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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Metromedia Fiber Network Services, Inc.)
for a Certificate of Service Authority to)
Provide Local and Interexchange) Case No. TA-2000-335
Telecommunications Service in Portions of)
the State of Missouri and to Classify said)
Services and the Company as Competitive)

NOTICE OF DEFICIENCY

Metromedia Fiber Network Services, Inc. (MFNS) filed an Application with the Missouri Public Service Commission (Commission) on November 18, 1999, for a certificate of service authority to provide telecommunications services 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." MFNS did not include a brief statement of the character of the business performed by MFNS in its application as required by Commission Rule 4 CSR 240-2.060(1)(B).

Also, on page one of its application, MFNS requests "...authority to provide basic local and interexchange telecommunications service...." In addition, MFNS requested the standard basic local waivers of statutes and Commission rules on pages three and four of its application. However,

on page five of its application, MFNS, in the prayer of the application, requests "...authority to provide local exchange and interexchange telecommunications services...." MFNS in its application did not make clear the type of service authority it is requesting.

Again, on page one of its application, MFNS requests classification of MFNS's "...service and company as competitive." In its prayer, MFNS repeats its request that the Commission "...classify MFNS 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 three deficiencies cited above,

MFNS's application did not include a clear and concise statement of the relief requested as required by Commission Rule 4 CSR 240-2.060(1)(E).

The Commission cannot proceed with this case until MFNS either amends its application or files a separate pleading to make clear the relief it seeks.

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)

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

Hopkins, Senior Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION