

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
February 25, 2000

CASE NO: TA-2000-427

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

Sincerely,



Dale Hardy/Roberts
Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Allegiance)
Telecom of Missouri, Inc., for a Certificate)
of Service Authority to Provide Intrastate) **Case No. TA-2000-427**
Interexchange and Nonswitched Local Exchange) **Tariff No. 200000637**
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

Allegiance Telecom of Missouri, Inc. (Allegiance), applied to the Public Service Commission on January 18, 2000, 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. 1999.¹ Allegiance 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. Allegiance is a Delaware corporation, with its principal office located at 1950 Stemmons Freeway, Suite 3026, Dallas, Texas 75207-3118.

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

¹ 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.

Allegiance filed a proposed tariff in conjunction with its application and filed substitute sheets on February 14, 2000. The tariff's effective date is March 3, 2000. Allegiance's tariff describes the rates, rules, and regulations it intends to use, identifies Allegiance as a competitive company, and lists the waivers requested. Allegiance intends to provide interexchange and nonswitched 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 February 16, 2000, the Staff of the Commission (Staff) recommended that the Commission grant Allegiance 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 Allegiance 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 3, 2000.

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

markets is in the public interest and Allegiance should be granted certificates of service authority. The Commission finds that the services Allegiance proposes to offer are competitive and Allegiance 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 Allegiance's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on January 18, 2000, shall be approved as amended to become effective on March 3, 2000.

IT IS THEREFORE ORDERED:

1. That Allegiance Telecom of Missouri, 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 Allegiance Telecom of Missouri, 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 Allegiance Telecom of Missouri, 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

4. That the tariff filed by Allegiance Telecom of Missouri, Inc., on January 18, 2000, and assigned Tariff File No. 200000637, is approved as amended to become effective on March 3, 2000. The tariff approved is:

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5. That this order shall become effective on March 3, 2000.

6. That this case may be closed on March 6, 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 25th day of February, 2000.

FYI: To Be Issued By Delegation

ALJ/Secy: Ruth / Pope

2-24 Date Circulated 2-29 Return by 2pm
10am

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[Signature]
Lumpe, Chair

[Signature]
Crubpton, Commissioner

[Signature]
Murray, Commissioner

[Signature]
Schemenauer, Commissioner

[Signature]
Drainer, Vice-Chair

**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 25th day of FEBRUARY 2000.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

