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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of NEXTLINK)
Long Distance Services, Inc., for a Certifi-) **Case No. TA-2000-253**
cate of Service Authority and Necessity to) **Tariff No. 200000280**
Offer Intrastate Interexchange Telecommunica-)
tions Services in the State of Missouri.)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

NEXTLINK Long Distance Services, Inc. (NEXTLINK), applied to the Public Service Commission on September 27, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. NEXTLINK 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. NEXTLINK is a Washington corporation with its principal office located at 500 108th Avenue N.E., Suite 2200, Bellevue, Washington 98004.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on September 28, 1999, directing parties wishing to intervene to file their requests by October 13, 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. Rex Deffenderfer Enterprises, Inc. v. Public Service

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

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.

NEXTLINK filed a proposed tariff in conjunction with its application and filed substitute sheets on November 12 and 30, 1999 and December 3, 1999. The tariff's effective date is December 17, 1999. NEXTLINK's tariff describes the rates, rules, and regulations it intends to use, identifies NEXTLINK as a competitive company, and lists the waivers requested. NEXTLINK intends to provide inter-exchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, and Travel Card services.

In its Memorandum filed on December 7, 1999, the Staff of the Commission (Staff) recommended that the Commission grant NEXTLINK 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 proposed tariff as amended to become effective on December 17, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and NEXTLINK should be granted a certificate of service authority. The Commission finds that the services NEXTLINK proposes to offer are competitive and NEXTLINK 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 NEXTLINK's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated inter-exchange carriers. The Commission finds that the proposed tariff filed on September 27, 1999, shall be approved as amended to become effective on December 17, 1999.

IT IS THEREFORE ORDERED:

1. That NEXTLINK Long Distance Services, Inc., is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That NEXTLINK Long Distance Services, 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 NEXTLINK Long Distance Services, Inc., on September 27, 1999, and assigned Tariff File No. 200000280, is approved as amended to become effective on December 17, 1999. The tariff approved is:

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4. That this order shall become effective on December 17, 1999.

5. That this case shall be closed on December 20, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Keith Thornburg, 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 8th day of December, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION