

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

In the Matter of the Application of )  
O1 Communications of Missouri, LLC, for a )  
Certificate of Service Authority to Provide )  
Basic Local Telecommunications Service, Local ) Case No. TA-2000-496  
Exchange Telecommunications Service, and )  
Interexchange Telecommunications Service in )  
the State of Missouri and to Classify Said )  
Services and the Company as Competitive. )

**SECOND ORDER DIRECTING FILING**

On February 16, 2000, O1 Communications of Missouri, LLC (O1 Communications), filed an application for certificates of service authority to provide basic local, local exchange, and interexchange telecommunications services. On February 28, 2000, the Commission issued an order which directed O1 Communications to clarify which statutes and rules it wished to be waived, and to provide the street and mailing address of its principal office or place of business. On March 9, 2000, O1 Communications filed a Supplement to Application which listed the statutes and regulations it wished to be waived as follows:

<u>Statutes</u>	<u>Commission Rules</u>
Section 392.240(1)	4 CSR 240-10.020
Section 392.270	4 CSR 240-30.010(2)(C)
Section 392.280	4 CSR 240-30.040
Section 392.290	4 CSR 240-32.030(1)(B)
Section 392.310	4 CSR 240-32.030(1)(C)
Section 392.320	4 CSR 240-32.030(2)
Section 392.330	4 CSR 240-32.050(3)-(6)
Section 392.340	4 CSR 240-33.070(4)
	4 CSR 240-33.030
	4 CSR 240-33.040(5)

On May 2, 2000, the Staff of the Missouri Public Service Commission (Staff) filed its Recommendation in which it recommends that the Commission grant O1 Communications certificates of service authority to provide local exchange, basic local exchange, and inter-exchange telecommunications services. Staff's Memorandum states that O1 Communications requested waiver of the following Commission rules and statutes:

<u>Statutes</u>	<u>Commission Rules</u>
Section 392.210.2	4 CSR 240-10.020
Section 392.240(1)	4 CSR 240-30.010(2)(C)
Section 392.270	4 CSR 240-30.040
Section 392.280	4 CSR 240-32.030(4)(C)
Section 392.290	4 CSR 240-33.030
Section 392.300.2	4 CSR 240-35
Section 392.310	
Section 392.320	
Section 392.330	
Section 392.340	

However, the Commission notes that the list of requested waivers cited by Staff is not the same as the list of waivers listed by O1 Communications in its March 9, 2000, Supplement to Application. First, the list provided by O1 Communications does not request waiver of Section 392.210.2 or Section 392.300.2, although Staff recommends waiver of these provisions. Second, O1 Communications' supplement requests waiver of 4 CSR 240-32.030(1)(B), 4 CSR 240-32.030(1)(C), 4 CSR 240-32.030(2), 4 CSR 240-32.050(3)-(6), and 4 CSR 240-32.070(4), but these regulations are not listed on the Staff Recommendation. Third, the Staff Recommendation references 4 CSR 240-32.030(4)(C), but O1 Communications' pleading requests waiver of 4 CSR 240-32.030(4). It appears that some of the discrepancy can be explained by the fact

) that certain provisions of the Code of State Regulations were amended recently; however, the Commission directs the Staff to clarify the discrepancy between the two lists of requested waivers and to amend its Recommendation accordingly.


**IT IS THEREFORE ORDERED:**

1. That the Staff of the Missouri Public Service Commission shall file a revised Staff recommendation or other pleading clarifying the discrepancies between the list of requested waivers found in applicant's Supplement to Application filed March 9, 2000, and those referenced in the Staff Recommendation, filed May 2, 2000. This pleading shall be filed no later than May 18, 2000.

) 2. That any party may file, no later than May 25, 2000, a response to Staff's revised recommendation or other pleading filed in response to this order.

3. That this order shall become effective on May 18, 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 11th day of May, 2000.