

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
JULY 29, 1999**

**CASE NO: TA-2000-24**

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**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts**

**Secretary/Chief Regulatory Law Judge**

**Uncertified Copy:**

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 29th  
day of July, 1999.

In the Matter of the Revised Tariff ) Case No. TA-00-24  
Filing of Fiber Four Corporation ) Tariff File No. 2000048  
d/b/a Holway Long Distance )

ORDER REGARDING TEMPORARY AUTHORITY  
PURSUANT TO SECTION 392.410.6, RSMo 1998

On July 15, 1999, Fiber Four Corporation d/b/a Holway Long Distance (Holway) filed its application for a certificate of service authority to provide intrastate interexchange and local exchange telecommunication services. Holway also filed a Motion to Expedite Application and Tariff Approval or To Grant Interim Authority and Approval. The Staff of the Missouri Public Service Commission (Staff) filed its response to Holway's Motion to Expedite on July 23 indicating that Staff recommends rejecting an interim tariff. Staff agreed that the circumstances warrant expedited review and stated it would file its recommendation on Holway's application and tariff on or before July 30, 1999.

Section 392.430, RSMo 1994, requires notice to be given before a certificate of service authority for local exchange and interexchange telecommunication services may be approved by the Commission. Notice was issued July 27, 1999, and parties have until August 11, 1999 to file an application for intervention if they wish to contest whether

it is in the public interest to grant a certificate of service authority or competitive status to the applicant.

On July 28, the Commission found good cause to expedite consideration of the certificate and tariff in this case. The Commission directed Staff to file its recommendation regarding Holway's application for certificate of service authority to provide intrastate interexchange telecommunications services and its proposed tariffs before 4 p.m. on July 28, 1999.

Staff filed its memorandum on July 28 recommending that the Commission issue a Temporary Certificate of Service Authority pursuant to Section 392.410.6, RSMo (Cum. Supp. 1998), in order to avoid causing any Holway customer who has not selected a primary intraLATA toll carrier to be left without "1+" intraLATA toll service. Staff also recommended the Commission issue its order granting Holway a temporary certificate of service authority to provide interexchange and local exchange telecommunications services for a period that shall terminate on the earlier of the effective date of the Commission's final order ruling on the application for certificate of service authority or one year after the Commission grants the certificate of the temporary authority. Staff has no objection to Holway's request for competitive classification and requests for waiver of certain Missouri statutes and Commission rules. Staff reviewed the proposed tariff and did find some minor deficiencies that it believes can be resolved with the company. Staff also recommends that the Commission approve Holway's proposed tariff sheets.

The Commission has reviewed the pleadings and finds that good cause exists to grant Holway a temporary certificate of service authority to provide intrastate interexchange and local exchange telecommunications services pending the determination of an application for a certificate. The Commission is authorized by statute to

Issue a temporary certificate which shall remain in force not to exceed one year to assure maintenance of adequate service or to serve particular customers, without notice and hearing, pending the determination of an application for a certificate.

Section 392.410.6, RSMo (Cum. Supp. 1998). Issuing a temporary certificate will assure maintenance of adequate service to Holway's customer's and ensure that Holway will be able to implement its intraLATA dialing parity plan (ILDPA) by August 1, as authorized by the Commission in Case No. TO-99-508, while continuing "1+" interLATA toll service to all Holway customers. The Commission will grant Holway a temporary certificate of service authority to provide intrastate interexchange and local exchange telecommunications services as requested pending the determination on its application and will approve its accompanying tariffs.

**IT IS THEREFORE ORDERED:**

1. That Fiber Four Corporation d/b/a Holway Long Distance is granted a temporary certificate of service authority to provide intrastate interexchange and local exchange telecommunications services pending determination on its application filed July 15, 1999.

2. That Tariff File No. 2000048, submitted in Case No. TA-00-24 by Fiber Four Corporation d/b/a Holway Long Distance, is hereby approved for service to be rendered on or after August 1, 1999:

Fiber Four Corporation d/b/a Holway Long Distance P.S.C Mo. No. 3  
Original Sheets 1-45

3. That this order shall become effective on July 30, 1999.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Murray, Schemenauer,  
and Drainer, CC., concur  
Crompton, C., absent

Register, Regulatory Law Judge

Att/Sec'y: Register/Boyer

Date Circulated 7-29-99  
CASE NO. 79-2000-24

[Signature]  
Lumpke, Chair

[Signature]  
Crumpton, Commissioner

[Signature]  
Murray, Commissioner

[Signature]  
Schemenauer, Commissioner

[Signature]  
Drainer, Vice-Chair

Agenda Date 7-29

Action taken: 4-OAS

Must Vote Not Later Than \_\_\_\_\_

[Signature]

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

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 29TH day of JULY, 1999.

Dale Hardy Roberts

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

