

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY**

**August 2, 2000**

**CASE NO: TA-2000-858**

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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	)	
Bell Atlantic Network Data, Inc. for	)	
a Certificate of Service Authority to	)	<b><u>Case No. TA-2000-858</u></b>
Provide Advanced Services within the	)	
State of Missouri.	)	

**ORDER APPROVING INTEREXCHANGE CERTIFICATE**  
**OF SERVICE AUTHORITY**

Bell Atlantic Network Data, Inc. (Bell Atlantic) applied to the Missouri Public Service Commission (Commission) on June 29, 2000, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. Bell Atlantic 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. Bell Atlantic is a Delaware corporation with its principal office located at 1095 Avenue of the Americas, New York, New York 10036.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on July 5, 2000, directing parties wishing to intervene to file their requests by July 20, 2000. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

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

In its Memorandum filed on July 27, 2000, the Staff of the Commission (Staff) stated that Bell Atlantic's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Bell Atlantic a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice.

Bell Atlantic did not file tariffs with its application (although it did file illustrative sample tariffs), and requested waiver of 4 CSR 240-2.060(C) which requires the filing of a tariff with a 45-day effective date. The Commission will grant this waiver to allow Bell Atlantic to file its tariffs at a later date.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Bell Atlantic should be granted a certificate of service authority. The Commission finds that the services Bell Atlantic proposes to offer are competitive and Bell Atlantic 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.

**IT IS THEREFORE ORDERED:**

1. That Bell Atlantic Network Data, 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 Bell Atlantic Network Data, Inc. is granted a certificate of service authority to provide local exchange telecommunications services restricted to dedicated, private line services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Bell Atlantic Network Data, Inc. and its services are classified as competitive. 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

4. That the requirement of 4 CSR 240-2.060(C) to file a tariff with a 45-day effective date is waived so that Bell Atlantic Network Data, Inc. need not file a tariff with a 45-day effective date with its application, but may file it at a later date.

5. That this order shall become effective on August 14, 2000.

BY THE COMMISSION



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

( S E A L )

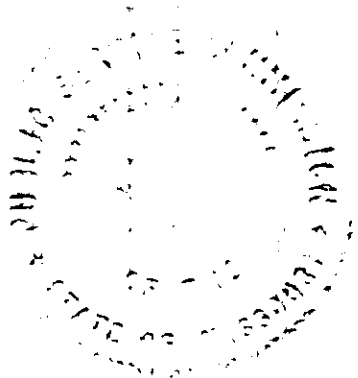
Lewis Mills, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 2nd day of August, 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 2<sup>nd</sup> day of Aug. 2000.



A handwritten signature in cursive script that reads "Dale Hardy Roberts".

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