

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

In the Matter of the Application of Sonic Telecom,)	
LLC for Certificate of Service Authority to Provide Basic)	
Local Exchange, Non-Switched Local Exchange and)	File No. LA-2011-0329
Interexchange Telecommunications Services in the)	Tariff Nos. YL-2011-0550
State of Missouri and to Classify Said Services and the)	YL-2011-0551
Company as Competitive)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned counsel, and makes its Recommendation as follows:

1. On April 6, 2011, Sonic Telecom, LLC filed an application with the Missouri Public Service Commission for a Certificate of Service Authority as described in the above caption.
2. The Application included sufficient information for the Staff to conclude that the Company possesses sufficient financial, technical and managerial resources to be certificated. In addition, the Staff notes that granting the requested waivers complies with §392.420 RSMo 2009.
3. In the attached Memorandum, the Staff recommends that the Commission grant the Company’s request for basic local, non-switched local and interexchange telecommunications service authority. 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.
4. Staff also recommends that the Commission classify the Company’s services 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 and that such lesser regulation is consistent with the protection of ratepayers and promotes public interest. §392.361.4 RSMo Supp. 2009. A majority of the services a competitive company provides must be classified as competitive. §392.361.3 RSMo Supp. 2009.

5. The Staff further recommends that the Commission state in its order that, pursuant to §392.410, the authority conferred by the certificate of service authority shall be null and void unless it is exercised within one year of its issuance.

6. A tariff was not submitted with the application; the Staff recommends that the Commission either approve the tariff or allow it to take effect by operation of law. The Staff requests that the certificate be granted as soon as practicable, without waiting for the tariff to be effective, as the Company wishes to begin interconnection negotiations.

7. The Applicant is not delinquent in filing an annual report, paying the PSC assessment, MoUSF, and Relay Missouri.

8. The Staff recommends that the application be granted with the following conditions:

- a. The applicant's originating and terminating access rates shall not exceed the access rates of the incumbent local exchange company against whom the applicant is competing pursuant to §§ 392.361.6 and 392.370 RSMo Supp. 2009.
- b. 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.

9. The Staff recommends that the "standard" waivers, listed below, be granted, as required by §392.420 RSMo. The Company shall list the waivers in its tariff as long as they are effective.

- 4 CSR 240-3.550 (4) and (5)(A) Quality of service reports
- 4 CSR 240-10.020 Depreciation Records
- 4 CSR 240-30.040 Uniform System of Accounts
- 4 CSR-32.050(4)(B) Limited white pages waiver
- 4 CSR 240-32.060 Engineering and maintenance
- 4 CSR 240-32.070 Quality of Service
- 4 CSR 240-32.080 Service objectives and surveillance levels
- 4 CSR 240-33.040(1-3) and (5-10) Billing and payment standards

4 CSR 240-33.045 Clear identification and placement of charges on bills
4 CSR 240-33.080(1) Identify company name and toll-free number on bills
4 CSR 240-33.130(1), (4) and (5) Operator service requirements
392.210.2 Accounting requirements (system of accounts)
392.240.1 Reasonableness of rates
392.270 Accounting requirements (valuation of property)
392.280 Accounting requirements (depreciation rates/accounts)
392.290 Issuance of stocks, bonds and other indebtedness
392.300 Transfer of property and ownership of stock
392.310 Approval of issuing stocks, bonds and other indebtedness
392.320 Certificate of Commission to be recorded-stock dividends
392.330 Accounting requirements (proceeds of sales of stock, bonds, notes, etc.)
392.340 Company reorganization

WHEREFORE, the Staff recommends that the Commission grant Sonic Telecom, LLC's Application for basic local and interexchange telecommunications service authority, classify the company and its services as competitive.

Respectfully submitted,



Colleen M. Dale
Senior Counsel
Missouri Bar No. 31624
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4255 (Telephone)
cully.dale@psc.mo.gov

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 12th day of May, 2011.

