

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)	
CAT Communications International, Inc.)	
for a Certificate of Service Authority to)	<u>Case No. TA-2000-347</u>
Provide Interexchange and Basic Local)	<u>Tariff No. 200000543</u>
Exchange Telecommunications Services in the)	
State of Missouri and to Classify Said)	
Services and the Company as Competitive)	

NOTICE OF DEFICIENCY

CAT Communications International, Inc. (CAT) filed an Application with the Missouri Public Service Commission (Commission) on December 8, 1999, for a certificate of service authority to provide resold interexchange and basic local telecommunications service in portions of the state of Missouri and for competitive classification.

Commission Rule 4 CSR 240-2.060(1)(B) requires all applications to the Commission to include a "...brief statement of the character of [the] business performed by [the] applicant." CAT did not include a brief statement of the character of the business performed by CAT in its application as required by Commission Rule 4 CSR 240-2.060(1)(B).

On page one of its application, CAT requests classification of CAT's "...services and company as competitive." In its prayer, CAT repeats its request that the Commission "...classify [CAT] and its proposed services as competitive...." Sections 386.020(9) and (10), RSMo 1998 Supp.,

distinguish between a competitive company and a competitive service. The sections state:

[As used in this chapter, the following phrases mean:] ...
(9) "Competitive telecommunications company", a telecommunications company which has been classified as such by the commission pursuant to section 392.361, RSMo; (10) "Competitive telecommunications service", a telecommunications service which has been classified as such by the commission pursuant to section 392.361, RSMo, or which has become a competitive telecommunications service pursuant to section 392.370, RSMo....

In addition, Section 392.361(1), RSMo 1994, requires an applicant for a certificate of service authority to provide telecommunications service to choose to have itself or its services classified as competitive. The section states, in part, that a telecommunications company "...may file with the commission a petition to be classified as a competitive telecommunications company...or to have [its] services classified as competitive...."

Commission Rule 4 CSR 240-2.060(1)(E) states, in part, that "[a]ll applications...shall include...a clear and concise statement of the relief requested." Because of the two deficiencies cited above, CAT's application did not include a clear and concise statement of the relief requested regarding the character of its business and whether the company or its services should be classified as competitive as required by Commission Rule 4 CSR 240-2.060(1)(E).

The Commission cannot proceed with this case until CAT complies with the Commission's rules, either by amending its application to include a brief statement of the character of the business performed by CAT and whether the company or its services should be classified as competitive

or by filing a separate pleading which includes a brief statement of the character of the business performed by CAT and whether the company or its services should be classified as competitive.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Dated at Jefferson City, Missouri,
on this 14th day of December, 1999.

Hopkins, Senior Regulatory Law Judge

RECEIVED

DEC 14 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION