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

In the Matter of the Application of FDF)
Communications Co. d/b/a BPS Long Distance) **Case No. TA-2000-95**
for a Certificate of Service Authority to) **Tariff No. 200000103**
Provide Interexchange and Local Exchange)
Telecommunications Services.)

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

FDF Communications Co., d/b/a BPS Long Distance (BPS), applied to the Public Service Commission on August 5, 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. 1998.¹ BPS 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. BPS is a Missouri corporation with its principal office located at 120 Stewart Street, Bernie, Missouri 63822.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on August 10, 1999, directing parties wishing to intervene to file their requests by August 25, 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,

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

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.

BPS filed a proposed tariff in conjunction with its application and filed substitute sheets on September 7, 1999, and September 10, 1999,. The tariff's effective date was September 20, 1999, but was extended to September 27, 1999. BPS's tariff describes the rates, rules, and regulations it intends to use, identifies BPS as a competitive company, and lists the waivers requested. BPS intends to provide interexchange and nonswitched local exchange telecommunications services including 1+, 800/888/877 services, directory assistance, operator services, private line, and travel card services.

In its memorandum filed on September 15, 1999, the Staff of the Commission stated that BPS's proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant BPS 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 BPS 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.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and BPS should be granted

certificates of service authority. The Commission finds that the services BPS proposes to offer are competitive and BPS 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 BPS'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 5, 1999, shall be approved as amended to become effective on September 27, 1999.

IT IS THEREFORE ORDERED:

1. That FDF Communications Co., d/b/a BPS Long Distance, 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 FDF Communications Co., d/b/a BPS Long Distance, 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 FDF Communications Co., d/b/a BPS Long Distance, 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

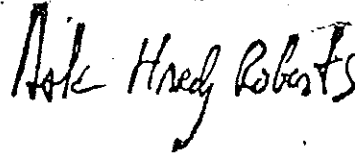
4. That the tariff filed by FDF Communications Co., d/b/a BPS Long Distance, on August 5, 1999, and assigned Tariff File No. 200000103, is approved as amended to become effective on September 27, 1999. The tariff approved is:

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

6. That this case may be closed on October 1, 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 20th day of September, 1999.

R E C E I V E D

SEP 20 1999

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION