

PUBLIC SEP

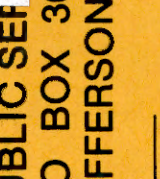
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**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 7<sup>th</sup> 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 7<sup>th</sup> day of December 2011.**



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**Steven C. Reed**  
**Secretary**

## **MISSOURI PUBLIC SERVICE COMMISSION**

**December 7, 2011**

**File/Case No. AO-2012-0173**

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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**

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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.