



Missouri Public Service Commission

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November 29, 2000

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

FILED<sup>3</sup>

NOV 29 2000 *mlw*

Missouri Public  
Service Commission

RE: Case No. TA-2000-509

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,

Bruce H. Bates  
Associate General Counsel  
(573) 751-7434  
(573) 751-9285 (Fax)

BHB/lb  
Enclosure  
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>  
NOV 29 2000  
Missouri Public  
Service Commission

In the Matter of the Application of Comm )  
South Companies, Inc. f/k/a Onyx )  
Distributing Company, Inc. d/b/a Missouri )  
Comm South, Inc. for an Amendment to )  
Its Certificate of Authority to Resell Basic )  
Exchange and Local Exchange Intrastate )  
Telecommunications Services Within the )  
State of Missouri. )

Case No. TA-2000-509

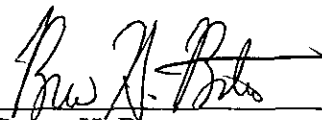
STAFF RECOMMENDATION

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

In the attached *Memorandum*, which is labeled *Appendix A*, the Staff recommends that  
the Missouri Public Service Commission issue an order approving the proposed Application as  
amended, to expand the service area of Missouri Comm South Inc., subject to the establishment  
of an appropriate Interconnection Agreement with Alltel, and the filing of appropriate tariffs, for  
the reasons stated therein.

Respectfully submitted,

DANA K. JOYCE  
General Counsel



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Bruce H. Bates  
Associate General Counsel  
Missouri Bar No. 35442

Attorney for the Staff of the  
Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel or parties of record as shown on the attached service list this 29th day of November 2000.



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Bruce H. Bates

MEMORANDUM

**TO:** Missouri Public Service Commission Official Case File  
Case No. TA-2000-509  
Comm South Companies, Inc., d/b/a Missouri Comm South, Inc.

**FROM:** Arthur P. Kuss *APK* *to*  
Telecommunications Department

*[Signature]* *11/29/00*  
Utility Operations Division/Date

*Wm K Haas* *11/29/00* *BPH/11-29-00*  
General Counsel's Office/Date

**SUBJECT:** Recommendation to Approve the Enlargement of Service Area

**EFFECTIVE DATE:** N/A

**DATE:** November 22, 2000

11-29-00A09:21 RLV  
*SK*

On February 18, 2000, Comm South Companies, Inc., f/k/a Onyx Distributing Company, Inc., now d/b/a Missouri Comm South, Inc. (MCSI), a Competitive Local Exchange telecommunications Company (CLEC), submitted an **Application to Amend Certificate of Service Authority** (Application) to the Public Service Commission (Commission) to enlarge its certificated Basic Local Service Area to include the exchanges in which GTE Midwest Incorporated (GTE), and Sprint Missouri, Inc., d/b/a Sprint (Sprint), are the Incumbent Local Exchange Carriers (ILECs). On April 03, 2000, the Commission issued a **Notice of Deficiency** by which MCSI was informed of certain shortcomings and omissions in its application. On April 13, 2000, MCSI filed a **First Amended Application to Amend Certificate of Service Authority** (First Amendment), in which, *inter alia*, MCSI sought to add the exchanges of another ILEC, ALLTEL Missouri, Inc. (Alltel), to the proposed expanded service area. Also in the First Amendment, MCSI requested a waiver of 4 CSR 240-2.060(4)(H), regarding submission of a proposed tariff. Certain oversights remaining in the Application and First Amendment led to delays in the filing of the Staff of the Commission's Recommendation for disposition of this filing. On October 31, 2000, the Commission issued an **Order Directing Filing** by which the Staff of the Commission was directed to file either its recommendation or a status report regarding the Application no later than November 30, 2000. On November 21, 2000, MCSI filed a **Second Amended Application to Amend Certificate of Service Authority** (Second Amendment), in which MCSI listed the exchanges in which it intends to provide services, which are currently served by the ILEC Alltel.

***I. Background.***

MCSI has received approval of a Resale Agreement with SWBT under Case TO-99-477, and an Interconnection Agreement under Case TO-2000-451. MCSI received approval of a Resale and Interconnection Agreement with GTE under Case TO-2000-423 on March 10, 2000. MCSI received approval of a Resale and Interconnection Agreement with Sprint under Case TO-2000-620 on June 09, 2000. On August 20, 1999, the Nixa Area E-911 Board (Nixa), an emergency telephone service, filed a complaint against MCSI under TC-2000-176 in a dispute concerning the accounting and payment of 911 revenues. Following Commission proceedings and discussions between MCSI and the Complainant, settlement was reached, and after voluntary request from Nixa that case was dismissed on April 11, 2000. MCSI currently serves in Missouri under its Mo. P.S.C. No. 1 Resale of Local Service Tariff, effective January 05, 1998. As of this writing, MCSI has no active cases pending before the Commission other than the instant case.

***II. Summary Recommendation.***

The Telecommunications Department Staff (Staff) has reviewed the proposed Application as amended, and has no objections to Commission approval. Staff recommends that the Application to expand the service area of MCSI be approved, subject to the establishment of an appropriate Interconnection Agreement with Alltel, and the filing of appropriate tariffs. Staff is unaware of any other filing that may affect, or be affected by, this filing.

**Service List for  
Case No. TA-2000-509  
November 29, 2000 (lb)**

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