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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

In the Matter of the Application of Custom       )  
Network Solutions, Inc., for a Certificate of    )  
Authority to Provide Competitive Intrastate    )  
Telecommunications Services in Missouri.       )

Case No. TA-2000-456  
Tariff No. 200000649

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY  
AND ORDER APPROVING TARIFF

Custom Network Solutions, Inc. (CNS), applied to the Public Service Commission on January 20, 2000, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. CNS 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. CNS is a New York corporation with its principal office located at 311 West 43rd Street, Suite 1405, New York, New York 10036.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on January 25, 2000, directing parties wishing to intervene to file their requests by February 9, 2000. 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

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

permission to intervene or requested a hearing, the Commission may grant the relief requested based on the verified application.

CNS filed a proposed tariff in conjunction with its application with an effective date of March 6, 2000. CNS's tariff describes the rates, rules, and regulations it intends to use, identifies CNS as a competitive company, and lists the waivers requested. CNS intends to provide interexchange telecommunications services including 1+, 800/888/877 services, Directory Assistance, and Travel Card services.

In its Memorandum filed on February 23, 2000, the Staff of the Commission (Staff) recommended that the Commission grant CNS a certificate of service authority, 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 March 6, 2000.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and CNS should be granted a certificate of service authority. The Commission finds that the services CNS proposes to offer are competitive and CNS 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 CNS's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission

finds that the proposed tariff filed on January 20, 2000, shall be approved as amended to become effective on March 6, 2000.

**IT IS THEREFORE ORDERED:**

1. That Custom Network Solutions, 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 Custom Network Solutions, 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 240-30.040 - 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

3. That the tariff filed by Custom Network Solutions, Inc., on January 20, 2000, and assigned Tariff File No. 200000649, is approved as amended to become effective on March 6, 2000. The tariff approved is:

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4. That this order shall become effective on March 6, 2000.
5. That this case may be closed on March 7, 2000.

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 28th day of February, 2000.