



STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY June 2, 2000

CASE NO: TA-2000-786

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Office of the Public Counsel

P.O. Box 7800 Jefferson City, MO 65102

W.R. England, III/Sondra B. Morgan

Brydon, Swearengen & England 312 E. Capitol Avenue, PO Box 456 Jefferson City, MO 65102 Evan Copsey, President

Holway Long Distance 208 Ash, PO Box 112 Maitland, MO 64466 Raymond Henagan, President

Fiber Four Corporation 107 OPP Street, PO Box 147 Rock Port, MO 64482

General Counsel

Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

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

Sincerely,

Hole Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

Uncertified copy: To all interexchange and local exchange telecommunications companies. To County Commisjoners of counties containing a part or any of the affected exchange.

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Holway Long) Distance Company and Fiber Four Corporation to) Grant Holway Long Distance Company a Certificate of Service Authority to Provide .) Interexchange and Local Exchange) Telecommunications Services and for Authority) to Transfer a Portion of the Assets of Fiber Four Corporation Used to Provide Service to Customers of Holway Long Distance Company to Holway Long Distance Company

Case No. TA-2000-786 Tariff No. 200001082

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ORDER DIRECTING NOTICE

On May 26, 2000, Holway Long Distance Company (Holway) and Fiber Four Corporation (FFC) filed a joint application with the Missouri Public Service Commission (Commission) in which Holway requested that the Commission approve its application for certificate of service authority to provide interexchange and local exchange telecommunications services pursuant to Chapter 392 of the Revised Statutes of Missouri. The parties also requested that the Commission grant the application of Holway and FFC to transfer a portion of the assets of FFC to Holway, and to simultaneously cancel the certificate of service authority and existing tariff of FFC which was granted by the Commission in case number TA-2000-24. In addition, the parties requested that the Commission approve the new tariff of Holway, which was filed with the joint application.

The Commission finds that proper persons should be given notice and an opportunity to intervene in this matter. The Commission directs that the Records Department of the Commission shall send a copy of this order to the county commission of each Missouri county containing all or part of any affected exchange, and to all basic local and interexchange telecommunications companies in Missouri. The Public Information Officer of the Commission shall give notice of this application to every newspaper serving the affected counties, as listed in the newspaper directory of the current Official Manual of the State of Missouri, and to the members of the Missouri General Assembly representing persons residing within those affected Proper persons wishing to intervene shall file an exchanges. application to intervene with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene should be sent to the parties listed below.

The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. <u>State ex rel Rex Deffenderfer</u> <u>Enterprises, Inc. v. Public Service Commission</u>, 776 S.W.2d 494, 496 (Mo. App. 1989). If there are no requests for a hearing, the requested relief may be granted based on the application.

IT IS THEREFORE ORDERED:

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1. That the Records Department of the Commission shall send a copy of this order to the county commission of each Missouri county containing all or a part of any affected exchange, and to every

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telecommunications carrier certified to provide basic local or interexchange telecommunications services in the state of Missouri.

2. That the Public Information Officer of the Commission shall give notice of this application to every newspaper serving each county affected by the application, as listed in the newspaper directory of the current <u>Official Manual of the State of Missouri</u>, and to the members of the Missouri General Assembly representing persons residing within the affected exchanges.

3. That any party wishing to intervene, request a hearing, or to file comments in this matter shall file an application, or shall file their written comments, no later than June 22, 2000 with:

> Dale Hardy Roberts, Secretary Missouri Public Service Commission Post Office Box 360 Jefferson City, Missouri 65102-0360

and send copies to:

W.R. England, III, Esq. Sondra B. Morgan, Esq. Brydon, Swearengen & England P.C. 312 East Capitol Avenue Post Office Box 456 Jefferson City, Missouri 65102

and

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Office of the Public Counsel Post Office Box 7800 Jefferson City, Missouri 65102-7800 4. That this order shall become effective on June 14, 2000.

BY THE COMMISSION

Ask Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

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Bill Hopkins, Senior Regulatory Law Judge, by delegation of authority pursuant to 4 CSR 240-2.120(1) (November 30, 1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 2nd day of June, 2000.

STATE OF MISSOURI OFFICE OF THE PUBLIC SERVICE COMMISSION

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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^{nd} day of June 2000.

Hok Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

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