

BP

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Chariton)	
Valley L.D. Corp. for a Certificate of)	
Service Authority to Provide IntraLATA)	
Interexchange and Basic Interexchange)	<u>Case No. TA-99-562</u>
Telecommunications Services within the)	Tariff No. 9900884
State of Missouri and for Competitive)	
Classification)	

ORDER APPROVING INTEREXCHANGE AND NON-SWITCHED LOCAL EXCHANGE
CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Chariton Valley L.D. Corp. (CVLD) applied to the Public Service Commission on May 14, 1999, for certificates of service authority to provide intraLATA interexchange and non-switched local exchange telecommunications services in Missouri under Sections 392.410-.450, RSMo 1994 and RSMo Supp. 1998¹. CVLD 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.

The Commission issued a Notice of Applications and Opportunity to Intervene on May 25, directing parties wishing to intervene to file their requests by June 9. 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, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked permission to intervene

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

or requested a hearing, the Commission may grant the relief requested based on the verified application.

CVLD filed a proposed tariff in conjunction with its application and filed substitute sheets on June 30. The tariff's effective date is July 22. CVLD's tariff describes the rates, rules, and regulations it intends to use, identifies CVLD as a competitive company, and lists the waivers requested. CVLD is already certificated as an interLATA interexchange carrier, and seeks additional authority to provide intraLATA service.

In its Memorandum filed on July 7, the Staff of the Commission recommended that the Commission grant CVLD authority to expand its certificate to include intraLATA interexchange and basic interexchange services. Staff recommended that the Commission grant CVLD 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 July 22.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets is in the public interest and CVLD should be granted certificates of service authority. The Commission finds that the services CVLD proposes to offer are competitive and CVLD 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 CVLD'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 May 14 shall be approved as amended to become effective on July 22.

IT IS THEREFORE ORDERED:

1. That Chariton Valley L.D. Corp. is granted a certificate of service authority to provide intraLATA interexchange and basic interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That Chariton Valley L.D. Corp. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, non-switched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Chariton Valley L.D. Corp. 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 Chariton Valley L.D. Corp. on May 14, 1999, and assigned tariff number 9900884, is approved as amended to become effective on July 22, 1999.

5. That this order shall become effective on July 22, 1999.

6. That this case may be closed on July 23, 1999.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lewis R. Mills, Deputy Chief 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 15th day of July, 1999.

RECEIVED
JUL 15 1999
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION