

11/19

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Application of Adelpia )  
Business Solutions Operations, Inc., for a )  
Certificate of Service Authority to Provide ) **Case No. TA-2000-315**  
Intrastate Interexchange and Nonswitched Local ) **Tariff No. 200000429**  
Exchange Telecommunications Services Within )  
the State of Missouri and for Competitive )  
Classification. )

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

Adelpia Business Solutions Operations, Inc. (Adelpia), applied to the Public Service Commission on November 2, 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. 1998.<sup>1</sup> Adelpia 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. Adelpia is a Delaware corporation, with its principal office located at Main at Water Street, Coudersport, Pennsylvania 16915.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on November 9, 1999, directing parties wishing to intervene to file their requests by November 24, 1999. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party

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<sup>1</sup> 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.

Adelphia filed a proposed tariff in conjunction with its application and filed substitute sheets on November 30, 1999. The tariff's effective date is December 17, 1999. Adelphia's tariff describes the rates, rules, and regulations it intends to use, identifies Adelphia as a competitive company, and lists the waivers requested. Adelphia intends to provide interexchange and nonswitched local exchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Operator Assistance, Private Line, Debit Card, and Travel Card services.

In its memorandum filed on December 7, 1999, the Staff of the Commission (Staff) recommended that the Commission grant Adelphia 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 Adelphia 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 December 17, 1999.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications

markets is in the public interest and Adelphia should be granted certificates of service authority. The Commission finds that the services Adelphia proposes to offer are competitive and Adelphia 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 Adelphia's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on November 2, 1999 shall be approved as amended to become effective on December 17, 1999.

**IT IS THEREFORE ORDERED:**

1. That Adelphia Business Solutions Operations, 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 Adelphia Business Solutions Operations, 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 Adelphia Business Solutions Operations, 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 Adelphia Business Solutions Operations, Inc., on November 2, 1999, and assigned Tariff File No. 200000429, is approved as amended to become effective on December 17, 1999. The tariff approved is:

Missouri P.S.C. Tariff No. 1  
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5. That this order shall become effective on December 17, 1999.

6. That this case may be closed on December 20, 1999.

BY THE COMMISSION



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

( S E A L )

Vicky Ruth, 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 9th day of December, 1999.

**R E C E I V E D**

DEC 09 1999

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION