

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
November 22, 2000**

**CASE NO: TA-2000-665**

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**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

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

In the Matter of the Application of Pathnet, )  
Inc., for a Certificate of Service Authority )  
to Provide Basic Local Telecommunications ) Case No. TA-2000-665  
Service in the State of Missouri and to )  
Classify Said Services and the Company as )  
Competitive. )

**ORDER GRANTING EXTENSION TO FILE TARIFF**

On November 16, 2000, Pathnet, Inc. (Pathnet), filed a motion requesting an extension until December 15, 2000, to file its initial tariff. Pathnet was conditionally granted a certificate of service authority to provide basis local telecommunications services in the state of Missouri on August 8, 2000. The certificate of service authority will be effective when the company's tariff becomes effective. The Commission waived the filing of a tariff at Pathnet's request, but Pathnet was required to file a tariff within 30 days after the effective date of a Commission order approving an interconnection agreement that would allow for Pathnet to begin offering services. Orders approving interconnection agreements involving Pathnet were issued in Case Nos. TO-2001-27 and TO-2001-192 on September 27, 2000, and November 7, 2000, respectively.

In its motion for an extension, Pathnet stated that it did file an initial tariff on October 16, 2000. However, Pathnet states that it requires additional time to revise the tariff to satisfy concerns expressed by the Commission's Staff. It is apparent that

Pathnet desires to withdraw its proposed tariff filed on October 16, 2000, if the Commission grants the request for an extension.

The Commission notes that this case was closed on August 21, 2000. Pathnet's motion will be regarded as a request to reopen the case to modify the order.

Pathnet's motion indicates that it is working together with Staff to provide an acceptable tariff. The motion also indicates that Pathnet diligently complied with the Commission's Order Granting Certificate to Provide Basic Local Telecommunications Services by filing an initial proposed tariff within 30 days of a Commission order approving an interconnection agreement. Pathnet's certificate of service authority is conditional until such time as it has an effective tariff. The Commission therefore does not see that any interest will be prejudiced in granting the request. The request is reasonable and will be granted.

**IT IS THEREFORE ORDERED:**

1. That this case is reopened for the purpose of considering the motion to extend the time to file tariff.

2. That motion to extend the time to file tariff by Pathnet, Inc., is granted and Pathnet, Inc., shall have until December 15, 2000, to file its initial tariff with a minimum 45-day effective date.

3. That this order shall be effective on November 22, 2000.

4. That this case may be closed on December 2, 2000.

**BY THE COMMISSION**

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

( S E A L )

Keith Thornburg, Regulatory Law  
Judge, by delegation of authority  
pursuant to Section 386.240,  
RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 22nd day of November, 2000.

**STATE OF MISSOURI**

**OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and  
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 22<sup>nd</sup> day of Nov. 2000.



*Dale Hardy Roberts*

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge