

Missouri Revised Statutes
Chapter 392
Telephone and Telegraph Companies
Section 392.550

August 28, 2011

**Interconnected voice over Internet protocol service, registration required--charges to apply--
procedure for registration--authority of commission.**

392.550. 1. No person, corporation, or other entity shall offer or provide interconnected voice over Internet protocol service as defined in section 386.020 without first having obtained a registration from the commission allowing it to do so. Upon application, the commission shall grant a registration to any person, corporation, or other entity to provide interconnected voice over Internet protocol service, subject to the provisions of this section.

2. Interconnected voice over Internet protocol service shall be subject to appropriate exchange access charges to the same extent that telecommunications services are subject to such charges. Until January 1, 2010, this subsection shall not alter intercarrier compensation provisions specifically addressing interconnected voice over Internet protocol service contained in an interconnection agreement approved by the commission pursuant to 47 U.S.C. Section 252 and in existence as of August 28, 2008.

3. The commission shall grant a registration, without a hearing and no later than thirty days following the filing of an application accompanied by an affidavit signed by an officer or general partner of the applicant stating the following:

(1) The location of the principal place of business and the names of the principal executive officers of the applicant;

(2) Each exchange, in whole or in part, of a local exchange company in which the applicant proposes to provide interconnected voice over Internet protocol service;

(3) That the applicant is legally, financially, and technically qualified to provide interconnected voice over Internet protocol services;

(4) That the applicant is ready, willing, able, and will comply with all applicable state and federal laws and regulations imposed upon providers of interconnected voice over Internet protocol services;

(5) That the applicant will charge and collect from its end-user customers on interconnected voice over Internet protocol service, and remit to the appropriate authority, fees and surcharges in the same manner as are charged and collected upon end-user customers of local exchange telecommunications service and remitted by local exchange telecommunications companies, including but not necessarily limited to:

(a) Telecommunications programs under section 209.255;

(b) Missouri universal service fund under section 392.248;

(c) Local enhanced 911;

(d) Any applicable license tax;

(6) That the applicant will remit the annual assessment imposed by the commission under section 386.370;

(7) That the applicant will file, either directly or indirectly through an affiliated competitive local exchange carrier, with the commission an annual report at a time and covering the yearly period fixed by the commission. Verification shall be made by the official holding office at the time of the filing of such report, and if not made upon the knowledge of the person verifying, the same shall set forth in general terms the sources of his or her information and the grounds for his or her belief as to any matters not stated to be verified on his or her knowledge. Such annual report shall be verified by the oath of the president, treasurer, general manager, or receiver, if any, of any of such companies, or by the person required to file the same. The commission shall prescribe the form of such reports and the character of the information to be contained therein; provided, however, that such form and character of the information to be provided shall be limited to:

(a) Information necessary to enable the commission to determine the assessment of the fees and surcharges set forth in subdivisions (5) and (6) of this subsection;

(b) A list of all Missouri exchanges, in whole or in part, in which customers are served; and

(c) The number of customers or lines served in each exchange. The commission shall maintain such information as proprietary and not available to the public; and

(8) That the applicant has established a process for handling inquiries from customers concerning billing issues, service issues, and other consumer-related complaints.

4. Notwithstanding any other provision of law to the contrary, the public service commission shall have the following authority with respect to providers of interconnected voice over Internet protocol service and their provision of such service:

(1) To assess and collect fees to support telecommunications programs under section 209.255;

(2) To assess and collect fees to support the Missouri universal service fund under section 392.248;

(3) To assess and collect fees to support the operations of the commission under section 386.370;

(4) To assess and collect fees and surcharges under subdivisions (5) and (6) of subsection 3 of this section;

(5) To hear and resolve complaints under sections 386.390 and 386.400 regarding the payment or nonpayment for exchange access services regardless of whether a user of exchange access service has been certificated or registered by the commission and regardless of whether the commission otherwise has authority over such user. This subdivision shall not grant the commission authority to review rates for exchange access services that are set under section 392.245; and

(6) To revoke or suspend the registration of any provider of interconnected voice over Internet protocol service who fails to comply with the requirements of this section.

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