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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)	
TCG Kansas City, Inc. for Approval)	<u>Case No. TM-98-253</u>
of Transfer of Assets and for)	
Certificate of Service Authority.)	

ORDER AND NOTICE

TCG Kansas City, Inc. (TCG-KC) filed an application on December 19, 1997, for certificates of service authority to provide basic local and intrastate interexchange telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). TCG-KC's application also requests approval for a transfer of assets. TCG-KC wishes to provide resold and facilities based services in the exchanges currently served by Southwestern Bell Telephone Company, GTE Midwest Incorporated, and Sprint Missouri, Inc. d/b/a Sprint¹. TCG-KC asked to be classified as a competitive company and requested a temporary waiver of 4 CSR 240-2.060(4)(H) that requires an applicant to file a tariff simultaneously with its application until all the facts necessary for the development of tariffs are known to it. Although TCG-KC requested competitive classification, the company did not request reduced regulation or specify which statutory or rule sections it wishes the Commission to waive. Other competitive local exchange carriers have been granted waiver of the application of the following statutes and Commission rules:

¹ Formerly United Telephone Company of Missouri d/b/a Sprint.

Statutes²

392.210.2
392.270
392.280
392.290.1
392.300.2
392.310
392.320
392.330
392.340

Commission Rules

4 CSR 240-10.020
4 CSR 240-30.040
4 CSR 240-35

Carriers providing intrastate interexchange service are ordinarily granted waiver of the application of the following statutes and Commission rules:

Statutes

392.240(1)
392.270
392.280
392.290
392.310
392.320
392.340
392.330, RSMo Supp. 1996

Commission Rules

4 CSR 240-10.020
4 CSR 240-30.010(2) (C)
4 CSR 240-30.040
4 CSR 240-32.030(1) (B)
4 CSR 240-32.030(1) (C)
4 CSR 240-32.030(2)
4 CSR 240-32.050(3)
4 CSR 240-32.050(4)
4 CSR 240-32.050(5)
4 CSR 240-32.050(6)
4 CSR 240-32.070(4)
4 CSR 240-33.030
4 CSR 240-33.040(5)

TCG-KC also requests that the Commission approve its acquisition of all of the tangible and intangible assets of Kansas City Fiber Network, L.P. (KC Fiber). KC Fiber holds a certificate of service authority to provide basic local telecommunications services in Missouri which was granted on January 14, 1997, in Case No. TA-96-354. TCG-KC states that, after the transfer of assets, TCG-KC will provide service to the customers now being served by KC Fiber.

²All statutory references are to the Revised Statutes of Missouri, 1994, unless otherwise indicated.

The Commission finds that notice of this application should be sent to all certificated Missouri telecommunications companies, and that interested parties should have the opportunity to intervene. Applications to intervene should be submitted by February 2, 1998, to the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

Paul H. Gardner
Goller, Gardner and Feather
131 East High Street
Jefferson City, MO 65101

Douglas W. Trabaris
Teleport Communications Group
233 South Wacker Drive, Suite 2100
Chicago, Illinois 60606

If no one requests a hearing, the Commission may determine that no hearing is necessary and grant the authority requested based on the verified petition. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

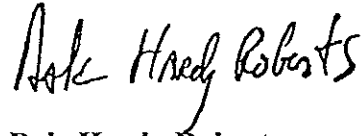
IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice of this application to all certificated Missouri telecommunications companies.

2. That parties wishing to intervene shall file an application to intervene no later than February 2, 1998.

3. That this order shall become effective on January 2, 1998.

BY THE COMMISSION



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

(S E A L)

L. Anne Wickliffe, 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 2nd day of January, 1998.