



Missouri Public Service Commission

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March 15, 2000

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General Counsel

FILED 3

MAR 15 2000

Missouri Public
Service Commission

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

RE: Case No. TA-2000-272

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) 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 (handwritten signature)

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

FILED³
MAR 15 2000
Missouri Public
Service Commission

In the Matter of the Application of Delta)
Phones, Inc. for a Certificate of Service)
Authority to Provide Basic Local)
Telecommunications Service in Portions)
of the State of Missouri and to Classify)
Said Service and the Company as)
Competitive.)

Case No. TA-2000-272

STAFF RECOMMENDATION

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

1. In Case No. TA-2000-273 the Commission approved the interconnection agreement between Delta Phones, Inc. and Southwestern Bell Telephone Company in an order having an effective date of December 10, 1999. In response to the Commission's Order Approving Granting Certificate of Authority to Provide Basic Local Exchange Telecommunications Services entered in this case and made effective February 4, 2000, Applicant filed its tariff sheets on February 4, 2000 with an effective date of March 20, 2000. At the request of Staff, Applicant filed substitution tariff sheets on February 24, 2000; March 1, 2000; and March 13, 2000, and extended the effective date of the tariff to March 27, 2000.

2. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission grant approval of the Basic Local Exchange Tariff filed by Delta Phones, Inc. on February 4, 2000 as revised by filings made on February 24, 2000; March 1, 2000; and March 13, 2000. The Staff has determined that the tariff conforms to the Commission's standards as set forth in its Order Granting Certificate of Service

Authority to Provide Basic Local Exchange Telecommunications Services entered January 25, 2000 and made effective February 4, 2000 and that the tariff is similar to other CLEC tariffs previously approved by the Commission.

WHEREFORE, the Staff recommends approval of the P.S.C. MO No.1 Original Page 1 through Original Page 37 tariff filed by Delta Phone, Inc., after substitution of tariff sheets on February 24, 2000; March 1, 2000; and March 13, 2000, with an effective date of March 27, 2000.

Respectfully submitted,

DANA K. JOYCE
General Counsel

A handwritten signature in cursive script that reads "Nathan Williams". The signature is written in black ink and is positioned above a horizontal line.

Nathan Williams
Assistant General Counsel
Missouri Bar No. 35512

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
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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 15th day of March, 2000.

Nathan Williams

MEMORANDUM

RECEIVED

MAR 14 2000

JLR 4:17

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

TO: Missouri Public Service Commission Official Case File
Case No. TA-2000-272, File No. 20000702
Delta Phones, Inc.

FROM: Lisa Mahaney, Telecommunications Department

SUBJECT: Staff Recommendation to Approve Basic Local Exchange Tariff

Rui V. Hoff 03-14-00
Utility Operations Division/Date

John K. Hoss 3/15/00
General Counsel's Office/Date

NW 3/14/00

DATE: March 13, 2000

History

On February 4, 2000, Delta Phones, Inc. (Delta) submitted a proposed tariff (P.S.C. MO No. 1) to provide basic local exchange telecommunications services. In the Order Granting Certificate of Service Authority to Provide Basic Local Telecommunications Services, effective February 4, 2000, the Missouri Public Service Commission (Commission):

- Approved the Stipulation and Agreement of the parties,
- Granted a certificate of service authority for basic local service conditional upon tariff approval,
- Classified Delta as a competitive telecommunications company,
- Waived certain statutes and Commission rules, and
- Conditioned Delta's certification and competitive status on the requirement that any increases in switched access service rates above the maximum switched access rates set forth in the agreement shall be made pursuant to Sections 392.220 and 392.230, and not 392.500 and 392.510.

Delta's Resale Agreement with Southwestern Bell Telephone Company (SWBT), Case No. TO-2000-273, was approved on November 30, 1999.

Proposed Competitive Local Exchange (CLEC) Tariff

The Telecommunications Department Staff (Staff) has reviewed Delta's proposed CLEC tariff and finds it conforms to the Commission's standards as set forth in the Order in Case No. TA-2000-272 (Certification Order). Delta's proposed tariff covers the provision of resold intrastate telecommunications services. Delta's proposed tariff contains a list of the approved waivers listed in the Certification Order, sections on additional obligations of Delta, its products and services, a Statement of Customer Rights and Responsibilities, and lists the exchanges in which it will provide service.

Delta's proposed tariff is similar to other CLEC tariffs previously approved by the Commission. Delta proposes to provide resold local telephone service. Customers will be able to place or receive calls to any calling station in the local calling area, access

basic and/or enhanced 911 emergency service, and place or receive calls to 800 telephone numbers. Delta proposes to block long distance service, collect calls, operator assisted calls, third number billed calls, directory assistance, or any service that may be billed to a customer's telephone number.

Delta proposes to charge a monthly rate of \$39.95. If there is a request for termination of service, this charge shall be prorated for the actual number of days for which service has been provided with the nonused portion being refunded to the customer. There is also a nonrecurring one-time initiation fee of \$10.00, which is fully refundable upon request for termination of service within ten business days of the date the Statement of Customer Rights and Responsibilities is mailed to the customer. Delta proposes to charge a restore fee of \$25.00, add feature fee of \$25.00, conversion fee of \$39.95, and transfer fee of \$39.95. Other services being proposed include Custom Calling Services such as Call Waiting, and Custom Local Area Signaling (CLASS) Services such as Caller Identification.

Staff Recommendation

Delta submitted substitute sheets at Staff's request on February 24, March 1 and March 13, 2000. On March 9, 2000, Delta requested an extension of the effective date. Staff has reviewed Delta's tariff, as amended, and finds it acceptable. Staff has no objections to Delta's proposed tariff, P.S.C. MO No. 1, with an effective date of March 27, 2000. The specific tariff sheets are as follows:

P.S.C. MO No. 1, Original Page 1 through Original Page 37.

**Service List for
Case No. TA-2000-272
March 15, 2000**

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