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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
LEC Long Distance, Inc., Doing Business)	
in Missouri as CasTel Long Distance,)	
for an Amended Certificate of Service)	Case No. TA-99-330
Authority to Provide Local Exchange Tele-)	Tariff No. 9900561
communications Services to the Public)	
Within the State of Missouri.)	

ORDER APPROVING CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

LEC Long Distance, Inc., doing business in Missouri as CasTel Long Distance (Applicant), applied to the Public Service Commission on February 5, 1999, for an amendment to its certificate of service authority, permitting it to provide non-switched, local exchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. With its application, Applicant has submitted a revised tariff sheet pertaining to the new service offering. On December 17, 1998, in Case No. TA-99-182, this Commission granted a certificate of service authority to Applicant to provide intrastate interexchange telecommunications services in Missouri, classified Applicant as a competitive company, and waived certain statutes and rules as authorized by Sections 392.361 and 392.420. Applicant is a Missouri corporation, with its principal office located at 192 West Broadway, Peculiar, Missouri 64078.

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

The Commission issued a Notice of Applications and Opportunity to Intervene on February 9, 1999, directing parties wishing to intervene to file their requests by March 11, 1999. Because the Notice of February 9, 1999, incorrectly stated that Applicant sought authority to provide basic local services rather than non-switched local services, a corrected Notice was issued on February 16, 1999. The corrected Notice reset the deadline for intervention requests to March 3, 1999. No requests for intervention were received.

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

Applicant filed a proposed revised tariff sheet in conjunction with its application, describing the rates, rules, and regulations it intends to use. Applicant intends to provide dedicated access, private line services.

In its Memorandum filed on March 9, 1999, the Staff of the Commission recommended that the Commission grant Applicant's request to amend its certificate of service authority, with the condition that Applicant offer only dedicated, private line services. Staff recommended that the Commission approve the proposed revised tariff sheet to become effective on March 22, 1999.

The Commission finds that competition in the telecommunications market is in the public interest and Applicant should be granted an amended certificate of service authority. The Commission finds that Applicant's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated carriers. The Commission finds that the revised tariff sheet filed on February 5, 1999, shall be approved to become effective on March 22, 1999.

IT IS THEREFORE ORDERED:

1. That LEC Long Distance, Inc., doing business in Missouri as CassTel Long Distance, is granted an amended certificate of service authority to provide non-switched local exchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in Applicant's tariff as previously approved, and subject to the condition that Applicant shall provide only dedicated, private line services under the non-switched local exchange authority.

2. That the revised tariff sheet filed by LEC Long Distance, Inc., doing business in Missouri as CassTel Long Distance, on February 4, 1999, tariff no. 9900561, is approved to become effective on March 22, 1999. The tariff approved is:

P.S.C. Mo. No. 1

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3. That this order shall become effective on March 22, 1999.

4. That this case shall be closed on March 23, 1999.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, 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 16th day of March, 1999.

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COMMONS COURSE
PUBLIC SEEN RECOMMISSION