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) BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of ACN)
Communication Services, Inc., for a Certificate) Case No. TA-2000-459
of Authority to Provide Interexchange) Tariff No. 200000653
Telecommunications Services.)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

ACN Communication Services, Inc. (ACN), applied to the Public Service Commission on January 21, 2000, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. ACN 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. ACN is a Michigan corporation, with its principal office located at ACN Communication Services, Inc., 32991 Hamilton Court, Farmington Hills, Michigan 48334.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on January 25, 2000, directing parties wishing to intervene to file their requests by February 24, 2000. 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 statutory references are to the Revised States 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.

ACN filed a proposed tariff in conjunction with its application and filed substitute sheets on February 18, 2000. The tariff's effective date is March 8, 2000. ACN's tariff describes the rates, rules, and regulations it intends to use, identifies ACN as a competitive company, and lists the waivers requested. ACN intends to provide interexchange telecommunications services including 1+, 800/888/877, Directory Assistance, Calling Card services.

In its Memorandum filed on February 24, 2000, the Staff of the Commission (Staff) recommended that the Commission grant ACN a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice and ACN's application. Staff recommended that the Commission approve the proposed tariff as amended to become effective on March 8, 2000.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and ACN should be granted a certificate of service authority. The Commission finds that the services ACN proposes to offer are competitive and ACN 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 ACN's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission

) finds that the proposed tariff filed on January 21, 2000, shall be approved as amended to become effective on March 8, 2000.

IT IS THEREFORE ORDERED:

1. That ACN Communication 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 ACN Communication 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
392.210.2 - system of accounts
392.300.2 - stock transfer
392.310 - stock and debt issuance
392.320 - stock dividend payment
392.340 - reorganization(s)
392.330, RSMo Supp. 1999 - 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 ACN Communication Services, Inc., on January 21, 2000, and assigned Tariff File No. 200000653, is approved as amended to become effective on March 8, 2000. The tariff approved is:

P.S.C. MO No. 1
Original Title Sheet
Original Sheet 1 through Original Sheet 32

4. That this order shall become effective on March 8, 2000.
5. That this case may be closed on March 9, 2000.

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 28th day of February, 2000.