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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Network International, L.C., for Authorization to Provide Intrastate Telecommunications Resale Services.) **Case No. TA-99-117**
) (Tariff File 9900243)
)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

Network International, L.C. (NIL) applied to the Public Service Commission on September 25, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. NIL 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. NIL is a Virginia corporation, with its principal office located at 12126 Darnestown Road, Suite 6, Gaithersburg, Maryland 20878.

The Commission issued a Notice of Applications and Opportunity to Intervene on October 6, directing parties wishing to intervene to file their requests by October 21. 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.

NIL filed a proposed tariff in conjunction with its application and filed substitute sheets on October 15. The tariff's effective date is November 9. NIL's tariff describes the rates, rules, and regulations it intends to use, identifies NIL as a competitive company, and lists the waivers requested. NIL intends to provide interexchange telecommunications services including 1+, 800/888/877 Services, and Directory Assistance services.

In its Memorandum filed on October 28, the Staff of the Commission stated that NIL's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant NIL 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 November 9.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and NIL should be granted a certificate of service authority. The Commission finds that the services NIL proposes to offer are competitive and NIL 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 NIL'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 September 25 shall be approved as amended to become effective on November 9.

IT IS THEREFORE ORDERED:

1. That Network International, L.C., 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 Network International, L.C., is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

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. 1997	- 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 240-30.040	- Uniform System of Accounts
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
4 CSR 240-33.040(5)	- financing fees

3. That the tariff filed by Network International, L.C., on September 25, 1998, is approved as amended to become effective on November 9, 1998. The tariff approved is:

Missouri P.S.C. Tariff No. 1

4. That this order shall become effective on November 9, 1998.

5. That this case may be closed on November 10, 1998.

BY THE COMMISSION

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, 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 30th day of October, 1998.