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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of Matrix                    )  
 Telecom, Inc., for a Certificate of Service                    )  
 Authority to Provide Intrastate Interexchange                )  
 Telecommunications Services, for Designation as            )  
 a Competitive Telecommunications Company, and             )  
 for Waiver of Certain Statutory and Regulatory            )  
 Provisions.    )

Case No. TA-2000-361

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

Matrix Telecom, Inc. (Matrix) applied to the Public Service Commission on December 9, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Sections 392.410-.450, RSMo 1994, and RSMo Supp. 1998<sup>1</sup>. Matrix 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. Matrix is a Texas corporation, with its principal office located at 8721 Airport Freeway, Fort Worth, Texas 76180.

The Commission issued a Notice of Applications and Opportunity to Intervene on December 14, directing parties wishing to intervene to file their requests by December 29. 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 further 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 verified application.

In its Recommendation and Memorandum filed on February 8, 2000, the Staff of the Commission explained that the Commission, effective December 15, 1999, granted a certificate of service authority to a Texas partnership named Matrix Telecom. Thereafter, on January 1, 1994, the Texas corporation, Matrix Telecom, Inc., the applicant in this case, filed a notice adopting the tariffs of the Matrix Telecom partnership. Matrix Telecom, Inc. provided services under the Matrix partnership tariff that it adopted. However, Matrix Telecom, Inc. never asked for and never received a certificate of service authority from this Commission authorizing it to provide those services. Matrix Telecom, Inc.'s lack of certificate of service authority came to light when Matrix sought Commission approval of the transfer of all of its stock to a new shareholder in Case No. TM-2000-247. When the lack of authority was discovered, Matrix filed its application in this case.

Staff's recommendation indicates that it found no indication of misfeasance in Matrix's failure to previously obtain the service authority it is seeking in this case. Staff recommends that the Commission grant Matrix a certificate of authority to provide interexchange telecommunications services and grant Matrix competitive

) status, and waiver of the statutes and rules listed in the Notice. Staff also recommends that the Commission approve Matrix's continued operation under the tariff this Commission approved in Case No. TO-96-240 (Tariff File No. 9600471). Staff's recommendation points out that the tariff under which Matrix is currently providing service (Tariff File No. 9600471) includes waivers that were not included in the Notice of Application issued in this case. Staff recommends that the Commission order Matrix to file a revised tariff sheet 1 to reflect the waivers approved in this case.

) The Commission finds that competition in the intrastate interexchange telecommunications markets is in the public interest and that Matrix should be granted a certificate of service authority. The Commission finds that the services Matrix proposes to offer are competitive and Matrix 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 Matrix should be allowed to continue to operate under its existing tariff (Tariff File No. 9600471).

**IT IS THEREFORE ORDERED:**

) 1. That Matrix Telecom, 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 Matrix Telecom, Inc. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

392.240(1)	- ratemaking
392.270	- valuation of property (ratemaking)
392.280	- depreciation accounts
392.290	- issuance of securities
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)	- rate schedules
4 CSR 240-32.030(1) (B)	- exchange boundary maps
4 CSR 240-32.030(1) (C)	- record keeping
4 CSR 240-32.030(2)	- in-state record keeping
4 CSR 240-32.050(3)	- local office record keeping
4 CSR 240-32.050(4)	- telephone directories
4 CSR 240-32.050(5)	- call intercept
4 CSR 240-32.050(6)	- telephone number changes
4 CSR 240-32.070(4)	- public coin telephone
4 CSR 240-33.030	- minimum charges rule

3. That Matrix Telecom, Inc. may continue to operate under the tariff previously approved by the Commission in Case No. TO-96-240 (Tariff File No. 9600471).

4. That Matrix Telecom, Inc. shall file, no later than April 24, 2000, a revised tariff sheet 1 conforming the waivers listed in the tariff with those granted in this order.

5. That the certificate of service authority granted to Matrix Telecom, Inc. shall become effective upon the effective date of this order.

6. That this order shall become effective on March 3, 2000.

**BY THE COMMISSION**



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

( S E A L )

Morris L. Woodruff, 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 22nd day of February, 2000.