L.C.
Legal Department
1800 Pembroke Drive., Suite 300
c/o Dominion Business Group
Orlando, FL 32810

Reliant Communications, Inc.
Legal Department
801 International Parkway, 5th Floor
Lake Mary, FL 32746

Residential Long Distance, Inc.
Legal Department
300 Maple Park Blvd., Ste 301
St. Clair Shores, MI 48081

Reunion Communications, Inc.
Legal Department
106 W. Calendar Avenue #190
LaGrange, IL 60525

Rex Deffenderfer Enterprises, Inc.
Legal Department
1770 North Deffer Drive, Ste 4
Nixa, MO 65714

Riverfork Water Company
Legal Department
P.O. Box 1080
786 Croley Blvd.
Nixa, MO 65714-1080

Rock Port Long Distance
Legal Department
P. O. Box 147
214 S. Main Street
Rock Port, MO 64482

Rock Port Telephone Company
Legal Department
214 S. Main Street
P.O. Box 147
Rock Port, MO 64482

Rodeo Telecom, Inc.
Legal Department
3550 Wilshire Blvd. 17th Floor
Los Angeles, CA 90010

Rogue Creek Utilities, Inc.
Legal Department
10201 Windcrest Rd.
Potosi, MO 63664

Roy-L Utilities, Inc.
Legal Department
366 Hwy. F
High Hill, MO 63350

Rystec, Inc.
Legal Department
515 S. Second Street
Branson, MO 65616

S-GO Long Distance
Legal Department
816 Oneida
P.O. Box 547
Seneca, MO 64865

S. K. & M. Water and Sewer Company
Legal Department
P.O. Box 212
Perryville, MO 63775

Sage Telecom, Inc.
Legal Department
3300 East Renner Road
Suite 350
Richardson, TX 75082-2800
accounts payable@sagetelecom.net

Seges Partners Mobile Home Park, L.L.C.
Legal Department
1435 Thompson Boulevard, Suite B
Sedalia, MO 65301

Seneca Telephone Company
Legal Department
816 Oneida Avenue
P.O. Box 329
Seneca, MO 64865

Sho-Me Technologies, LLC
Legal Department
301 West Jackson
P.O. Box D
Marshfield, MO 65706

Silv Communication, Inc
Legal Department
3460 Wilshire Boulevard, Suite 1103
Los Angeles, CA 90010

SmarTalk
Legal Department
One AT&T Way, Room 2B115E
Bedminster, NJ 07921

Smithview H2O Company
Legal Department
1501 Vandiver #88
Columbia, MO 65202

Socket Telecom, LLC
Legal Department
2703 Clark Lane
Columbia, MO 65202-1118

SOEC Technologies, LLC
Legal Department
4815 E. Hwy 54
P.O. Box 111
El Dorado Springs, MO 64744

Sonic Telecom, LLC
Legal Department
2260 Apollo Way
Santa Rosa, CA 95407

Southern Missouri Natural Gas
Legal Department
P.O. Box 847
500 W. 19th
Mountain Grove, MO 65711

Southtown Utilities Company, Inc.
Legal Department
4762 S 131st Rd
P.O. Box 178
Bolivar, MO 65613

Southwest Communications, Inc.
Legal Department
4100 North Mulberry Drive, Suite 100
Kansas City, MO 64116

Spokane Highlands Water Company
Legal Department
290 Highland Drive
Spokane, MO 65754

Sprint Communications Company, L.P.
Legal Department
6200 Sprint Parkway
Overland Park, KS 66251

Startec
Legal Department
433 E. Las Colinas Blvd., Ste. 400
Irving, TX 75039

Steelville Long Distance Company, Inc.
Legal Department
61 E. Highway 8
P.O. Box 370
Steelville, MO 65565

Steelville Telephone Exchange, Inc.
Legal Department
61 East Highway 8
P.O. Box 370
Steelville, MO 65565-0370

STi Prepaid, LLC
Legal Department
1250 Broadway, 26th Floor
New York, NY 10001

Stockton Hills Water Company
Legal Department
808 South Street
P.O. Box 276
Stockton, MO 65785

Stouffer Communications, Inc.
Legal Department
126 South Beaver Ave.
P.O. Box 200
Granby, MO 64844

Stoutland Telephone Company
Legal Department
P.O. Box 88
Roachdale, IN 46172

Suddenlink Communications (Mercury Voice)
Legal Department
12444 Powerscourt Drive
St. Louis, MO 63131

SureWest Kansas Licenses, LLC
Legal Department
14859 W. 95th Street, Lenexa KS
PO Box 969
Roseville, CA 95661-0969
regulatory@surewest.com

Switched Services Communications, L.L.C.
Legal Department
5000 Plaza on the Lake, Suite 200
Austin, TX 78746

Taney County Utilities Corporation
Legal Department
P.O. Box 177
116 Laughing Lane
Rockaway Beach, MO 65740

Taney County Water, LLC
Legal Department
786 Croley Blvd
PO Box 1080
Nixa, MO 65714

Taneycomo Highlands, Inc.
Legal Department
22992 Sans Souci Dr
HC-2 Box 2086
Shell Knob, MO 65747

TBJ Sewer Systems, Inc.
Legal Department
5686 Gildehaus Road
Villa Ridge, MO 63089
tbj_sewer_systems_inc@yahoo.com

TCG Kansas City, Inc.
Legal Department
One AT&T Way, Room 2B115E
Bedminster, NJ 07921

TCG St. Louis
Legal Department
One AT&T Way, Room 2B115E
P.O. Box 752
Bedminster, NJ 07921-2694

TCO Network, Inc
Legal Department
13400 Bishops Ln, Ste 295
Brookfield, WI 53005

TDS Long Distance Corporation
Legal Department
525 Junction Road
Madison, WI 53717

TelCove Operations, Inc.
Legal Department
1025 Eldorado Blvd.
Broomfield, CO 80021

Tele Circuit Network Corporation
Legal Department
1815 Satellite Blvd., Ste. 504
PO Box 958283
Duluth, GA 30095

Telecare, Inc.
Legal Department
444 Lafayette Road
Noblesville, IN 46060

Telecom North America, Inc.
Legal Department
1802 N. Carson St. Suite 108-2683
Carson City, NV 89701

**Teleconnect Long Distance
Services & Systems Company**
Legal Department
22001 Loudoun County Parkway
Ashburn, VA 20147

TeleQuality Communications, Inc
Legal Department
16601 Blanco Road, Ste. 207
San Antonio, TX 78232

TeleUno, Inc.
Legal Department
2754 W. Atlantic Blvd., Suite 8
Pompano Beach, FL 33069
corporateoffice@teleuno.com

Telmex USA, L.L.C.
Legal Department
3350 SW 148 Avenue, Suite 400
Miramar, FL 33027

Telrite Corporation
Legal Department
4113 Monticello Street
Covington, GA 30014

Terre Du Lac Utilities Corporation
Legal Department
1628 S. St. Francois Road
Bonne Terre, MO 63628

The Sienna Group
Legal Department
6460 Harrison Ave., Ste. 302
Cincinnati, OH 45247

Timber Creek Sewer Company
Legal Department
18305 Cable Bridge Rd
P.O. Box 511
Platte City, MO 64079

Time Warner Cable (TWCIS)
Legal Department
60 Columbus Circle
New York, NY 10023

TMC Communications
Legal Department
5LINX Enterprises, Inc.,
275 Kenneth Drive
Rochester, NY 14623

Toly Digital Networks, Inc.
Legal Department
4425 Military Trail, Ste. 209
Jupiter, FL 33458-4817

Total Call International, Inc.
Legal Department
707 Wilshire Boulevard, 12th FL
Los Angeles, CA 90017

Touchtone Communications Inc.
Legal Department
16 South Jefferson Road
Whippany, NJ 07981

**Trans National Communications
International, Inc.**
Legal Department
2 Charlesgate West
Boston, MA 02215

Tri-States Utility, Inc
Legal Department
302 Terrace Road
Branson, MO 65616

TSI
Legal Department
3629 Cleveland Avenue, Suite C
P.O. Box 247168
Columbus, OH 43224

TTI National, Inc.
Legal Department
22001 Loudoun County Parkway
Ashburn, VA 20147

tw telecom of kansas city, llc
Legal Department
10475 Park Meadows Dr., Ste. 400
Littleton, CO 80124

U.S. South
Legal Department
250 Williams St. Ste M-100
Atlanta, GA 30303

U.S. Telecom Long Distance, Inc.
Legal Department
3960 Howard Hughes Pkwy
Las Vegas, NV 89109

U.S. Water Company
Legal Department
8901 State Line Road, Suite 250
Kansas City, MO 64114

UCN, Inc.
Legal Department
7730 S. Union Park Ave. Ste. 500
Midvale, UT 84047

Uni-Tel Communications Group, Inc.
Legal Department
932 N. Wright St., Suite 104
P.O. Box 1000
Naperville, IL 60563

Union Electric Company
Legal Department
1901 Chouteau Avenue
P.O. Box 66149, Mail Code 1310
St. Louis, MO 63166-6149
AmerenMOService@ameren.com

Unite Private Networks, LLC
Legal Department
950 W 92 Hwy, Suite 203
P.O. Box 25526
Kansas City, MO 64119

United American Technology, Inc.
Legal Department
1401 S Fretz Dr.
Edmond, OK 73003

US Signal Company, L.L.C.
Legal Department
201 Ionia Avenue SW
Grand Rapids, MI 49503

USA Digital Communications, Inc.
Legal Department
300 Johnny Bench Drive
Oklahoma City, OK 73104

Valley Woods Water Company, Inc.
Legal Department
999 Mulberry Road
Highlandville, MO 65669

Value-Added Communications, Inc.
Legal Department
12021 SUNSET HILLS ROAD, SUITE 100
RESTON, VA 20190
scockerham@fastekteam.com

Velocity The Greatest Phone Company Ever, Inc.
Legal Department
7130 Spring Meadows West Drive
Holland, OH 43528

Veolia Energy Kansas City, Inc
Legal Department
115 Grand Ave
Kansas City, MO 64106

Verizon Access Transmission Services
Legal Department
22001 Loudoun County Parkway
Ashburn, VA 20147

Verizon Business Services
Legal Department
22001 Loudoun County Parkway
Ashburn, VA 20147

Verizon Long Distance LLC
Legal Department
One Verizon Way
VC22E43
Basking Ridge, NJ 07920

Verizon Select Services, Inc.
Legal Department
1 Verizon Way
Mail Code VC22E243
Basking Ridge, NJ 07920

Village Greens Water Company
Legal Department
960 Plaza Drive, Ste A
St. Clair, MO 63077

Village Water and Sewer Company, Inc.
Legal Department
44 Carriage Lane
St. Louis, MO 63108

Voicecom Telecommunications, LLC
Legal Department
5900 Windward Parkway, Suite 500
Alpharetta, GA 30005

W.P.C. Sewer Company
Legal Department
2111 W. Broadway Street
Sedalia, MO 65301

Warren County Sewer Company, Inc.
Legal Department
403 Pecan Street
P.O. Box 278
Marthasville, MO 63357

WDT World Discount Telecommunications Co.
Legal Department
13644 Neutron Rd.
Dallas, TX 75244

West 16th Street Sewer Company, Inc.
Legal Department
2111 West Broadway Boulevard
Sedalia, MO 65301-2516

Westel, Inc.
Legal Department
8303 N. Mopac, Ste. C-400
Austin, TX 78759

Whispering Hills Water System
Legal Department
P.O. Box 24
Wappapello, MO 63966

Whiteside Hidden Acres, L.L.C.
Legal Department
HC 77, Box 899C
Pittsburg, MO 65724

Wholesale Carrier Services, Inc.
Legal Department
5471 N University
Coral Springs, FL 33067

Willows Utility Company, The
Legal Department
P.O. Box 2529
Rockwall, TX 75087

WiTel Communications, LLC
Legal Department
1025 Eldorado Blvd.
Broomfield, CO 80021

WiMacTel, Inc.
Legal Department
2225 E. Bayshore Road, Ste 200
Palo Alto, CA 94303

Windstream Communications, Inc.
Legal Department
4001 Rodney Parham Rd.
P.O. Box 180
Little Rock, AR 72212

Windstream Iowa Communications, Inc.
Legal Department
4001 Rodney Parham Rd.
Little Rock, AR 72212

Windstream KDL, Inc.
Legal Department
4001 Rodney Parham Road
Little Rock, AR 72212

Windstream Missouri, Inc.
Legal Department
4001 Rodney Parham Road
P. O. Box 180
Little Rock, AR 72212

Windstream Norlight, Inc.
Legal Department
4001 Rodney Parham Road
Little Rock, AR 72212

Windstream NTI, Inc.
Legal Department
4001 Rodney Parham Road
Little Rock, AR 72212

Windstream Nuvox Missouri, Inc.
Legal Department
4001 Rodney Parham
Little Rock, AR 72212

Woodland Manor Water Company, LLC
Legal Department
P.O. Box 73
Kimberling City, MO 65686
fennema21@msn.com

Worldwide Telecommunications, Inc.
Legal Department
4505 Las Virgenes Rd., Ste. 115
Calabasas, CA 91302

XO Communications Services, Inc.
Legal Department
13865 Sunrise Valley Drive
Herndon, VA 20171

Yak Communications (America), Inc.
Legal Department
300 71st St
PO Box 414629
Miami Beach, FL 33141

Yestel USA, Inc.
Legal Department
411 E Huntington Drive, Suite 205
Arcadia, CA 91006

YMax Communications Corp.
Legal Department
5700 Georgia Avenue
P.O. Box 6785
West Palm Beach, FL 33405-6785

YourTel America, Inc.
Legal Department
2800 E. 18th Street
Kansas City, MO 64127

Zayo Group, LLC
Legal Department
400 Centennial Parkway
Louisville, CO 80027

Zone Telecom, LLC
Legal Department
3130 Pleasant Run
Springfield, IL 62711

Zoom-I-Net Communications, Inc.
Legal Department
198 N. Ridge Drive
Central Square, NY 13036
mail@zintelco.com

1010 123 Americatel
Legal Department
433 E. Las Colinas Blvd., Ste 400
Irving, TX 75039

321 Communications, Inc
Legal Department
P.O. Box 23110 SR 54
Lutz, FL 33549-0000

360Networks (USA) Inc.
Legal Department
370 Interlocken Blvd
Ste. 600
Broomfield, CO 80021

800 Response Information Services LLC
Legal Department
200 Church Street
P.O. Box 1049
Burlington, VT 05402

ABA Net, LLC
Legal Department
2400 Research Blvd., Ste. 210
Rockville, MD 20850

Access Fiber Group, Inc.
Legal Department
201 Summit Parkway
Birmingham, AL 35209

Access One, Inc.
Legal Department
820 West Jackson Blvd., 6th Floor
Chicago, IL 60607

Access Point, Inc.
Legal Department
1100 Crescent Green, Ste 109
Cary, NC 27518

Access2Go, Inc.
Legal Department
4700 N. Prospect Road
Peoria Heights, IL 61616

AccessLine Communications Corporation
Legal Department
11201 SE Eighth St., Ste. 200
Bellevue, WA 98004

ACN Communication Services, Inc.
Legal Department
1000 Progress Place NE
Concord, NC 28025

Advanced Integrated Technologies, Inc.
Legal Department
9855 W. 78th St., Ste. 300
Eden Prairie, MN 55344

Advantage Telecommunications, Corp.
Legal Department
3001 Aloma Avenue, Suite 304
Winter Park, FL 32792

Aero Communications, LLC
Legal Department
3901 Technology Dr
Paducah, KY 42001

Affinity 4
Legal Department
999 Waterside Drive
Suite 1910
Norfolk, VA 23510

Affinity Network Incorporated
Legal Department
4380 Boulder Highway
Las Vegas, NV 89121

Airespring, Inc.
Legal Department
6060 Sepulveda Blvd., Suite 220
Van Nuys, CA 91411-2512

Airnex Communications, Inc.
Legal Department
5000 Hopyard, Ste. 240
Pleasanton, CA 94577

All American Home Phone
Legal Department
4315 Bluebonnet Blvd., Suite A
Baton Rouge, LA 70809

Alliance Global Networks LLC
Legal Department
1221 Post Road E
Westport, CT 06880

Alma Long Distance, L.L.C.
Legal Department
113 S. County Road
P.O. Box 127
Alma, MO 64001
atc@almanet.net

Alma Telephone Company
Legal Department
113 South County Road
P.O. Box 127
Alma, MO 64001
atc@almanet.net

American Fiber Network, Inc.
Legal Department
9401 Indian Creek Pkwy., Ste. 280
Overland Park, KS 66210

American Fiber Systems, Inc.
Legal Department
400 Centennial Parkway, Ste 200
Louisville, CO 80027

American Phone Services Corp.
Legal Department
308 Maxwell Drive, Suite 100
Alpharetta, GA 30004
legal@amphone.com

American Select
Legal Department
7300 Hudson Blvd N #265
Oakdale, MN 55128

American Telecommunications Systems, Inc.
Legal Department
4450 Belden Vig St, NW, #602
Canton, OH 44718
contact@nationwideregulatorycompliance.com

ANI Networks
Legal Department
250 Pilot Road, Ste. 300
Las Vegas, NV 89119

ANPI, LLC
Legal Department
3130 Pleasant Run
Springfield, IL 62711

Applewood Communications Corporation
Legal Department
P.O. Box 70
South Boston, VA 24592

Argyle Estates Water Supply
Legal Department
408 Hillcrest Drive
Union, MO 63084

Arizona Telephony Brokers, L.L.C.
Legal Department
8757 E. Via De Commercio, First Floor
Scottsdale, AZ 85258

Association Administrators, Inc.
Legal Department
180 East Main Street, Suite 200
Smithtown, NY 11787

AT&T Communications of the Southwest, Inc.
Legal Department
One AT&T Way, Room 2B115E
Bedminster, NJ 07921

AT&T Long Distance
Legal Department
675 W. Peachtree St. Rm. 17E21
Atlanta, GA 30375

AT&T Long Distance East
Legal Department
310 Orange Street
Suite 6M2
New Haven, CT 06510

AT&T Long Distance Service
Legal Department
675 W. Peachtree St.
Room 17E21
Atlanta, GA 30375

AT&T Missouri
Legal Department
909 Chestnut Street, Room 3520
One AT&T Center
St. Louis, MO 63101

ATC Outdoor DAS, LLC
Legal Department
116 Huntington Avenue, 11th
Boston, MA 02116

Atmos Energy Corporation
Legal Department
5430 LBJ Freeway, Ste. 160
Dallas, TX 75240

Aurora Communications, Inc.
Legal Department
214 Elm St., Suite 101
Washington, MO 63090
aurora@yhti.net

Avid Communications, L.L.C.
Legal Department
1800 Baltimore Ave, Ste 200
Kansas City, MO 64108

Bandwidth.com CLEC, LLC
Legal Department
4001 Weston Parkway
Cary, NC 27513
info@bandwidth.com

Barry Technology Services, L.L.C.
Legal Department
4015 Main Street
P.O. Box 307
Cassville, MO 65625-0307

BCN Telecom, Inc.
Legal Department
550 Hills Dr., Ste 110
Bedminster, NJ 07921

Big River Telephone Company, LLC
Legal Department
24 South Minnesota
P.O. Box 1608
Cape Girardeau, MO 63702-1608

Bilyeu Water Co., LLC
Legal Department
109 Rosemary Dr.
Ozark, MO 65721

Birch Communications (Birch)
Legal Department
2300 Main Street, Ste. 600
Kansas City, MO 64108

Birch Communications (Ionex)
Legal Department
2300 Main Street, Ste. 600
Kansas City, MO 64108-2415
info@birch.com

BPS Long Distance
Legal Department
120 Stewart Street
P.O. Box 550
Bernie, MO 63822

BPS Telephone Company
Legal Department
120 Stewart Street
P.O. Box 550
Bernie, MO 63822

Brandco Investments, LLC
Legal Department
155 South Minnesota Avenue
PO Box 1685
Cape Girardeau, MO 63703

Broadview Networks, Inc.
Legal Department
1018 West 9th Ave
King of Prussia, PA 19406

Broadvox-CLEC, LLC
Legal Department
1950 N. Stemmons Fwy., Ste. 3031
Dallas, TX 75207

Broadwing Communications, LLC
Legal Department
1025 Eldorado Blvd.
Broomfield, CO 80021

Budget Phone
Legal Department
1325 Barksdale Blvd., Ste. 200
Bossier City, LA 71111

BullsEye Telecom, Inc.
Legal Department
25925 Telegraph Rd., Ste 210
Southfield, MI 48033

Business Discount Plan, Inc.
Legal Department
1 World Trade Center Ste. 800
Long Beach, CA 90831

Business Network Long Distance, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

Callaway Technology, L.L.C.
Legal Department
1313 Cooperative Drive
P.O. Box 250
Fulton, MO 65251

Calvey Brook Sewer, Inc.
Legal Department
116 East Orleans
Pacific, MO 63069

Calvey Brook Water, Inc.
Legal Department
116 East Orleans
Pacific, MO 63069

Cannon Home Association, Inc.
Legal Department
22764 Joanna Drive
Perry, MO 63462

Capital International Communications, L.L.C
Legal Department
8762 St. Charles Rock Rd.
St. Louis, MO 63114

Cavalier Telephone (Talk)
Legal Department
2134 W Laburnum Ave
Richmond, VA 23227

Cbeyond Communications, LLC
Legal Department
320 Interstate North Pkwy. SE, Suite 300
Atlanta, GA 30339

Cebridge Connections
Legal Department
12444 Powerscourt Dr., Ste. 140
St. Louis, MO 63131

**Central Missouri
Telecommunications, Inc.**
Legal Department
234 Oak Knoll Rd, Linn Creek
PO Box 596
Osage Beach, MO 65065

**Central Rivers Wastewater Utility,
Inc.**
Legal Department
10040 Rock Falls Rd
PO Box 528
Kearney, MO 64060

**Central Telecom Long Distance,
Inc.**
Legal Department
201 South Tejon Street, 11th Floor
Colorado Springs, CO 80903

**CenturyLink (CenturyTel of
Missouri)**
Legal Department
PO Box 4065
100 CenturyLink Drive
Monroe, LA 71203

CenturyLink (Embarq Missouri)
Legal Department
100 CenturyLink Drive
Monroe, LA 71203

CenturyLink (Spectra)
Legal Department
100 CenturyLink Drive
P.O. Box 4065
Monroe, LA 71203

CenturyLink Communications
Legal Department
100 CenturyLink Drive
PO Box 4065
Monroe, LA 71203

CenturyLink Long Distance
Legal Department
PO Box 4065
100 CenturyTel Drive
Monroe, LA 71203

CenturyLink QCC
Legal Department
100 CenturyLink Drive
Monroe, LA 71203

CenturyLink Solutions
Legal Department
100 CenturyLink Drive
Monroe, LA 71203

**CenturyTel of Northwest Arkansas,
LLC**
Legal Department
100 CenturyLink Drive
Monroe, LA 71203

Chariton Valley L.D. Corp.
Legal Department
1213 E. Briggs Drive
P.O. Box 67
Macon, MO 63552

**Chariton Valley Telecom
Corporation**
Legal Department
1213 E. Briggs Drive
P.O. Box 67
Macon, MO 63552

**Chariton Valley Telephone
Corporation**
Legal Department
1213 E. Briggs Drive
P.O. Box 67
Macon, MO 63552

Charter Fiberlink - Missouri, LLC
Legal Department
12405 Powerscourt Drive
St. Louis, MO 63131

Choctaw Telephone Company
Legal Department
204 West Main
P.O. Box 82
Haltown, MO 65664

**CIMCO, a Division of Comcast
Business Services**
Legal Department
183 Inverness Drive West
Englewood, CO 80112

Cincinnati Bell Any Distance Inc.
Legal Department
221 E. Fourth Street, Room 103-1170
Cincinnati, OH 45202

Citizens Long Distance Company
Legal Department
1905 Walnut Street
P.O. Box 737
Higginsville, MO 64037

**Citizens Telephone Company of
Higginsville Missouri**
Legal Department
1905 Walnut
P.O. Box 737
Higginsville, MO 64037

**City Utilities of Springfield,
Missouri**
Legal Department
301 E. Central
P.O. Box 551
Springfield, MO 65801

**Clear World Communications
Corporation**
Legal Department
3501 South Harbor Blvd.
Suite 200
Santa Ana, CA 92704

Coast International, Inc.
Legal Department
14303 West 95th Street
Lenexa, KS 66215

Comcast Digital Phone
Legal Department
One Comcast Center
1701 JFK Boulevard
Philadelphia, PA 19103

Common Point, LLC
Legal Department
3130 Pleasant Run
Springfield, IL 62711

Communications Network Billing, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

COMTECH 21, LLC
Legal Department
One Barnes Park South
Wallingford, CT 06492

ConQuest
Legal Department
One AT&T Way, Room 2B115E
Bedminster, NJ 07921

Consolidated Communications Network Services
Legal Department
121 S. 17th Street
Mattoon, IL 61938

Consolidated Communications Operator Services
Legal Department
121 S. 17th Street
Mattoon, IL 61938

Consolidated Communications Public Services
Legal Department
121 W. 17th Street
Mattoon, IL 61938

Consolidated Telecom, Inc.
Legal Department
1320 Greenway Drive, Suite 450
Irving, TX 75038

Convergia, Inc.
Legal Department
237 Hymus Blvd.
Pointe Claire
Quebec H9R 5C7, Canada, MO 99999

Covad Communications Company
Legal Department
2220 O'Toole Avenue
San Jose, CA 95131

Covista, Inc.
Legal Department
225 E. 8th St., Ste. 400
Chattanooga, TN 37402

Cox Missouri Telcom, L.L.C.
Legal Department
1400 Lake Hearn Dr
Atlanta, GA 30319

Craw-Kan Telephone Cooperative, Inc.
Legal Department
200 N. Ozark
P.O. Box 100
Girard, KS 66743

Credo Long Distance
Legal Department
101 Market Street
Suite 700
San Francisco, CA 94105

Crexendo Business Solutions, Inc
Legal Department
3483 Satellite Blvd., Suite 202
Duluth, GA 30096-5800

Custom Teleconnect, Inc.
Legal Department
6242 West Desert Inn Road
Las Vegas, NV 89146

Davidson Telecom, LLC
Legal Department
P.O. Box 2342
525 Spring Street
Davidson, NC 28036

DC Communications
Legal Department
270 South Main Street
Flemington, NJ 08822

DCT Telecom Group, Inc.
Legal Department
27877 Clemens Road
Westlake, OH 44145

Digizip.com, Inc.
Legal Department
168 Irving Ave., Ste 302
Port Chester, NY 10573

Direct Communications Long Distance, Inc.
Legal Department
150 South Main
P.O. Box 270
Rockland, ID 83271

Discount Plus
Legal Department
107 W Michigna 4th Floor
Kalamzoo, MI 49007
contact@nationwideregulatorycompliance.com

DISH Network Phone and Internet
Legal Department
2460 West 26th Avenue, Suite 380-C
Denver, CO 80211

dPi-Tele-Connect, L.L.C.
Legal Department
3350 Boyington Drive, Ste. 200
Carrollton, TX 75006

EarthLink Business (Business Telecom)

Legal Department
1375 Peachtree Street
Atlanta, GA 30309

EarthLink Business (CTC)

Legal Department
1375 Peachtree Street
Atlanta, GA 30309

EarthLink Business (DeltaCom)

Legal Department
1375 Peachtree Street
Atlanta, GA 30309

EarthLink Business (New Edge)

Legal Department
1375 Peachtree Street
Atlanta, GA 30309

Easton Telecom Services, L.L.C.

Legal Department
3046 Brecksville Road, Summitt II -
Unit A
Richfield, OH 44286

ECG

Legal Department
312 S.E. Delaware
P.O. Box 936
Bartlesville, OK 74005

Electric Lightwave, LLC

Legal Department
1201 NE Lloyd Blvd,
Portland, OR 97232-1259

Ellington Telephone Company

Legal Department
200 College Avenue
P.O. Box 400
Ellington, MO 63638

EMC of St. Charles County, LLC

Legal Department
1001 Boardwalk Springs Place
Ste. 100
O Fallon, MO 63368

Emerald Pointe Utility Company

Legal Department
118 State Drive
Hollister, MO 65672

Emerald Pointe Utility Company

Legal Department
118 State Drive
Hollister, MO 65672

**Empire District Electric Company,
The**

Legal Department
602 Joplin Avenue
P.O. Box 127
Joplin, MO 64802

**Empire District Electric Company,
The**

Legal Department
602 S. Joplin Avenue
P.O. Box 127
Joplin, MO 64802

Empire District Gas Company, The

Legal Department
P.O. Box 127
602 S. Joplin Avenue
Joplin, MO 64802

Empire District Industries, Inc.

Legal Department
602 Joplin Avenue
P.O. Box 127
Joplin, MO 64801

Encartele, Inc.

Legal Department
8206 S. 109 Street
LaVista, NE 68128

**Enhanced Communications
Network, Inc.**

Legal Department
1031 S. Glendora Ave.
West Covina, CA 91790

Entelegant Solutions, Inc.

Legal Department
3800 Arco Corporate Drive, Suite 310
Charlotte, NC 28273

Entrix Telecom, Inc.

Legal Department
550 Broad Street, 17th Fl.
Newark, NJ 07102

Environmental Utilities, LLC

Legal Department
16533 N. State Highway 5
P.O. Box 650
Sunrise Beach, MO 65079

Envirowater Company, LLC

Legal Department
712 Balcarra Drive
Dardenne Prairie, MO 63368

Ernest Communications, Inc.

Legal Department
5275 Triangle Parkway, Suite 150
Norcross, GA 30092

ExteNet Systems, Inc.

Legal Department
3030 Warrenville Rd, #340
Lisle, IL 60532

FairPoint Carrier Services, Inc.

Legal Department
908 W. Frontview
P.O. Box 199
Dodge City, KS 67801

FairPoint Communications

Legal Department
908 W. Frontview
PO Box 199
Dodge City, KS 67801

FairPoint Communications Long Distance

Legal Department
908 W. Frontview
P.O. Box 199
Dodge City, KS 67801

Farber Telephone Company

Legal Department
Main and Linn Streets
Farber, MO 63345

Farm Bureau Connection

Legal Department
107 W. Michigan Ave, 4th Fl
1850 Howard St, Ste C Elk Grove
Village, IL 6007-2490
Kalamazoo, MI 49007
contact@nationwideregulatorycompliance.com

Fiber Four Corporation

Legal Department
214 S. Main Street
P.O. Box 147
Rock Port, MO 64482

Fiberpath Technologies, L.L.C.

Legal Department
2106 Jefferson Street
P.O. Box 269
Jefferson City, MO 65102

Fidelity Communication Services I, Inc.

Legal Department
64 North Clark
Sullivan, MO 63080
execdept@fidnet.com

Fidelity Communication Services II, Inc.

Legal Department
64 North Clark
Sullivan, MO 63080
execdept@fidnet.com

Fidelity Long Distance, Inc.

Legal Department
64 North Clark St.
Sullivan, MO 63080
execdept@fidnet.com

Fidelity Networks, Inc.

Legal Department
64 North Clark
Sullivan, MO 63080
execdept@fidnet.com

Fidelity Telephone Company

Legal Department
64 N. Clark St.
Sullivan, MO 63080
execdept@fidnet.com

First Choice Technology, Inc.

Legal Department
903 Lake Lilly Drive, Suite A125
Maitland, FL 32751

First Communications, LLC

Legal Department
3340 West Market Street
Akron, OH 44333

Foxfire Utility Company

Legal Department
3478 Smryna Road
Rogersville, MO 65742

France Telecom Corporate Solutions L.L.C

Legal Department
13775 McLearen Rd., Mailstop 1100
Oak Hill, VA 20171

Franklin County Water Company, Inc.

Legal Department
1A Lake Shore Dr.,
PO Box 586
St. Clair, MO 63077

Freedom Communications USA, LLC

Legal Department
220 Creekside Drive
Dickson, TN 37055-0000

Frontier Communications of America, Inc.

Legal Department
100 CTE Drive
Dallas, PA 18612

Gascony Water Company, Inc.

Legal Department
1907 Apache Trail
Hermann, MO 65041

Gladlo Water & Sewer Company, Inc.

Legal Department
P.O. Box 200595
Denver, CO 80220

Global Connection Incorporated of America

Legal Department
5555 Oakbrook Parkway, Suite 620
Norcross, GA 30093

Global Crossing Local Services, Inc.

Legal Department
225 Kenneth Drive
Rochester, NY 14623

Global Crossing Telecommunications, Inc.

Legal Department
225 Kenneth Drive
Rochester, NY 14623

Global Tel*Link Corporation

Legal Department
12021 Sunset Hills Road, Suite 100
Reston, VA 20190

Global Telecom & Technology Americas, Inc.

Legal Department
8484 Westpark Drive, Suite 720
McLean, VA 49007
contact@nationwideregulatorycompliance.com

Go Solo Technologies, Inc.

Legal Department
10701 Danka Way North, Suite 100
St. Petersburg, FL 33716

Gold Line Telemangement, Inc.

Legal Department
Richmond Hill
180 W. Beaver Cr. Rd.
Ontario, L4B 1B4, Canada,

Goodman Telephone Company, Inc.

Legal Department
816 Oneida Avenue
P.O. Box 592
Seneca, MO 64865

Granby Telephone Company

Legal Department
126 S Beaver Ave.
P.O. Box 200
Granby, MO 64844

Grand River Long Distance

Legal Department
1001 Kentucky Street
Princeton, MO 64673

Grand River Mutual Telephone Corporation

Legal Department
1001 Kentucky St
Princeton, MO 64673

Granite Telecommunications, LLC

Legal Department
100 Newport Ave Ext.
Quincy, MA 02171
regulatory@granitenet.com

Green Hills Telecommunications Services

Legal Department
7926 NE State Route M
P.O. Box 227
Breckenridge, MO 64625

GTC Communications

Legal Department
1411 W. 190th Street, Suite 700
Gardena, CA 90248-4376
legal@mygtc.com

Hickory Hills Water & Sewer Company, Inc.

Legal Department
P.O. Box 506
Clinton, MO 64735

Highway H Utilities, Inc.

Legal Department
P.O. Box 308
Waynesville, MO 65583

Holtgrewe Farms Sewer Company, LLC

Legal Department
109 North Oak St.
Union, MO 63084

Holway Long Distance Company

Legal Department
208 Ash St.
P.O. Box 112
Maitland, MO 64466-0112
holway@nwmco.net

Holway Telephone Company

Legal Department
208 Ash St.
PO Box 112
Maitland, MO 64466-0112

House Springs Sewer Company, Inc.

Legal Department
9843 Sunset Greens Drive
St. Louis, MO 63127

Hypercube Telecom, LLC

Legal Department
3200 W. Pleasant Run Road, Suite 300
Lancaster, TX 75146

I.H. Utilities, Inc.

Legal Department
2538 Allegheny
Cuba, MO 65453

IAMO Long Distance

Legal Department
104 Crook Street
P.O. Box 368
Coin, IA 51636

IAMO Telephone Company

Legal Department
104 Crook Street
P.O. Box 368
Coin, IA 51636

ICSolutions

Legal Department
2200 Danbury Street
San Antonio, TX 78217

IDT America Corp.
Legal Department
550 Broad Street, 17th Fl.
Newark, NJ 07102-3112

IE Com
Legal Department
7171 Forest Lane, Ste. 700
Dallas, TX 75230

ILD
Legal Department
1049 NE Macedonia Church Ave
Lee, FL 32059

iNetworks Group, Inc.
Legal Department
125 S. Wacker Drive, Ste 2510
Chicago, IL 60606

Infotecom, LLC
Legal Department
1950 Stemmons Fwy. Ste 3031
Dallas, TX 75207

Innovative Businesses and Services, Inc.
Legal Department
158 Brandon Drive Unit 1A
Glendale Heights, IL 60139

Integra Telecom
Legal Department
1201 NE Lloyd Blvd.
Portland, OR 97232-1259

Integrated Services of Nevada, Inc.
Legal Department
3483 Satellite Blvd., Ste. 202
Duluth, GA 30096

IntelePeer, Inc.
Legal Department
2855 Campus Drive, Suite 200
San Mateo, CA 94403

Inteltrace, Inc.
Legal Department
448 Ignacio Blvd., # 222
Novato, CA 94949

International Telcom, Ltd.
Legal Department
417 2nd Avenue West
Seattle, WA 98119
RegulatoryCompliance@itltd.net

Intrado Communications Inc.
Legal Department
1601 Dry Creek Drive
Longmont, CO 80503

IPC Network Services, Inc.
Legal Department
1 State Street Plaza, 12th Floor
New York, NY 10004

K-Powernet, L. L. C.
Legal Department
500 S. KAMO Drive
P.O. Box 577
Vinita, OK 74301

Kansas City Power & Light Company
Legal Department
One Kansas City Place, 1200 Main Street
PO Box 418679
Kansas City, MO 64105

KCP&L Greater Missouri Operations Company
Legal Department
One Kansas City Place, 1200 Main Street
PO Box 418679
Kansas City, MO 64105

KDDI America, Inc.
Legal Department
825 Third Ave., 3rd Floor
107 W Michigan
Kalamazoo, MI 49007
contact@nationwideregulatorycompliance.com

Kimberling City Water Company
Legal Department
P.O. Box 307
11863 State Hwy 13
Kimberling City, MO 65686

Kingdom Long Distance
Legal Department
211 South Main
P.O. Box 97
Auxvasse, MO 65231-0097

Kingdom Telecommunications, Inc
Legal Department
211 South Main
P.O. Box 97
Auxvasse, MO 65231

Kingdom Telephone Company
Legal Department
211 South Main
P.O. Box 97
Auxvasse, MO 65231-0097

KLM Long Distance Company
Legal Department
208 Ash St.
P.O. Box 112
Maitland, MO 64466

KLM Telephone Company
Legal Department
208 Ash street
P.O. Box 112
Maitland, MO 64466

KMB Utility Corporation
Legal Department
5108 Dulin Creek Road
House Springs, MO 63051

Laclede Gas Company
Legal Department
720 Olive Street
St. Louis, MO 63101

Lake Northwoods Utility Co., Inc.
Legal Department
3068 Highway 19
Owensville, MO 65066

Lake Region Water & Sewer Company
Legal Department
P.O. Box 9
Lake Ozark, MO 65049-0009

Lakeland Heights Water Co., Inc.
Legal Department
P.O. Box 24
Wappapello, MO 63966

Lathrop Long Distance
Legal Department
1001 Kentucky Street
Princeton, MO 64673

Lathrop Telephone Company
Legal Department
601 Oak Street
P.O. Box 578
Lathrop, MO 64465

LDC Telecommunications, Inc.
Legal Department
2451 McMullen Booth Rd., Suite 200
Clearwater, FL 33759
ldc@ldctele.com

Le-Ru Long Distance Company
Legal Department
555 Carter Street
P.O. Box 147
Stella, MO 64867

Le-Ru Telephone Company
Legal Department
555 Carter Street
P.O. Box 147
Stella, MO 64867

Legacy Long Distance International, Inc.
Legal Department
10833 Valley View Street, Ste 150
Cypress, CA 90630

Level 3 Communications, LLC
Legal Department
1025 Eldorado Blvd.
Broomfield, CO 80021

Liberty Water
Legal Department
16623 FM 2493, Suite E
Tyler, TX 75703

LightCore, a CenturyLink Company
Legal Department
100 CenturyLink Drive
Monroe, LA 71203

Lightyear Network Solutions, LLC
Legal Department
1901 Eastpoint Parkway
Louisville, KY 40223

LMDS Holdings, Inc.
Legal Department
13865 Sunrise Valley Drive
Herndon, VA 20171

Logix Communications
Legal Department
2950 North Loop West 8th Floor
Houston, TX 77092

Long Distance America
Legal Department
21084 Bake Parkway, Suite 108
Lake Forest, CA 92630

Long Distance Consolidated Billing Co.
Legal Department
20 W. Washington St., Ste. 6A
Clarkston, MI 48346

M.P.B., Inc.
Legal Department
505 Brick Church Rd.
Labadie, MO 63055

Main Street Telephone Company
Legal Department
470 Norristown Rd, Ste. 201
Blue Bell, PA 19422

Mark Twain Communications Company
Legal Department
Highway 6 East
PO Box 128
Hurdland, MO 63547

Mark Twain Long Distance, Inc.
Legal Department
Highway 6 East
P. O. Box 5
Hurdland, MO 63547

Mark Twain Rural Telephone Company
Legal Department
Highway 6 East
P.O. Box 68
Hurdland, MO 63547

Matrix Business Technologies
Legal Department
433 E. Las Colinas Boulevard
Irving, TX 75039

Matrix Telecom, Inc.
Legal Department
433 E Las Colinas Boulevard, Suite
400
Dallas, TX 75039

MCC Telephony of Missouri, LLC
Legal Department
100 Crystal Run Rd
Middletown, NY 10941

McCormack-Missouri
Legal Department
200 College Ave.
P.O. Box 400
Ellington, MO 63638

**McDonald County Long Distance
Company**
Legal Department
704 Main Street
P.O. Box 286
Pineville, MO 64856-0286

**McDonald County Telephone
Company**
Legal Department
704 Main
P.O. Box 207
Pineville, MO 64856-0207

McGraw Communications, Inc.
Legal Department
521 5th Avenue, 14th Floor
New York, NY 10175

Meramec Sewer Company
Legal Department
381 Green Jade Estates Drive
PO Box 625
Fenton, MO 63026

Metro Communications Company
Legal Department
8 South Washington Street
P.O. Box 555
Sullivan, IL 61951

**Metropolitan Telecommunications
of Missouri, Inc.**
Legal Department
55 Water Street, 31st Fl.
New York, NY 10047

Mid MO Sanitation, LLC
Legal Department
1101 Sioux Drive
P.O. Box 6247
Fulton, MO 65251

Mid-Missouri Telephone Company
Legal Department
215 Roe Street
P.O. Box 38
Pilot Grove, MO 65276-0038

Middlefork Water Company
Legal Department
26101 Hallmark Rd
PO Box 468
Maryville, MO 64468

Midland Water Company, Inc.
Legal Department
786 Croley Blvd.
P.O. Box 1080
Nixa, MO 65714-1080

Mill Creek Sewers, Inc.
Legal Department
P.O. Box 200595
Denver, CO 80220
millcreeksewer@ymail.com

Miller Long Distance
Legal Department
213 East Main Street
P.O. Box 7
Miller, MO 65707

Miller Telephone Company
Legal Department
P.O. Box 7
Miller, MO 65707

Missouri Gas Company, LLC
Legal Department
110 Algana Court
St. Peters, MO 63376

Missouri Gas Energy
Legal Department
3420 Broadway
Kansas City, MO 64111

Missouri Gas Utility, Inc.
Legal Department
7810 Shaffer Parkway, Suite 120
P.O. Box 270868
Littleton, CO 80127

Missouri Network Alliance, L.L.C.
Legal Department
9091 State Line Rd, Suite 200
Kansas City, MO 64114

Missouri Pipeline Company, LLC
Legal Department
110 Algana Court
St. Peters, MO 63376

Enclosed find a certified copy of an ORDER in the above-numbered matter(s).

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Reed', written in a cursive style.

**Steven C. Reed
Secretary**

Individuals listed above with a valid e-mail address will receive electronic service. Individuals listed above without a valid e-mail address will receive paper service.