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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Northeast Missouri Long Distance, L.L.C.)
for a Certificate of Service Authority to) Case No. TA-2000-242
Provide IntraLATA and InterLATA)
Interexchange and Basic Interexchange)
Telecommunications Services.)

ORDER APPROVING INTEREXCHANGE
CERTIFICATE OF SERVICE AUTHORITY

Northeast Missouri Long Distance, L.L.C. (NELD) applied to the Public Service Commission on September 20, 1999, for a certificate of service authority to provide intraLATA and interLATA interexchange and basic interexchange telecommunications services in Missouri under § 392.440, RSMo 1994¹. NELD filed a revised Application on September 27. NELD is a Limited Liability Company authorized to do business in Missouri, with its principal office located at 718 S. West Street, P.O. Box 98, Green City, Missouri 63545.

NELD asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420. NELD also requested expedited treatment of its application so that its application could be approved on or before October 5. The Commission issued a Notice of Applications and Opportunity to Intervene

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

on September 28, directing parties wishing to intervene to file their requests by October 8.

NELD requested that the Commission grant it certificate of service authority and approve its tariff no later than October 5. NELD, and a recommendation filed by Staff, indicated that it was essential that NELD begin providing interexchange service no later than October 21. This expedited treatment was necessary because (1) AT&T has not yet decided to provide 1+ intraLATA service, (2) the need to make modifications to the IntraLATA Toll Dialing Parity Implementation Plans of Northeast Missouri Rural Telephone Company and its affiliate, Modern Telecommunications Company by October 20, and (3) the need to give customers timely notification. Because the time established for intervention, October 8, had not yet passed, Staff recommended that the Commission grant NELD a temporary certificate of service authority to provide interexchange telecommunications services.

On October 5, the Commission issued an Order Approving Temporary Interexchange Certificate of Service Authority and Order Approving Tariff. That order issued a temporary certificate of service authority to NELD and approved NELD's tariff. The order also indicated that the Commission would consider the issuance of a permanent certificate of service authority after other interested parties have had an opportunity to intervene.

The October 8 deadline for interventions has now passed and no requests for intervention have been submitted to the Commission. 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 permission to intervene or requested a hearing, the Commission may grant the relief requested based on the verified application. The Commission finds that it is now appropriate to issue a certificate of service authority to NELD to replace the temporary certificate previously issued.

IT IS THEREFORE ORDERED:

1. That Northeast Missouri Long Distance, L.L.C. 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 the temporary certificate of service authority granted to Northeast Missouri Long Distance, L.L.C. on October 5, 1999, shall be canceled effective upon the effective date of the certificate of service authority granted by this order.

3. That Northeast Missouri Long Distance, L.L.C. 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. 1998 - 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 240-30.040 - Uniform System of Accounts
- 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
- 4 CSR 240-33.040(5) - financing fees

- 4. That this order shall become effective on October 29, 1999.

5. That this case may be closed on November 1, 1999.

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 19th day of October, 1999.