# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Oregon Farmers Mutual Long Distance, Inc. )

For a Certificate of Service Authority to (Case No. TA-2000-134)

Provide Interexchange and Local Exchange (Tariff File No. 200000119)

Telecommunications Services (Tariff File No. 200000119)

## ORDER APPROVING INTEREXCHANGE AND NON-SWITCHED LOCAL EXCHANGE CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Oregon Farmers Mutual Long Distance, Inc. (Oregon) applied to the Public Service Commission on August 11, 1999, for certificates of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMO 1994, and RSMO Supp. 1998<sup>1</sup>. Oregon 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. Oregon is a Missouri corporation, with its principal office located at 118 East Nodaway, P.O. Box 227, Oregon, Missouri 64473.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on August 11, 1999, directing parties wishing to intervene to file their requests by September 1, 1999. 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.

Oregon filed a proposed tariff in conjunction with its application and filed substitute sheets on September 13 and 14, 1999. The tariff's effective date is September 27, 1999. Oregon's tariff describes the rates, rules, and regulations it intends to use, identifies Oregon as a competitive company, and lists the waivers requested. Oregon intends to provide interexchange and non-switched local exchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Operator Assistance, Private Line and Travel Card services.

In its memorandum filed on September 15, 1999, the Staff of the Commission stated that Oregon's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Oregon 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, non-switched local exchange private line services. Staff recommended that the Commission grant Oregon 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 September 27, 1999.

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

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets is in the public interest and Oregon should be granted certificates of service authority. The Commission finds that the services Oregon proposes to offer are competitive and Oregon 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 Oregon's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and non-switched local exchange carriers. The Commission finds that the proposed tariff filed on August 11, 1999 shall be approved as amended to become effective on September 27, 1999.

#### IT IS THEREFORE ORDERED:

- 1. That Oregon Farmers Mutual Long Distance, 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 Oregon Farmers Mutual Long Distance, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, non-switched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Oregon Farmers Mutual Long Distance, Inc. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

#### Statutes

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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
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### Commission Rules

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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
                       - minimum charges rule
4 CSR 240-33.030
4 CSR 240-33.040(5)
                       - financing fees
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4. That the tariff filed by Oregon Farmers Mutual Long Distance, Inc. on August 11, 1999, under tariff number 200000119, is approved as amended to become effective on September 27, 1999. The tariff approved is:

#### P.S.C. Mo. No. 1

5. That this order shall become effective on September 27, 1999.

6. That this case may be closed on September 28, 1999.

BY THE COMMISSION

Hale Hard Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

Bill Hopkins, Senior 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 23rd day of September, 1999.

MECEIVE!

**SEP** 2.3 1993

COMMISSION COUNSEL PUBLIC SERVICE COMMISSION

CAME TO DOOR