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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of KDD)	
America, Inc. for a Certificate of Service)	
Authority to Provide Intrastate Interexchange)	Case No. TA-2000-255
and Nonswitched Local Exchange Telecommuni-)	Tariff No. 200000284
cations Services with the State of Missouri)	
and for Competitive Classification.)	

ORDER APPROVING INTEREXCHANGE AND NONSWITCHED LOCAL EXCHANGE
CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

KDD America, Inc. (KDD) applied to the Public Service Commission on September 28, 1999, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1998¹. KDD 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. KDD is a New York corporation, with its principal office located at 375 Park Avenue, 7th Floor, New York, New York 10152.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on October 5, 1999, directing parties wishing to intervene to file their requests by October 20, 1999. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party

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

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.

KDD filed a proposed tariff in conjunction with its application and filed substitute sheets on October 28, 1999. The tariff's effective date is November 12, 1999. KDD's tariff describes the rates, rules, and regulations it intends to use, identifies KDD as a competitive company, and lists the waivers requested. KDD intends to provide interexchange and nonswitched local exchange telecommunications services including 1+ and 800/877/888 services.

In its memorandum filed on November 1, 1999, the Staff of the Commission (Staff) recommended that the Commission grant KDD a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunication services on condition that this authority be restricted to providing dedicated, nonswitched local exchange private line services. Staff recommended that the Commission grant KDD competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff as amended to become effective on November 12, 1999.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and KDD should be granted certificates of service authority. The Commission finds that the

services KDD proposes to offer are competitive and KDD 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 KDD's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on September 28, 1999 shall be approved as amended to become effective on November 12, 1999.

IT IS THEREFORE ORDERED:

1. That KDD America, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That KDD America, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, nonswitched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That KDD America, 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. 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 the tariff filed by KDD America, Inc. on September 28, 1999, and assigned Tariff File No. 200000284, is approved as amended to become effective on November 12, 1999. The tariff approved is:

Missouri P.S.C. Tariff No. 1
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5. That this order shall become effective on November 12, 1999.

6. That this case may be closed on November 15, 1999.

BY THE COMMISSION

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, 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 November, 1999.

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COMMISSION COUNCIL
ON SERVICE COMMISSION