

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Stouffer)	
Communications, Inc., for a Certificate of)	Case No. TA-2000-61
Service Authority to provide Interexchange and)	Tariff No. 20000098
Local Exchange Telecommunications Services.)	

ORDER APPROVING INTEREXCHANGE AND NONSWITCHED LOCAL EXCHANGE CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Stouffer Communications, Inc. (Stouffer), applied to Public Service Commission on July 30, 1999, or certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services 'n Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1998. Stouffer 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. Stouffer is a Missouri corporation with its principal office located at 116 South Main, Granby, Missouri 64844.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on August 10, 1999, directing parties wishing to intervene to file their requests by August 25, 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 Commission,

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

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.

Stouffer filed a proposed tariff in conjunction with its application and filed substitute sheets on August 23, 1999, and August 26, 1999,. The tariff's effective date is September 13, 1999. Stouffer's tariff describes the rates, rules, and regulations it intends to use, identifies Stouffer as a competitive company, and lists the waivers requested. Stouffer intends to provide interexchange and nonswitched local exchange telecommunications services including 1+, 800/888/877 services, operator assistance, private line, and debit card services.

In its memorandum filed on August 30, 1999, the Staff of the Commission stated that Stouffer's proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant Stouffer a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunication services on condition that this authority be restricted to providing dedicated, nonswitched local exchange private line services. Staff recommended that the Commission grant Stouffer 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 September 13, 1999.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications

markets is in the public interest and Stouffer should be granted certificates of service authority. The Commission finds that the services Stouffer proposes to offer are competitive and Stouffer 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 Stouffer's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and nonswitched local exchange carriers. The Commission finds that the proposed tariff filed on July 30, 1999 shall be approved as amended to become effective on September 13, 1999.

IT IS THEREFORE ORDERED:

- 1. That Stouffer Communications, Inc., is 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 Stouffer Communications, Inc., is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, nonswitched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Stouffer Communications, Inc., is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

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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
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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

4. That the tariff filed by Stouffer Communications, Inc., on July 30, 1999, and assigned Tariff File No. 20000098, is approved as amended to become effective on September 13, 1999. The tariff approved is:

PSC Mo. No. 1 Original Sheet 1 through Original Sheet 50

5. That this order shall become effective on September 13,

6. That this case may be closed on September 14, 1999.

BY THE COMMISSION

Hole Hold Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

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 1st day of September, 1999.

RECEIVE

SEP 1 3 1999

COMMISSION COUNSEL PUBLIC SERVICE COMMISSION