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December 15, 2000

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DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED

DEC 15 2000

Missouri Public
Service Commission

RE: Case No. TA-2000-830

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Marc D. Poston
by WKH

Marc D. Poston
Senior Counsel
(573) 751-8701
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MP/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED

DEC 15 2000

Missouri Public
Service Commission

In the Matter of the Application of)
Cypress Communications Operating)
Company, Inc. for a Certificate of Service)
Authority to Provide Interexchange and)
Local Exchange Telecommunications)
Services within the State of Missouri and)
to Classify Said Services as Competitive.)

Case No. TA-2000-830

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission ("Commission") grant Cypress Communications Operating Company, Inc. (Applicant) a certificate to provide interexchange telecommunications services and a certificate to provide local exchange telecommunications services restricted 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. (See sections 392.430 and 392.440 RSMo 1994).


2. Staff also recommends that the Commission classify the Applicant and its 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. (See section 392.361.2 RSMo 1994). All the services a competitive company provides must be classified as competitive. (See section 392.361.3 RSMo 1994).

3. Staff further recommends that the Commission approve the waivers listed in the Notice of Application. 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 RSMo. (See sections 392.361.3 and 392.420 RSMo 1994 and section 392.185 RSMo Supp. 1999).

WHEREFORE, the Staff recommends that the Commission grant Cypress Communications Operating Company, Inc. a certificate to provide interexchange telecommunications services and a certificate to provide local exchange telecommunications services restricted to dedicated, private line services, grant Applicant competitive classification, approve Applicant's proposed tariff Missouri P.S.C. Tariff No. 1 with a proposed effective date of December 22, 2000, and approve waivers listed in the Notice of Applications.

Respectfully submitted,

DANA K. JOYCE
General Counsel



Marc D. Poston
Senior Counsel
Missouri Bar No. 45722

Attorney for the Staff of the
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 15th day of December 2000.



MEMORANDUM

TO: **Missouri Public Service Commission Official Case File**
Case No. TA-2000-830 File No. 2000 01179
Applicant: Cypress Communications Operating Company, Inc.

FROM: Arthur P. Kuss *APK*
Telecommunications Department
[Signature] 12/15/00 *[Signature]* 12/15/00
Utility Operations General Counsel's Office/Date
Division/Date

SUBJECT: **Staff Recommendation for Approval of
Cypress Communications Operating Company, Inc.
Certificate Application and Proposed Tariff to Provide
Interexchange Telecommunications Services.**

DATE: **December 08, 2000**

Date assigned: June 21, 2000 Staff deadline: December 13, 2000

The Telecommunications Department Staff (Staff) recommends that the applicant be granted the following certificate(s), as indicated by check marks, to be effective on the same date the tariff becomes effective:

<input checked="" type="checkbox"/>	Certificate to provide interexchange telecommunications services.
<input checked="" type="checkbox"/>	Certificate to provide non-switched local exchange* telecommunications services.

*Local exchange authority should be restricted to dedicated, private line services.

- ✓ Staff recommends the applicant receive competitive classification.
- ✓ Staff recommends approval of the applicant's proposed tariff, Missouri P.S.C. Tariff No. 1 with a proposed Effective Date of December 22, 2000
- ✓ Staff recommends approval of the waivers listed in the Notice.

There is an attachment to this recommendation indicating additional recommendations or special considerations: Yes ☐ No ☒

DN
12-15-00A11:00 RCVD

Appendix A

Application / Tariff Review Items	
<input checked="" type="checkbox"/>	No applications to intervene filed. Intervention deadline: July 15, 2000
Application contains the following:	
<input checked="" type="checkbox"/>	Proper Secretary of State authorization.
<input checked="" type="checkbox"/>	Request for classification as a competitive telecommunications company.
<input checked="" type="checkbox"/>	All requested waivers are listed in the Notice and all requested waivers have been previously granted to other competitive companies.
Proposed tariff:	
<input checked="" type="checkbox"/>	Complies with PSC rules and statutes applicable to applicant.
<input checked="" type="checkbox"/>	Operator Services are not inconsistent with 4 CSR 240-33.130.
<input type="checkbox"/>	Includes "interexchange" tariff text if it offers private line service w/o requesting a local certificate.
<input type="checkbox"/>	If ICB pricing proposed, only for private line.
<input type="checkbox"/>	If ICB pricing is offered, tariff includes standardized ICB text.
<input checked="" type="checkbox"/>	Rate structures or service offerings are similar to existing IXC offerings (In addition, tariff does not geographically de-average.)
<input checked="" type="checkbox"/>	If promotional offering text is included, it is the standardized promotional text.
<input checked="" type="checkbox"/>	Waivers listed in tariff match those listed in application and Notice.

Services Offered in Initial Tariff	
<input checked="" type="checkbox"/> 1+	<input checked="" type="checkbox"/> Private Line
<input checked="" type="checkbox"/> 800/888/877 Services	<input type="checkbox"/> Debit card
<input checked="" type="checkbox"/> Directory Assistance	<input type="checkbox"/> Travel Card
<input type="checkbox"/> Operator Services	<input type="checkbox"/> Other: _____

Has the proposed effective date been extended?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
New effective date:	December 22, 2000	
Have substitute tariff sheets been filed?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Date substitute sheets filed:	August 08, November 27, and December 07, 2000	

From:	Initials:	Date:	Revised:
Mr. Kuss	APK	12/08/00	
Ms. Dietrich	<i>TD</i>	12/11/00	
Legal	<i>WP</i>	12-15-00	

**Service List for
Case No. TA-2000-830
December 15, 2000 (lb)**

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