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July 17, 2000

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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

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-2000-812

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,

Bruce H. Bates
Assistant General Counsel
(573) 751-7434
(573) 751-9285 (Fax)

BB/df
Enclosure
cc: Counsel of Record

FILED³
JUL 17 2000

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

JUL 17 2000

Missouri Public
Service Commission

In the Matter of the Application of MGC)
Communications, Inc. for a Certificate of)
Service Authority to Provide Intrastate)
Interexchange and Non-Switched Local)
Exchange Telecommunications Services)
Within the State of Missouri and for)
Competitive Classification.)

Case No. TA-2000-812

STAFF RECOMMENDATION

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

1. In the attached *Memorandum*, which is labeled *Appendix A*, Staff recommends that the Missouri Public Service Commission ("Commission") grant MGC Communications, Inc. ("Applicant") a certificate to provide interexchange telecommunications services, as well as a certificate to provide local exchange telecommunications services, restricted to dedicated, private line services. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. (See Sections 392.430 and 392.440, RSMo 1994).

2. Staff also recommends that the Commission classify Applicant and its services as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is subject to sufficient competition to justify a lesser


degree of regulation. (See Section 392.361.2, RSMo 1994.) All the services a competitive company provides must be classified as competitive. (See Section 392.361.3, RSMo 1994.)

3. Staff further recommends that the Commission approve the waivers listed in the Notice of Applications. The Commission may waive the application of its rules and certain statutes if the Commission determines that the waiver is consistent with the purposes of Chapter 392, RSMo. (See Sections 392.361.3 and 392.420, RSMo 1994, as well as Section 392.185, RSMo Cum.Supp. 1999.)

WHEREFORE Staff recommends that the Commission grant Applicant a certificate to provide interexchange telecommunications services, as well as a certificate to provide local exchange telecommunication services, restricted to dedicated, private line services. Staff also recommends that the Commission grant Applicant competitive classification, approve Applicant's proposed tariff, PSC MO NO. 3, Original Sheets 1-26, with a proposed effective date of July 31, 2000, and approve the waivers listed in the Notice of Applications.

Respectfully submitted,

DANA K. JOYCE
General Counsel

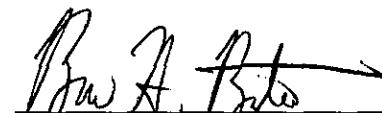


Bruce H. Bates
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel or parties of record as shown on the attached service list this 17th day of July 2000.



Bruce H. Bates

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No: TA-2000-812 File No: 200001150
Applicant: MCG Communications, Inc.

From: Walt Cecil *WC*
Telecommunications Department

[Signature] 7/14/00 *Wm K Haas* 7/17/00 *BAB* 7-17-00
Utility Operations Division/Date General Counsel's Office/Date

Subject: Staff Recommendation for Approval of Certificate

Date: 07/12/00

Date Assigned: 06/14/00

Staff Deadline: 07/20/00

The Telecommunications Department Staff (Staff) recommends the applicant be granted the following certificate(s), as indicated below, to be effective on the same date the tariff becomes effective:

- ☒ certificate to provide interexchange telecommunications services.
☒ certificate to provide local exchange telecommunications services.*
*local exchange authority should be restricted to dedicated, private line services.

Staff recommends the applicant and its services receive competitive classification. Furthermore, Staff recommends approval of the applicant's proposed tariff, PSC MO NO. 3, original sheets 1-26, with a proposed effective date of 07/31/00. In addition, Staff recommends approval of the waivers listed in the Notice.

Is there an attachment to this recommendation indicating any additional recommendations or special considerations? ☐ Yes ☒ No

RECEIVED
JUL 14 2000
SR 1328
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

APPENDIX A

Application/Tariff Review Items

☒ No applications to intervene filed.

Application contains the following:

- ☒ Proper Secretary of State authorization
☒ Request for classification as a competitive telecommunications company.
☒ All requested waivers are listed in the Notice and all requested waivers have previously been granted to other competitive companies.

Proposed tariff:

- ☒ Complies with PSC rules and statutes applicable to applicant.
☒ If operator services offered, such services are not inconsistent with 4 CSR 240-33.130.
☐ Includes "interexchange" tariff text if offers private line service w/o requesting a local certificate.
☐ If ICB pricing proposed, only for private line.
☐ If ICB pricing is offered, tariff includes standardized ICB text.
☒ Rate structures or service offerings are similar to existing IXC offerings. (In addition, tariff does not geographically de-average).
☒ If promotional offering text is included, it is standardized promotion text.
☒ Waivers listed in tariff match those listed in application and Notice.

Services Offered in Initial Tariff

- | | |
|----------------------------------------------------------|-------------------------------------------------|
| <input checked="" type="checkbox"/> 1+ | <input type="checkbox"/> Private Line |
| <input checked="" type="checkbox"/> 800/888/877 Services | <input type="checkbox"/> Debit Card |
| <input checked="" type="checkbox"/> Directory Assistance | <input checked="" type="checkbox"/> Travel Card |
| <input checked="" type="checkbox"/> Operator Assistance | <input checked="" type="checkbox"/> Other: |

Has proposed effective date been extended? ☒ Yes ☐ No
New effective date: July 31, 2000.

Have substitute tariff sheets been filed? ☒ Yes ☐ No
Date of substitute sheets: July 6, 2000 and July 11, 2000.

From	Initials	Date	Revised
Walt Cecil	WC	07/12/00	
Wm. Voight			

Service List for
Case No. TA-2000-812
July 17, 2000

Office of the Public Counsel
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