



Missouri Public Service Commission

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July 24, 2000

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JUL 24 2000

Missouri Public
Service Commission

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

RE: Case No. TA-2000-817

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,

William K. Haas

William K. Haas
Deputy General Counsel
(573) 751-7510
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WKH/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

JUL 24 2000

Missouri Public  
Service Commission

In the Matter of the Application of Spectra )  
Communications Group, LLC for )  
Designation as a Telecommunications )  
Company Carrier Eligible for Federal )  
Universal Service Support Pursuant to )  
Section 254 of the Telecommunications )  
Act of 1996. )

Case No. TA-2000-817

STAFF RECOMMENDATION

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

1. On June 14, 2000, Spectra Communications Group, LLC (Spectra) filed with the Missouri Public Service Commission (Commission) an application requesting designation as an eligible telecommunications carrier pursuant to the Telecommunications Act of 1996 and implementing regulations. On June 20, 2000, Spectra amended its application.

2. Section 47 U.S.C.A. § 214(e)(2) provides that a state commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier. Paragraph (1) states that a carrier designated as an eligible telecommunications carrier, and thus eligible to receive universal service support, shall, throughout the designated service area, offer the services that are supported by federal universal service support mechanisms, either using its own facilities or a combination of its facilities and resale of another carrier's services, and advertise the availability of such services and charges


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using media of general distribution. Federal Regulation 47 CFR 54.201 (d) repeats these requirements.

3. In the attached Memorandum, which is labeled Appendix A, the Staff states its opinion that Spectra has demonstrated that it meets each of these requirements, and therefore recommends the Commission grant Spectra designation as an eligible telecommunications carrier for the purposes of receiving federal universal service support in its service area.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

  
\_\_\_\_\_  
William K. Haas  
Deputy General Counsel  
Missouri Bar No. 28701

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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 24<sup>th</sup> day of July 2000.

  
\_\_\_\_\_

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. TA-2000-817  
Spectra Communications Group, LLC

From: Anthony Clark  
Telecommunications Department *AC*

*[Signature]* 7/20/00  
Utility Operations Division/Date

*Wm K Haas* 7/24/00  
General Counsel's Office/Date

Subject: Staff Recommendation to Grant Eligible Carrier Designation to Spectra  
Communications Group, LLC

Date: July 20, 2000

On June 14, 2000, Spectra Communications Group, LLC (Spectra or the Applicant) filed an Application for Designation as Eligible Carrier Pursuant to § 254 of the Telecommunications Act of 1996 (the Act). On June 19 the Commission issued an Order directing the Applicant to file an amended pleading to comply with 4 CSR 240-2.060(1)(K) and (L), which requires that the application include "[a] statement indicating whether the applicant has any pending action or final judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this application." Also on June 19 the Commission issued an Order and Notice establishing an intervention deadline of July 10, 2000. There were no applications filed to intervene. On June 20 the Applicant filed an Amendment to Application to comply with the first of the aforementioned Commission Orders.

Spectra states in its application that, as of August 1, 2000, Spectra will be a local exchange telecommunications carrier certified by the Commission to provide basic local telecommunications service in the State of Missouri. As expressed in Spectra's application, Section 214(e)(1) of the Act states that a carrier may be designated as an eligible telecommunications carrier and therefore receive universal service support so long as the carrier, throughout its service area: (1) offers the services that are supported by federal universal support mechanisms; (2) offers such services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another eligible telecommunications carrier; and (3) advertises the availability of and charges for such services using media of general distribution. Title 47 of the Code of Federal Regulations § 54.201(b) states that the Commission shall, on its own motion or upon request, designate a common carrier an eligible telecommunications carrier so long as the carrier meets the requirements of 47 CFR 54.201(d), which are the same requirements listed above from Section 214(e)(1) of the Act.

APPENDIX A

*DK*  
07-20-00P04:49 RCVD

Spectra states in its application that it will offer all of the services supported by federal universal service support, as follows:

- (1) Voice grade access to the public switched network;
- (2) Local usage;
- (3) Dual tone multi-frequency signaling or its functional equivalent;
- (4) Single-party service or its functional equivalent;
- (5) Access to emergency services;
- (6) Access to operator services;
- (7) Access to interexchange services;
- (8) Access to directory assistance; and
- (9) Toll limitation for qualifying low-income consumers.

Spectra further states in its application that it will advertise the availability of and charges for these services using media of general distribution within its service area. Spectra acknowledges in its application that 47 CFR 5.405 requires all eligible telecommunications carriers to make Lifeline services (as defined in 47 CFR 54.401) available to qualifying low-income consumers. Spectra states in its application that Lifeline services are available to qualifying low-income consumers in Spectra's service area. Further, since the Applicant will be providing service through facilities purchased from GTE Midwest Incorporated in Case No. TM-2000-182, the Applicant meets the requirement that it must offer such services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another eligible telecommunications carrier (47 CFR 54.201(d)(2)).

The Telecommunications Department Staff (Staff) has reviewed Spectra's application and finds that Spectra has demonstrated that it meets each of the provisions of 47 CFR 54.201(d). Thus, Staff recommends the Commission grant the Applicant designation as an eligible telecommunications carrier for the purposes of receiving federal universal service support in its service area. Staff is unaware of any other filing that may affect or be affected by this filing.

**Service List for  
Case No. TA-2000-817  
July 24, 2000**

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