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Missouri Public
Service Commission

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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 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.

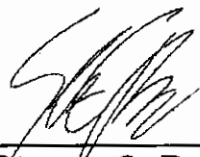
Jordan, Senior Regulatory Law Judge

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

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4315 Bluebonnet Blvd., Suite A
Baton Rouge, LA 70809

Alliance Global Networks LLC
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Alma Long Distance, L.L.C.
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Alma Telephone Company
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American Fiber Network, Inc.
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Overland Park, KS 66210

American Fiber Systems, Inc.
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American Phone Services Corp.
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legal@amphone.com

American Select
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American Telecommunications Systems, Inc.
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ANI Networks
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ANPI, LLC
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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.
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180 East Main Street, Suite 200
Smithtown, NY 11787

AT&T Communications of the Southwest, Inc.
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One AT&T Way, Room 2B115E
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AT&T Long Distance
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AT&T Long Distance East
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AT&T Long Distance Service
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ATC Outdoor DAS, LLC
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EarthLink Business (CTC)

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Emerald Pointe Utility Company

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Empire District Gas Company, The

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Gascony Water Company, Inc.

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Missouri Pipeline Company, LLC
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110 Algana Court
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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.