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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of U.S. Telco,	,)
Inc., for Waiver and/or Variance of Certain) <u>Case No. TO-97-525</u>
Commission Rules.)
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ORDER AND NOTICE

- U.S. Telco, Inc. (U.S. Telco) filed an application for a certificate of service authority to provide basic local telecommunications service in the State of Missouri on April 8, 1997, in Case No. TA-97-444.

 U.S. Telco asked for competitive classification and for the statutory and Commission rule waivers that have been granted in previous local certification cases. The Small Telephone Company Group, Fidelity and Bourbeuse Telephone Companies, and Southwestern Bell Telephone Company intervened in the case. The parties filed a pleading on June 3 indicating that a stipulation and agreement will be filed, resolving the issues in the case, no later than June 27.
- U.S. Telco filed an Application for Waiver and/or Variance of Certain Commission Rules on June 5, asking the Commission to grant additional waivers. The company's application in TA-97-444 included the waiver of certain statutes and Commission rules but U.S. Telco now requests the following additional waivers because of its unique method of operation, i.e., selling prepaid services:
- A. 4 CSR 240-33.040(6) which requires an itemization of taxes and franchise fees on each bill. U.S. Telco states that it will be charging a set monthly fee that will include applicable taxes and franchise fees and

that, because the fee will be fixed, there is no comparison benefit to be derived from separately identifying tax and franchise fee amounts.

B. 4 CSR 240-33.070(6) which requires the company to make reasonable efforts to notify a customer of a proposed discontinuance at least 24 hours ahead of time. U.S. Telco states that it will be providing service to high-risk customers who will have already been fully notified that the service is prepaid and will not be maintained if payment is not rendered on a certain date. The company states that if it has to incur the additional costs of giving 24-hour notice, the costs will have to be spread to other customers.

The Commission notes that it has not granted waivers of these rules in other certification cases and therefore finds that notice of this application should be sent to the same companies that receive notice of applications for interexchange service authority, and that interested parties should have the opportunity to intervene. Applications to intervene should be submitted by July 16, 1997, to the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

William M. Shansey, Esq. French & Stewart Law Offices 1001 Cherry Street, Suite 302 Columbia, Missouri 65201

IT IS THEREFORE ORDERED:

- 1. That the Records Department of the Commission shall send notice of this application as described above.
- 2. That parties wishing to intervene shall file an application to intervene no later than July 16, 1997.

3. That this order shall become effective on the date hereof.

By the COMMISSION
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Cecil I. Wright Executive Secretary

(S E A L)

L. Anne Wickliffe, Deputy Chief Administrative Law Judge, by delegation of authority pursuant to 4 CSR 240-2.120(1) (November 30, 1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 16th day of June, 1997.