

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 22nd
day of March, 1996.

In the matter of the application)
of Consolidated Communications)
Public Services, Inc. for a) CASE NO. TA-96-249
Certificate of Service Authority)
as a Reseller of Interexchange)
Telecommunications Service.)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY AND
ORDER APPROVING TARIFF

Consolidated Communications Public Services Inc. (Consolidated)
applied to the Public Service Commission on February 2, 1996, for a
certificate of service authority to provide intrastate interexchange
telecommunications services in Missouri under § 392.440 RSMo 1994¹.
Consolidated asked the Commission to classify it as a competitive company
and waive certain statutes and rules as authorized by §§ 392.361
and 392.420. Applicant is an Illinois corporation, with its principal
office located at 121 South 17th Street, Mattoon, Illinois 61938.

The Commission issued a Notice and Schedule of Applicants on
February 6, 1996, directing parties wishing to intervene in the case to do
so by February 21, 1996. On February 20, 1996, Southwestern Bell Telephone
Company (SWBT) filed a Request For Clarification, Or In The Alternative,

¹All statutory references are to Revised Statutes of Missouri 1994.

Application For Intervention, which expressed concern that Consolidated's application was requesting authority to provide operator and payphone services, for which it would need a certificate of service authority under §392.410. On February 22, 1996, Consolidated filed a letter of clarification, which stated Applicant's understanding that interexchange companies could provide operator and pay phone services pursuant to an interexchange certificate of service authority by virtue of § 386.020(27) and § 392.520, but asked that its application be amended to request a certificate of service authority for operator and pay phone services to the extent a different certificate was required. On March 1, 1996 SWBT filed a motion withdrawing its application for intervention. Since SWBT has withdrawn its application for intervention, and no one else has requested a hearing or permission to intervene, the Commission determines that no hearing is necessary. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo.App. 1989).

Consolidated filed a proposed tariff at the time of its application, on February 2, 1996, and filed substitute sheets on February 29, 1996. The tariff's effective date was originally March 18, 1996, but was subsequently extended to March 25, 1996. Consolidated's tariff describes the rates, rules, and regulations it intends to use, identifies Consolidated as a competitive company, and lists the waivers requested. Consolidated intends to provide interexchange telecommunications services including 1+, operator, and private line services.

In its Memorandum filed March 7, 1996, the Staff of the Commission stated that Applicant's proposed services are the same or equivalent to those classified as competitive in Case No. TO-88-142, *In re the investigation for the purpose of determining the classification of the services provided by interexchange telecommunications companies within the State of Missouri*, 30 Mo. P.S.C. (N.S.) 16 (September 1989). Staff recommended that the Commission grant Applicant a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the tariff as amended, effective March 18, 1996. The effective date was subsequently extended to March 25, 1996.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Applicant should be granted a certificate of service authority. The Commission finds that the services Applicant proposes to offer are competitive and Applicant should be classified as a competitive company. The Commission is of the opinion that waiving the statutes and Commission rules set out in Ordered Paragraph 2 is reasonable and not detrimental to the public interest. The Commission also finds, however, that Applicant must separately file an application for a certificate of interexchange service authority to provide private payphone service, pursuant to 4 CSR 240-2.060(3). The Commission cannot proceed based on Consolidated's attempt to amend its application to request this authority, since proper

notice and an intervention period has not been established for the request to provide private payphone service.

The Commission determines, by authority of § 392.470, that Applicant should comply with the following regulatory requirements as reasonable and necessary conditions of certification:

- (1) Applicant must comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market. § 386.320.3.
- (2) Applicant must file tariffs containing rules and regulations applicable to customers, a description of the services provided, and a list of rates associated with those services in accordance with 4 CSR 240-30.010 and § 392.220.
- (3) Applicant may not unjustly discriminate between its customers. §§ 392.200, 392.400.
- (4) Applicant must comply with all applicable rules of the Commission except those specifically waived by this order. §§ 386.570, 392.360.
- (5) Applicant must file a Missouri-specific annual report. §§ 392.210, 392.390.1.
- (6) Applicant must comply with jurisdictional reporting requirements as set out in each local exchange company's access services tariffs. § 392.390.3.
- (7) Applicant must submit to the staff, on a confidential basis, a copy of the jurisdictional report it submits to local

exchange companies. The report must be submitted within ten (10) days of the date on which it is submitted to the local exchange company.

The Commission finds that Consolidated's 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 2, 1996, and amended on February 29, 1996, should be approved, effective March 25, 1996.

IT IS THEREFORE ORDERED:

1. That Consolidated Communications Public Services Inc. be 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 Consolidated Communications Public Services Inc. be classified as a competitive telecommunications company. 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
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

Commission Rules

4 CSR 240-10.020	- depreciation fund income
4 CSR 240-30.010(2)(C)	- rate schedules
4 CSR 240-30.040(1)	- Uniform System of Accounts
4 CSR 240-30.040(2)	- Uniform System of Accounts
4 CSR 240-30.040(3)	- Uniform System of Accounts
4 CSR 240-30.040(5)	- Uniform System of Accounts
4 CSR 240-30.040(6)	- 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 Consolidated Communications Public Services Inc. on February 2, 1996, be approved as amended, effective March 25, 1996. The tariff approved is:

P.S.C. Mo. No. 1

4. That the certificate of service authority to provide intrastate interexchange telecommunications services granted in Ordered Paragraph 1 above does not include authority to provide private payphone services, and Consolidated Communications Public Services Inc. may not provide private payphone services without a separate certificate authorizing the provision of such services.

5. That this order shall become effective on March 25, 1996.

BY THE COMMISSION

David L Rauch

(SEAL)

David Rauch
Executive Secretary

Zobrist, Chm., McClure, Kincheloe,
and Drainer, CC., Concur.
Crumpton, C., Not Participating.