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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Legends)	
Communications, Inc. for a Certificate of)	
Service Authority to Provide Competitive)	<u>Case No. TA-99-354</u>
Intrastate Interexchange Telecommunications)	Tariff No. 9900608
Service in Missouri)	

ORDER APPROVING INTEREXCHANGE AND NON-SWITCHED LOCAL EXCHANGE

CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Legends Communications, Inc. (Legends) applied to the Public Service Commission on February 22, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440 RSMo 1994¹. Legends 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. Legends is a Georgia corporation, with its principal office located at 2500 Windy Ridge Parkway, Suite 365, Atlanta, Georgia 30339.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on March 2, 1999, directing parties wishing to intervene to file their requests by March 17, 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.

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

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.

Legends filed a proposed tariff in conjunction with its
application and filed substitute sheets on March 25, 1999, April 7,
1999, and April 13, 1999. The tariff's effective date is April 30,
1999. Legends' tariff describes the rates, rules, and regulations it
intends to use, identifies Legends as a competitive company, and lists
the waivers requested. Legends intends to provide interexchange
telecommunications services, including 1+, 800/888/877, Directory
Assistance, Operator, Debit Card, and Travel Card services.

In its memorandum filed on April 19, 1999, the Staff of the
Commission (Staff) stated that Legends' proposed services are similar
to existing IXC offerings. Staff recommended that the Commission
grant Legends a certificate of interexchange service authority,
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 April 30, 1999.

The Commission finds that competition in the intrastate
interexchange telecommunications markets is in the public interest and
Legends should be a granted certificate of service authority. The
Commission finds that the services Legends proposes to offer are
competitive and Legends 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 Legends' proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission finds that the proposed tariff filed on February 22, 1999 shall be approved as amended to become effective on April 30, 1999.

IT IS THEREFORE ORDERED:

1. That Legends Communications, 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 Legends Communications, 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. 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

3. That the tariff filed by Legends Communications, Inc. on February 22, 1999, tariff file number 9900608, is approved as amended to become effective on April 30, 1999. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on April 30, 1999.
5. That this case may be closed on May 11, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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 21st day of April, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION