STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY July 31, 2000

CASE NO: TA-2000-847

Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102

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Missouri Public Service Commission P.O. Box 360

Jefferson City, MO 65102

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

Sincerely,

Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of PT-1 Counsel, Inc., for a)	
Certificate of Service Authority to Provide)	Case No.TA-2000-847
Interexchange Telecommunications Services.)	Tariff No. 200001201

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

PT-1 Counsel, Inc. (PT-1), applied to the Public Service Commission on June 23, 2000, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. PT-1 asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. PT-1 is a Delaware corporation, with its principal office located at 280 Park Avenue, West Building, 28th Floor, New York, New York 10017.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on July 11, 2000, directing parties wishing to intervene to file their requests by July 26, 2000. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State ex rel.

Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked

¹ All statutory references are to the Revised States of Missouri 1994 unless otherwise indicated.

permission to intervene or requested a hearing, the Commission may grant the relief requested based on the application.

PT-1 filed a proposed tariff in conjunction with its application and filed substitute sheets on July 24, 2000. The tariff's effective date is August 7, 2000. PT-1's tariff describes the rates, rules, and regulations it intends to use, identifies PT-1 as a competitive company, and lists the waivers requested. PT-1 intends to provide interexchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Debit Card and Travel Card services.

In its Memorandum filed on July 27, 2000, the Staff of the Commission (Staff) recommended that the Commission grant PT-1 a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff as amended to become effective on August 7, 2000.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and PT-1 should be granted a certificate of service authority. The Commission finds that the services PT-1 proposes to offer are competitive and PT-1 should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission finds that PT-1's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission

finds that the proposed tariff filed on June 23, 2000, shall be approved as amended to become effective on August 7, 2000.

IT IS THEREFORE ORDERED:

- 1. That PT-1 Counsel, Inc., is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.
- 2. That PT-1 Counsel, Inc., is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

392.210.2 - uniform system of accounts
392.240.1 - rates-rentals-service & physical connections
392.270 - valuation of property (ratemaking)
392.280 - depreciation accounts
392.290 - issuance of securities
392.300.2 - acquisition of stock
392.310 - stock and debt issuance
392.320 - stock dividend payment
392.340 - reorganization(s)
392.330, RSMo Supp. 1999 - issuance of securities,
debts and notes

Commission Rules

- 4 CSR 240-10.020 depreciation fund income
 4 CSR 240-30.010(2)(C) posting of tariffs
 4 CSR 240-30.040 uniform system of accounts
 4 CSR 240-33.030 minimum charges
 4 CSR 240-35 reporting of bypass and customer-specific arrangements
- 3. That the tariff filed by PT-1 Counsel, Inc., on June 23, 2000, under tariff number 200001201, is approved as amended to become effective on August 7, 2000. The tariff approved is:

P.S.C. Mo. No. 1 Original Sheet 1 through Original Sheet 32

- That this order shall become effective on August 7, 2000.
- 5. That this case may be closed on August 8, 2000.

BY THE COMMISSION

Dale Hardy Roberts

Ask HARD Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

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

Dated at Jefferson City, Missouri, on this 31st day of July, 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 31st day of July 2000.

Dale Hardy Roberts

Loke HARD Roberts

Secretary/Chief Regulatory Law Judge