



Missouri Public Service Commission

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May 24, 2000

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Director, Administration
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Secretary/Chief Regulatory Law Judge
DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED²

MAY 24 2000

Missouri Public
Service Commission

RE: Case No. TA-2000-361

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Nathan Williams
Assistant General Counsel
(573) 751-8702
(573) 751-9285 (Fax)

NW/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

MAY 24 2000

Missouri Public
Service Commission

In the Matter of the Application of Matrix)
Telecom, Inc., for a Certificate of Service)
Authority to Provide Intrastate)
Interexchange Telecommunications)
Services, for Designation as a Competitive)
Telecommunications Company, and for)
Waiver of Certain Statutory and)
Regulatory Provisions.)

Case No. TA-2000-361

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission approve Matrix Telecom, Inc. Mo. P.S.C. No. 2 First Revised Sheet 1 that replaces Original Sheet 1 effective June 3, 2000. The Staff has reviewed the foregoing tariff sheet and, as finally corrected, believes it contains the waivers approved in the Commission's Order Approving Interexchange Certificate of Service Authority entered February 22, 2000, in this case.
2. On February 22, 2000, the Commission issued an order that granted a certificate of service authority to Matrix Telecom, Inc. to provide intrastate interexchange telecommunications services. That order permitted Matrix Telecom, Inc. to continue to operate under a tariff originally approved for Matrix Telecom (a previously existing partnership) that it had adopted as its own. The order also directed Matrix Telecom, Inc. to file, no later than April 24, 2000, a

revised tariff sheet conforming the waivers listed in the tariff with those granted in the order.

The order listed as waived the statutes and rules following:

Statutes

- 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. 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 240-32.030(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
2. On April 26, 2000, the Commission issued an Order Directing Compliance, made effective May 9, 2000, that stated the Company had not filed the revised tariff sheet as ordered by the Commission on February 22, 2000, and ordered and advised the Company as follows:

1. That Matrix Telecom, Inc. shall, no later than May 16, 2000, file a revised tariff sheet 1 conforming the waivers listed in the tariff with those granted in the Commission's order of February 22, 2000.
2. That Matrix Telecom, Inc. is advised that failure to comply with an order of the Commission may subject it to the penalties set forth at Sections 386.570 and 386.580, RSMo (1994).
3. The Company filed before May 16, 2000, a tariff sheet listing waivers (First Revised Sheet 1); however, the list in that tariff sheet did not conform to the new list of approved waivers created after amendment of the Commission's rules effective April 30, 2000. On May 10, 2000, the Company submitted a substitute tariff sheet (corrected First Revised Sheet 1) that conformed to the waivers listed in the new list of approved waivers. However, the waivers listed in the tariff included two waivers not listed in the waivers approved in the Commission's order made on February 22, 2000. On May 23, 2000, the Company submitted second corrected First Revised Sheet 1 that lists the waivers that are on the Commission's list of approved waivers and appear in the Commission's Order Approving Interexchange Certificate of Service Authority entered on February 22, 2000, in this case. As stated in paragraph no. 1 above, the Staff has reviewed the second corrected First Revised Sheet 1 and believes that it contains the waivers approved by the Commission in its Order Approving Interexchange Certificate of Service Authority entered February 22, 2000, in this case.

WHEREFORE, the Staff recommends approval of the P.S.C. MO No.2 First Revised Sheet 1, that replaces Original Sheet 1 filed by Matrix Telecom, Inc. on May 23, 2000, with an effective date of June 3, 2000.

Respectfully submitted,

DANA K. JOYCE
General Counsel

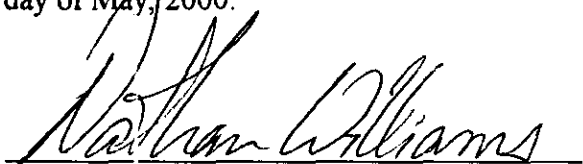


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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 24th day of May, 2000.



RECEIVED

MAY 24 2000

11:50 AM

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Tariff File No. 200001013 Case No. TA-2000-361
Company: Matrix Telecom, Inc.

From: Amonia Moore AM BV
Telecommunications Department

JL 5/24/00
Utility Operations Division/Date

Man Postn 5-24-00 NW 5/24/00
General Counsel's Office/Date

Subject: Staff Recommendation to Accept Revised Title Sheet

Date: May 22, 2000 Revised: May 24, 2000

On May 4, 2000, Matrix Telecom, Inc. (Matrix), a competitive interexchange telecommunications carrier, submitted a tariff filing to comply with an earlier Commission order (Case No. TA-2000-361, dated 2/22/2000) requiring Matrix to file a "revised tariff sheet 1 conforming the waivers listed in the tariff with those granted in this order."

On April 26, 2000, the Commission issued an Order Directing Compliance to Matrix stating that "Matrix Telecom, Inc. has not yet complied with that portion of the Commission's order.... That Matrix Telecom, Inc. shall, no later than May 16, 2000, file a revised tariff sheet 1 conforming the waivers listed in the tariff with those granted in the Commission's order of February 22, 2000."

Matrix's revised Sheet 1 was filed before the deadline but contained the old listing of waivers, and the Telecommunications Department Staff (Staff) requested Matrix to file a substitute page with the new waivers. On May 10, 2000, Matrix submitted a substitute sheet listing the correct waivers, but had included two Commission Rules that were not in the original February 22 order. On May 23, 2000, Matrix submitted a corrected First Revised Sheet 1.

Staff believes the revised tariff sheet, as amended, complies with the Commission's Order Directing Compliance and recommends the Commission approve the following tariff sheet to become effective June 3, 2000:

Matrix Telecom, Inc. Mo. P.S.C. No. 2
First Revised Sheet 1, Replaces Original Sheet 1

Staff is unaware of any other filing that may affect, or be affected by, this filing.

**Service List for
Case No. TA-2000-364
May 24, 2000**

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