

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

June 13, 1997

CASE NO: TA-97-490

Craig S. Johnson, 301 East McCarty Street, JeffersonCity, MO 65102

Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright
Executive Secretary**

Uncertified Copy:

**Office of the Public Counsel, P.O. Box 7800, Jefferson City, MO 65102
John K. Davis, General Manager, Sho-Me Power Corporation, 301 W. Jackson,
P. O. Drawer D., Marshfield, MO 65706**

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 13th
day of June, 1997.

In the Matter of the Application of)
Sho-Me Technologies, L.L.C. for a)
Certificate of Authority to Provide)
Interexchange and Nonswitched Local)
Telecommunications Services within)
the State of Missouri.)

CASE NO. TA-97-490

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

Sho-Me Technologies, L.L.C. (Applicant) applied to the Public Service Commission on May 7, 1997, for a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services in Missouri under §§ 392.410 - .450, RSMo 1994¹. Applicant asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420. Applicant is a Missouri limited liability company, with its principal office located at 301 West Jackson, Marshfield, Missouri 65706.

The Commission issued a Notice of Applications and Opportunity to Intervene on May 13 directing parties wishing to intervene in the case to file their requests by May 28. Since no one requested a hearing or permission to intervene, the Commission determines that no hearing is necessary. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

Applicant filed a proposed tariff along with its application with an effective date of June 21 and filed substitute sheets on May 9.

¹All statutory references are to the Revised Statutes of Missouri, 1994, or to the 1996 Supplement.

Applicant's tariff describes the rates, rules, and regulations it intends to use, identifies Applicant as a competitive company, and lists the waivers requested. Applicant intends to provide interexchange and local exchange telecommunications services including private line services.

In its Memorandum filed on June 4, the Staff of the Commission stated that Applicant's proposed rate structures or services are similar to existing IXC offerings. Staff recommended that the Commission grant Applicant 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 Applicant competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the tariff as amended to become effective on June 21.

The Commission finds that competition in the intrastate interexchange and local exchange telecommunications markets is in the public interest and Applicant should be granted a certificate of service authority. The Commission finds that the services Applicant proposes to offer are competitive and Applicant should be classified as a competitive company. The Commission is of the opinion that waiving the statutes and Commission rules set out in Ordered Paragraph 3 is reasonable and not detrimental to the public interest.

The Commission determines, by authority of § 392.470, that Applicant should comply with the following regulatory requirements as reasonable and necessary conditions of certification:

- (1) Applicant must comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market. § 386.320.3.
- (2) Applicant must file tariffs containing rules and regulations applicable to customers, a description of the services provided, and a list of rates associated with those services in accordance with 4 CSR 240-30.010 and § 392.220.
- (3) Applicant may not unjustly discriminate between its customers. §§ 392.200, 392.400.
- (4) Applicant must comply with all applicable rules of the Commission except those specifically waived by this order. §§ 386.570, 392.360.
- (5) Applicant must file a Missouri-specific annual report. §§ 392.210, 392.390.1.
- (6) Applicant must comply with jurisdictional reporting requirements as set out in each local exchange company's access services tariff. § 392.390.3.
- (7) Applicant must submit to the Staff, on a confidential basis, a copy of the jurisdictional report it submits to local exchange companies. The report must be submitted within ten (10) days of the date on which it is submitted to the local exchange company.

The Commission finds that Applicant'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 local exchange carriers. The Commission finds that the proposed tariff filed on May 7 should be approved as amended to become effective on June 21.

IT IS THEREFORE ORDERED:

1. That Sho-Me Technologies, L.L.C. 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 Sho-Me Technologies, L.L.C. 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 the conditions of certification set out above.

3. That Sho-Me Technologies, L.L.C. is classified as a competitive telecommunications company. 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 |
| 392.330 | - issuance of securities, debts and notes |
| 392.340 | - reorganization(s) |

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 Sho-Me Technologies, L.L.C. on May 7, 1997, is approved as amended to become effective on June 21, 1997. The tariff approved is:

P.S.C. Mo. No. 1

5. That this order shall become effective on June 21, 1997.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright
Executive Secretary**

(S E A L)

Crompton, Murray and Drainer, CC., concur.
Zobrist, Chm., and Lampe, C., absent.

ALJ: George

ALJ/Sec'y:

George/Bayce

6-9-97
Date Circulated

T.A-97-490
CASE NO.

KZ absent
Chairman

[Signature]
Commissioner

J.L. absent
Commissioner

Cm
Commissioner

[Signature]
Commissioner

6-13-97
Agenda Date

Action taken:

3-10 AS

STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 13 day of June, 1997.

Cecil I. Wright
Cecil I. Wright
Executive Secretary