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Missouri Public Service Commission

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August 17, 1999

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DONNA M. KOLILIS
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DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED

AUG 17 1999

RE: TA-2000-35

Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **STAFF'S RESPONSE TO AT&T COMMUNICATIONS OF THE SOUTHWEST, INC.'S APPLICATION TO INTERVENE AND MOTION TO CONSOLIDATE.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Nathan Williams
Assistant General Counsel
(573) 751-8702
(573) 751-9285 (Fax)

NW/jb
Enclosure
cc: Counsel of Record

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

FILED

AUG 17 1999

Missouri Public
Service Commission

In the Matter of the Application of Grand)	
River Communications, Inc., d/b/a)	
Lathrop Long Distance, for a Certificate)	Case No. TA-2000-35
of Service Authority to Provide)	
Interexchange and Local Exchange)	
Telecommunications Services.)	

**STAFF'S RESPONSE TO AT&T COMMUNICATIONS OF THE
SOUTHWEST, INC.'S APPLICATION TO INTERVENE
AND MOTION TO CONSOLIDATE**

Comes now the Staff of the Missouri Public Service Commission, by counsel, and responds to AT&T Communications of the Southwest, Inc.'s (AT&T) Application to Intervene and Motion to Consolidate filed in the above case as follows:

1. On July 19, 1999, Grand River Communications, Inc. initiated the above-captioned case by filing an application for a certificate of service authority and tariffs for the above d/b/a. At the same time, in a separate case, Grand River Communications, Inc. filed an application for a certificate of service authority and tariffs as Grand River Communications, Inc. d/b/a Grand Rivers Long Distance which is now pending as MoPSC Case No. TA-2000-33.
2. On August 6, 1999, AT&T filed in both this case and in MoPSC Case No. TA-2000-33 an "Application to Intervene and Motion to Consolidate."
3. As detailed in the following, AT&T requests consolidation of this case with another certification case filed by Grand River Communications, Inc., a case regarding tariffs filed by AT&T and four certification cases consolidated for

hearing which were filed by Fiber Four Corporation. AT&T requests this case be consolidated with Grand River Communications, Inc.'s above-cited contemporaneous certification filing made under the d/b/a of Grand Rivers Long Distance (MoPSC Case No. TA-2000-33). Although AT&T cites to MoPSC Case No. TT-2000-52 in the first footnote of its application and motion, based on the style of the case it uses and statements made regarding the case to which it refers, it appears that the case it filed with which AT&T seeks consolidation is the pending case of *In the Matter of AT&T's Tariff Filing to Introduce an IntraLATA Overlay Plan, PSC Mo. No. 15*, MoPSC Case No. TT-2000-22 and not *In the Matter of AT&T Communications of the Southwest, Inc.'s Tariff Filing to Introduce AT&T All In One Service, P.S.C. Mo. No. 17*, MoPSC Case No. TT-2000-52. AT&T also seeks consolidation of this case with four Fiber Four Corporation certification cases previously consolidated for hearing: *In the Matter of the Application of Fiber Four Corporation d/b/a KLM Long Distance for a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services*, MoPSC Case No. TA-2000-23; *In the Matter of the Application of Fiber Four Corporation d/b/a Holway Long Distance for a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services*, MoPSC Case No. TA-2000-24; *In the Matter of the Application of Fiber Four Corporation d/b/a IAMO Long Distance for a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services*, MoPSC Case No. TA-2000-25; and *In the Matter of the Application of Fiber Four Corporation d/b/a Rock Port Long Distance for*

a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services, MoPSC Case No. TA-2000-27.

4. At issue in MoPSC Case No. TT-2000-22 are tariffs filed by AT&T limited in geographic scope to Southwestern Bell Telephone Company's service area.
5. In this case, and in MoPSC Case No. TA-2000-33, Grand River Communications, Inc. is seeking separate certificates of service authority for two different names under which it is doing business with separate tariffs for each such name. In paragraph 3 of each application Grand River Communications, Inc. represents as follows:

"Applicant proposes to resell one plus (1+) interexchange telecommunications services and associated operator and directory assistance services to business and residential customers throughout the State of Missouri. Initially, Applicant will only provide service to local exchange customers of"

Having a different certificate of service authority for each name under which a company does business is a practice which the Commission has approved previously and which is supported by orders entered in the following cases: *In the matter of the Application of GE Capital Communications Services Corporation, d/b/a GE EXCHANGE and d/b/a GE Capital EXCHANGE, for a certificate of service authority to resell interexchange telecommunications services within the State of Missouri*, MoPSC Case No. TA-94-51; *In the matter of Midwest Fibernet Inc.'s tariffs for authority to use in Missouri the fictitious names "Consolidated Communications Long Distance" and "CallAdvantage,"* MoPSC Case No. TO-95-321; and *In the Matter of GTE Card Services Incorporated d/b/a GTE Long Distance's Tariff Revision Designed to Reflect the use of the d/b/a GTE Long*

Distance and to Expand the Services Offered by the Company to Provide Full Service Long Distance Message Telecommunications and 800/888 Services, MoPSC Case No. TO-96-381. (Copies of these orders are attached for the Commission's convenience).

6. Rule 4 CSR 240-2.110(5) provides:

When actions pending before the commission involve related questions of law or fact, the commission may order a joint hearing of any or all the matters in issue, and may make other orders concerning proceedings before it to avoid unnecessary costs or delay.

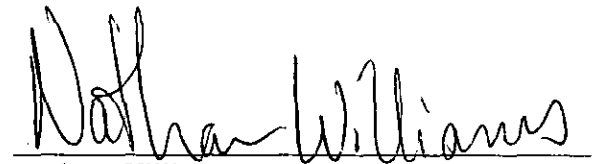
Since Grand River Communications, Inc. filed the tariffs at issue in both MoPSC Case No. TA-2000-33 and MoPSC Case No. TA-2000-35, these cases have common questions of fact and the Staff has no objection to consolidation of these cases. Because there are no common issues of law or questions of fact in MoPSC Case No. TT-2000-22 and this case (MoPSC Case No. TA-2000-35) or with MoPSC Case No. TA-2000-33, Staff opposes consolidation of MoPSC Case No. TT-2000-22 with this case for any purpose. Likewise, for lack of common questions of law or fact, Staff opposes consolidation of this case with the Fiber Four Corporation certification cases: MoPSC Case Nos. TA-2000-23, TA-2000-24, TA-2000-25 and TA-2000-27.

7. Although the grounds for intervention stated by AT&T in MoPSC Case No. TA-2000-23 and the grounds stated here are comparable if not identical and the Staff questioned the sufficiency of those grounds in MoPSC Case No. TA-2000-23, upon further consideration, Staff does not oppose intervention by AT&T in this case.

WHEREFORE, Staff respectfully suggests to the Commission that, other than consolidation of MoPSC Case No. TA-2000-33 with MoPSC Case No. TA-2000-35 for hearing and allowing intervention, AT&T Communications of the Southwest, Inc.'s (AT&T) pleading titled "Application to Intervene and Motion to Consolidate" filed in the above-captioned case should be denied.

Respectfully submitted,

DANA K. JOYCE
General Counsel

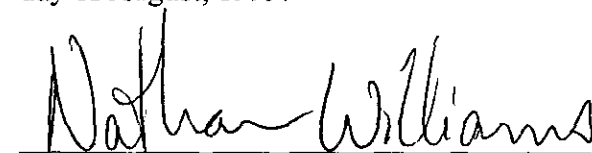


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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 17th day of August, 1999.



Service List for
Case No. TA-2000-35
Revised: August 17, 1999

Office of Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Paul DeFord
Lathrop & Gage, L.C.
2345 Grand Boulevard, Suite 2800
Kansas City, MO 64108

Sondra B. Morgan
Brydon, Swearengen & England
312 E. Capitol Avenue, P.O. Box 456
Jefferson City, MO 65102

Kevin K. Zarling
AT&T Communication of the Southwest, Inc.
919 Congress, Suite 900
Austin, Texas 78701

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 29th
day of December, 1993.

In the matter of the Application of)	
GE Capital Communications Services)	
Corporation, d/b/a GE EXCHANGE and)	
d/b/a GE Capital EXCHANGE, for a)	<u>Case No. TA-94-51</u>
certificate of service authority to)	
resell interexchange telecommunications)	
services within the state of Missouri.)	

ORDER CANCELLING CERTIFICATE UNDER DUPLICATE FICTITIOUS NAME

On August 13, 1993, GE Capital Communications Services Corporation, d/b/a GE EXCHANGE and d/b/a GE Capital EXCHANGE (GE or Applicant) applied for a certificate of service authority under Chapter 392, RSMo (Supp. 1992) to provide competitive intrastate interexchange telecommunication services in the state of Missouri. On December 8, 1993, an Order Approving Interexchange Certificate of Service Authority was issued to the Applicant and this order referred to both fictitious names. However, pursuant to negotiations with the Public Service Commission Staff (Staff) the Applicant has withdrawn its request to be certified using the second fictitious name "GE Capital EXCHANGE."

The Commission finds that it is not in the public interest to allow a regulated utility to operate using more than one fictitious name due to the potential for customer confusion, confusion in the research and maintenance of various tariffs for the appropriate utility and other such matters. Therefore, the Commission finds that it is in the public interest to cancel the certificate as granted under the second fictitious name. Nothing herein shall have an affect on GE Capital Communications Services Corporation, d/b/a GE EXCHANGE or the requirement for that entity to file tariffs as indicated above.

IT IS THEREFORE ORDERED:

1. That the interexchange certificate of service authority issued under the second fictitious name of GE Capital EXCHANGE is hereby cancelled.
2. That GE Capital Communications Services Corporation, d/b/a GE EXCHANGE shall remain obligated to file tariffs within thirty (30) days of the effective date of the Order Approving Interexchange Certificate of Service Authority.
3. That this order shall become effective on January 11, 1994.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

McClure, Perkins
Kincheloe and Crumpton, CC., Concur.
Mueller, Chm., Absent.

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 30th
day of May, 1995.

In the matter of Midwest Fibernet Inc.'s tariffs for)
authority to use in Missouri the fictitious names)
"Consolidated Communications Long Distance" and) Case No. TO-95-321
"CallAdvantage".)
)

ORDER SUSPENDING TARIFFS AND ADDRESSING OPERATION
OF INTEREXCHANGE COMPANIES UNDER FICTITIOUS NAMES

On April 18, 1995, Midwest Fibernet Inc. (MFI) submitted proposed tariffs designed to provide service under two separate fictitious names in the state of Missouri, "Consolidated Communications Long Distance" (CCLD) and "CallAdvantage". MFI also submitted the fictitious name registration for both names it proposes to provide service under in this state. The Commission opened this docket to address the proposed tariffs and the proposal of MFI to operate in the state under separate fictitious names while retaining the certificate of service authority in its name granted in Case No. TA-89-219 and also providing service under its corporate name.

On May 22, 1995, Commission Staff filed a memorandum in which it indicated that the General Counsel's office's opinion is that MFI could file tariffs to provide service under the two fictitious names, but the Telecommunications Staff requests that a certificate be required for each fictitious name. Staff recommended, though, that no additional filing requirements need be placed on MFI and that the certificates for CCLD and CallAdvantage be granted based upon the record in TA-89-219 and the tariffs submitted on April 18.

The Commission has considered the proposed tariffs and Staff's memorandum and finds that it is not in the public interest to allow interexchange

companies to provide service under more than one name in Missouri without granting an additional certificate. Even though the interexchange market is competitive, there are the provisions of Section 392.530 which require that the protection of consumers be considered. The Commission finds that protection of consumers requires that the Commission be able to ascertain what companies are operating in Missouri and under what names so that customer complaints can be answered. The ability to operate under fictitious names by simply filing a tariff would prevent the Commission from maintaining its records to determine what companies are providing service in Missouri and what services they are providing. Under MFI's proposal, it would be the certificated company but it could operate under as many names as it has services and could change those names by filing a tariff every thirty days if it so desired. Multiply this practice by the number of interexchange companies in Missouri and the Commission would literally have no way to track what company was providing what service. Even in the competitive market created by Chapter 392 there is still a requirement that the Commission know what companies are operating so that the consumers can be protected where necessary.

The Commission finds further that each company wishing to provide service under additional names must file an application for service authority and notice must be given of the application. The Commission agrees with Staff that the application can merely refer to the filings made by the company holding the certificate in its certification case to fulfil the filing requirements of 4 CSR 240-2.060. A certificate and tariffs, though, will only be approved after notice. Since the tariffs submitted by MFI for CCLD and CallAdvantage are to be effective June 2, 1995, they will be suspended until July 22, 1995, to allow for notice in the Commission's "Notice Of Applications And Right To Intervene And Order To File Tariff".

IT IS THEREFORE ORDERED:

1. That the tariffs submitted by Midwest Fibernet Inc. to provide service under the fictitious names "Consolidated Communications Long Distance" and "CallAdvantage" are hereby suspended beyond June 2, 1995, to July 22, 1995.

2. That requests of a certificated interexchange company to operate under more than one name shall be made by application for a certificate of service authority in accordance with this order.

3. That the tariffs submitted by Midwest Fibernet Inc. to provide service under the fictitious names "Consolidated Communications Long Distance" and "CallAdvantage" shall be treated as applications for certificates of service authority and notice will be given in the Commission's "Notice Of Applications And Right To Intervene And Order To File Tariff".

4. That this order shall become effective on the 2nd day of June, 1995.

BY THE COMMISSION



**David L. Rauch
Executive Secretary**

(S E A L)

Mueller, Chm., McClure, Perkins,
Kincheloe and Crumpton, CC.,
concur.

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 21st
day of June, 1996.

In the Matter of GTE Card Services Incorporated)
d/b/a GTE Long Distance's Tariff Revision)
Designed to Reflect the use of the d/b/a GTE)
Long Distance and to Expand the Services Offered) CASE NO. TO-96-381
by the Company to Provide Full Service Long)
Distance Message Telecommunications and 800/888)
Services.)

ORDER REJECTING TARIFFS

On May 10, 1996, GTE Card Services Incorporated (GTE-CSI) filed revised tariffs bearing the name GTE Card Services Incorporated d/b/a GTE Long Distance (GTE-LD). The tariffs contained an effective date of June 10, 1996, which was subsequently extended to June 17, 1996 on May 30, 1996. In its cover letter, GTE-CSI states that it was previously granted an interexchange certificate of service authority in Case No. TA-95-383, and indicates that the purpose of the tariff revisions is to reflect the use of the fictitious name "d/b/a GTE Long Distance," and to expand the services offered by the company to provide full service long distance message telecommunications and 800/888 services. The filing also includes a copy of GTE-CSI's registration of the fictitious name GTE-LD with the Missouri Secretary of State.

On June 5, 1996, GTE-CSI filed substitute sheets with a cover letter, which stated that the substitute pages of GTE Card Services Incorporated d/b/a GTE Long Distance PSC MO No. 2 include operator safeguard language, the inclusion of prepaid calling card services, other changes requested by the Commission Staff, and an updated check list. The cover letter also explains that the tariff filing introduces a new service offering, supplements the existing GTE Card Services certificated

offerings, and provide an expanded range of telecommunications services. In addition, the cover letter states that GTE Card Services Incorporated PSC MO No. 1 will remain in effect until PSC MO No. 2 is effective.

The Staff of the Missouri Public Service Commission (Staff) filed a memorandum containing its recommendation on June 11, 1996. Staff states that GTE-CSI is a competitive telecommunications company which currently offers only debit card services, and explains that based upon the cover letter of May 10, 1996, the Records Department Staff and Telecommunications Department Staff assumed that the proposed tariff, GTE Card Services Incorporated d/b/a GTE Long Distance PSC MO No. 2, was intended to replace the existing GTE Card Services Incorporated PSC MO No. 1. Upon review of the proposed tariff and the discovery that the proposed tariff did not include the debit card services in the current tariff, Staff contacted the attorney for GTE-CSI, and was informed that the proposed tariff was not meant to replace GTE Card Services Incorporated PSC MO No. 1, but was in fact a second tariff to supplement their existing tariff. Staff states that it advised the attorney of the requirement that companies have separate certificates of authority and tariffs for each name under which they provide service, and recommended that GTE-CSI withdraw their proposed tariff filing and submit in its stead an application for certificate of service authority for GTE-LD.

On May 30, 1996, Staff states that it was contacted by the attorney for GTE-CSI, and asked whether GTE-CSI could amend its proposed tariff to add the debit card services and cancel GTE Card Services Incorporated PSC MO No. 1. Staff advised the attorney that this would be acceptable so long as GTE-CSI ceased operating as GTE-CSI, and operated only as GTE-LD.. Staff also requested a cover letter explaining GTE-CSI's intent. On June 5, 1996, substitute sheets were submitted. However, Staff indicates that it was still concerned because the cover letter did not specifically state that GTE-CSI would cease to operate as GTE-CSI, and the

substitute sheets shall be referred to GTE-CSI as an entity providing service. Later that same day a conference call took place between Staff, the attorney, and an official of GTE-CSI. Staff learned that GTE-CSI planned to submit an application for certificate of service authority and a proposed tariff for GTE-CSI immediately after the proposed GTE Card Services Incorporated d/b/a GTE Long Distance tariff was approved, which led Staff to conclude that GTE-CSI may continue to operate as both GTE-CSI and GTE-LD.

Staff maintains that the requirement of separate certificates of authority and tariffs for each name under which a company provides service exists for several reasons:

- (1) The requirement avoids potential customer confusion over which company is offering the services.
- (2) The requirement facilitates records tracking. The Commission's Record Department assigns a utility number for each entity name under which regulated utility service is provided in Missouri, and the policy of requiring regulated utilities to have a separate certificate and tariff for each business name under which they provide service facilitates this process.
- (3) The requirement provides other parties with notice of a new service being offered under a new name. Currently, such notice is provided whenever a company applies for a certificate. The proposed tariffs would circumvent this process.

Staff submits its belief that, for whatever reason, GTE-CSI is attempting to circumvent the process of filing an application for certificate of service authority for GTE-LD. Additionally, Staff opines that the proposed tariff would have been rejected by the Records Department Staff if the cover letter had accurately described the intent of the filing. Staff recommends for the foregoing reasons that the proposed tariff sheets submitted on May 10, 1996 and June 5, 1996 under the name GTE Card Services Incorporated d/b/a GTE Long Distance PSC MO No. 2 be rejected.

The Commission has reviewed the entire case file of this proceeding, including the proposed tariff submission, and Staff's

recommendation, and finds that the tariff filing designated GTE Card Services Incorporated d/b/a GTE Long Distance PSC MO No. 2, submitted on May 10, 1996, and amended on June 5, 1996, should be rejected for several reasons. One of the purposes of requiring tariffs to be filed with a 30-day effective date is to provide notice to interested persons or entities and allow for their participation. While there is generally no formal intervention period for tariff filings, interested persons or entities may review the Commission's weekly list of utility tariff filings, which summarizes the tariff submissions received by the Commission during a given period of time. Based upon this information a person or entity may further investigate a tariff submission, and request suspension of the tariffs for further investigation.

The Commission finds that the information contained in the cover letter dated May 10, 1996, and consequently the summary contained in the Commission's utility tariff filings for the week ending May 15, 1996, is somewhat misleading. The Commission is of the opinion that the average person reviewing the cover letter or tariff filing summary would conclude that the tariff submission at issue involved only a simple name change, along with an expansion of the services offered by the company.¹ Thus, the Commission finds that the spirit and purpose of the requirement of a 30-day effective date was not complied with with respect to this tariff submission.

The Commission also finds that GTE-CSI is apparently attempting to do business under both its own name and under the name of GTE-LD. The Commission has in the past consistently acted in accordance with Staff's recommendation that companies must secure separate certificates of authority and tariffs for each name under which they provide service. In a case involving GE Capital Communications Services Corporation d/b/a GE

¹The "TO" designation in the case number is consistent with an interpretation by the Commission's Records Department that the filing involved a request for a name change.

Exchange and d/b/a Capital Exchange, the Commission stated: "The Commission finds that it is not in the public interest to allow a regulated utility to operate using more than one fictitious name due to the potential for customer confusion, confusion in the research and maintenance of various tariffs for the appropriate utility and other such matters." *Re application of GE Capital Communications Services Corporation d/b/a GE Exchange and d/b/a GE Capital Exchange*, Case No. TA-94-51, Order Canceling Certificate Under Duplicate Fictitious Name, issued December 29, 1993.²

In Case No. TA-95-408 Lyrihn Communications, Inc. sought to do business under two different fictitious names, Community Spirit and Blue Earth. The Commission's Order and Notice issued on June 20, 1995 separately referred to the company under each fictitious name. On August 4, 1995, the Commission issued two separate orders granting interexchange certificates of service authority and approving the tariffs of Lyrihn Communications, Inc. d/b/a Community Spirit and Lyrihn Communications, Inc. d/b/a Blue Earth. *Re the application of Lyrihn Communications, Inc.*, TA-95-408, Order Approving Interexchange Certificate Of Service Authority And Order Approving Tariff, issued August 4, 1995 (Community Spirit), and *Re the application of Lyrihn Communications, Inc.*, TA-95-408, Order Approving Interexchange Certificate Of Service Authority And Order Approving Tariff, issued August 4, 1995 (Blue Earth). Most recently, the Commission issued an order in Case No. TA-96-157, in a case involving Nations Bell, Inc. d/b/a Nations Tel and d/b/a MTS/Communicall. While the Commission issued only one order, the ordered sections specifically granted separate certificates of service authority to Nations Bell, Inc. d/b/a Nations Tel and Nations Bell, Inc. d/b/a MTS/Communicall, and approved separate tariffs for Nations Bell, Inc. d/b/a

²In this case the applicant withdrew its request to be certified under the second fictitious name pursuant to negotiation with the Staff of the Commission.

Nations Tel and Nations Bell, Inc. d/b/a MTS/Communicall. Re the application of Nations Bell, Inc. d/b/a Nations Tel and MTS/Communicall, Case No. TA-96-157, Order Approving Interexchange Certificate Of Service Authority And Order Approving Tariff, issued January 23, 1996.

The Commission notes that the proposed tariff submitted under the name GTE Card Services Incorporated d/b/a GTE Long Distance contains separate references to services provided by GTE-CSI and GTE-LD. The Commission agrees with Staff's assessment that GTE-CSI is seeking to operate under both its corporate name of GTE-CSI, and its fictitious of GTE-LD, with only one certificate of service authority. The Commission finds that it is not in the public interest to allow a company to do business in the State of Missouri under two different names, unless the company has a separate certificate of service authority and tariff for each name under which it does business. To allow a company to operate under multiple names without separate certificates and tariffs would cause potential customer confusion and impede the Commission's administrative needs and record keeping responsibilities.

In addition, the current tariff submission hinders the collective goal of providing the general public with notice of the utilities doing business within the state, implicit in the Commission's certification procedures. Without a procedure which provides certification for each name under which a company provides services to Missouri customers, notice to the public is illusory. While there may be no legal constraints preventing GTE-CSI from operating interchangeably under both its corporate and fictitious name -- a proposition upon which the Commission expresses no opinion -- the Commission determines that the discharge of its regulatory responsibilities requires certification and tariffs for all names under which a company chooses to do business within the State of Missouri. The proposal suggested by GTE-CSI demonstrates how easy it is for confusion to reign when proper procedures are not followed.

As the Commission understands Applicant's proposal, GTE-CSI would cancel its tariff. Then, after the proposed GTE Card Services Incorporated d/b/a GTE Long Distance tariff was approved, GTE-CSI would submit an application for certificate of service authority and a proposed tariff for GTE-CSI. This would result in GTE-CSI having a certificate and no tariff, while GTE-LD would have a tariff and no certificate. Neither company would be properly authorized to provide service to Missouri customers.

The Commission finds that it would not be appropriate or in the public interest to approve GTE-CSI's tariff submission. Thus, the Commission will reject the proposed tariff. The Commission also notes that in the event GTE-CSI wishes to operate under both the name GTE-CSI and the name GTE-LD, GTE-LD should submit to the Commission an application for a certificate of service authority, along with an appropriate tariff. The Commission's certification procedure for companies offering intrastate interexchange services in most instances provides for fairly expedited processing of applications.

On June 12, 1996, GTE-CSI filed a Response to Commission Staff Recommendation to Suspend³ Tariffs. The Commission has reviewed this pleading and finds nothing in it which would require the Commission to alter its decision. The Commission does not dispute that GTE-CSI is but one entity with a fictitious name, or that GTE-CSI may be legally entitled to do business under both names. Nevertheless, there are important regulatory and administrative reasons for requiring companies to obtain separate certificates and tariffs for each name under which they operate. The Commission notes that this requirement has not had a negative impact on competition in the market place, as the State of Missouri currently has approximately 300 companies certificated to provide interexchange and/or non-basic local exchange telecommunications services.

³Staff's recommendation was to reject, not suspend, the tariffs.

Subsequent to this order being placed on the Commission's agenda, counsel for GTE-CSI indicated that the company would be willing to work with Staff to find a mutually agreeable solution to the problem. Staff later filed a second memorandum on June 20, 1996, indicating that the matter had not been resolved to Staff's satisfaction, and recommending rejection of the GTE-LD tariffs.

IT IS THEREFORE ORDERED:

1. That the proposed tariff sheets submitted by GTE Card Services Incorporated under the name GTE Card Services Incorporated d/b/a GTE Long Distance on May 10, 1996, as amended on June 5, 1996, are hereby rejected:

GTE Card Services Incorporated d/b/a GTE Long Distance PSC MO No. 2 filed on May 10, 1996

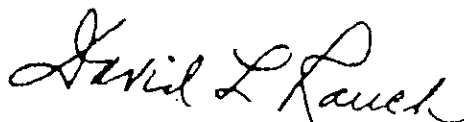
Original Sheets 1 through 43

GTE Card Services Incorporated d/b/a GTE Long Distance PSC MO No. 2 filed on June 5, 1996

Original Sheets 1 through 54.

2. That this Order shall become effective on June 29, 1996.

BY THE COMMISSION



David L. Rauch
Executive Secretary

(S E A L)

Zobrist, Chm., McClure, Kincheloe,
Crumpton, and Drainer, CC., Concur.

ALJ: Bensavage