

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

In the Matter of the Application of Unite)
Private Networks, L.L.C. for Certificates of)
Service Authority to provide Interexchange)
Telecommunications Service throughout)
Missouri, to provide Non-Basic Local)
Telecommunications Service throughout)
Missouri, and to provide Basic Local)
Telecommunications services in the Service)
Areas of Southwestern Bell, CenturyTel,)
Spectra and Sprint.)

Case No. LA-2006-0119
Tariff No. YL-2006-0270

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission and states:

1. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission grant Unite Private Networks, L.L.C. (Applicant) a certificate of service authority to provide intrastate, interexchange telecommunications services, as well as local exchange telecommunications services limited to dedicated private line services. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. §§ 392.430 and 392.440 RSMo. (2000).

2. Staff also recommends that the Commission classify the Applicant and the services it proposes to offer in its *Application* as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is subject to sufficient competition to justify a lesser degree of regulation. §392.361.4. All the services a competitive company provides must be classified as competitive. §392.361.3.

3. Staff further recommends that the Commission grant the waivers listed in the *Notice of Applications*. The Commission may waive the application of its rules and certain

statutes if the Commission determines that waiver is consistent with the purposes of Chapter 392. §§ 392.185, 392.361.5 and 392.420.

4. Finally, Staff recommends that the Commission grant approval of the Applicant's proposed tariff, PSC MO No. 1, with a proposed effective date of December 1, 2005.

5. As the applicant has withdrawn the remaining portions of the initial *Application* related to the provision of basic local telecommunications service in the service areas of Southwestern Bell, CenturyTel, Spectra and Sprint, the attached recommendation should address all active components of the Applicant's request.

WHEREFORE, Staff recommends that the Commission grant Unite Private Networks, L.L.C. a certificate of service authority to provide intrastate, interexchange telecommunications services, as well as local exchange telecommunications services limited to dedicated private line services; grant it the requested competitive classification; grant the waivers listed in the Commission's Notice of Application; and approve its proposed tariff PSC MO No. 1, with a proposed effective date of December 1, 2005.

Respectfully submitted,

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General Counsel

/s/ David A. Meyer

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 1st day of November 2005.

/s/ David A. Meyer_____