BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Telcorp, Ltd.)	
for a Certificate of Service Authority to Provide)	Case No. TA-99-26
Interexchange Telecommunications Services.)	
)	

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Telcorp, Ltd. (Telcorp) applied to the Public Service Commission on July 13, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994. Telcorp 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. Telcorp is a New York corporation, with its principal office located at 1250 Broadway, Hewlett, New York 11557.

The Commission issued a Notice of Applications and Opportunity to Intervene on July 21, directing parties wishing to intervene to file their requests by August 5. 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, 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.

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

Telcorp filed a proposed tariff in conjunction with its application and filed substitute sheets on August 13. The tariff's effective date is August 28. Telcorp's tariff describes the rates, rules, and regulations it intends to use, identifies Telcorp as a competitive company, and lists the waivers requested. Telcorp intends to provide interexchange telecommunications services including 1+ direct dial, 800/888/887, Directory Assistance, Debit Card, and Travel Card services.

In its Memorandum filed on August 19 the Staff of the Commission stated that Telcorp's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Telcorp a certificate of service authority, 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 August 28.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Telcorp should be granted a certificate of service authority. The Commission finds that the services Telcorp proposes to offer are competitive and Telcorp 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 Telcorp's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers.

The Commission finds that the proposed tariff filed on July 13 shall be approved as amended to become effective on August 28.

IT IS THEREFORE ORDERED:

- 1. That Telcorp, Ltd. 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 Telcorp, Ltd. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

<u>Statutes</u>

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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. 1997 - issuance of securities,
debts and notes
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Commission Rules

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- depreciation fund income
4 CSR 240-10.020
4 CSR 240-30.010(2)(C) - rate schedules
                       - Uniform System of Accounts
4 CSR 240-30.040
4 CSR 240-32.030(1)(B) - exchange boundary maps
4 CSR 240-32.030(1)(C) - record-keeping
                       - in-state record-keeping
4 CSR 240-32.030(2)
                       - local office record-keeping
4 CSR 240-32.050(3)
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
                       - minimum charges rule
4 CSR 240-33.030
4 CSR 240-33.040(5)
                       - financing fees
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3. That the tariff filed by Telcorp, Ltd. on July 13, 1998, is approved as amended to become effective on August 28, 1998. The tariff approved is:

P.S.C. MO. TARIFF NO. 1

- 4. That this order shall become effective on August 28, 1998.
- 5. That this case shall be closed on September 8, 1998.

BY THE COMMISSION

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

Hole Hoed Roberts

(SEAL)

Brian K. Harper, 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 25th day of August, 1998.

