

OK

10/7

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of ALLTEL )  
Communications, Inc. for an Amended Certificate )  
of Service Authority to Provide Intrastate Intra- ) **Case No. TA-99-53**  
LATA Interexchange Telecommunications Services to ) (Tariff File 9900117)  
the Public Within the State of Missouri. )

**ORDER APPROVING AMENDED INTEREXCHANGE CERTIFICATE OF SERVICE**  
**AUTHORITY AND ORDER APPROVING TARIFF**

ALLTEL Communications, Inc. (ALLTEL) received a certificate of service authority in Case No. TA-97-41. In that case, ALLTEL asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420.<sup>1</sup> ALLTEL agreed to provide interLATA interexchange telecommunications services only and the Commission approved the certificate on that basis. On August 10, 1998, ALLTEL applied to the Public Service Commission to amend its certificate and tariff to permit it to provide intrastate intraLATA interexchange services and associated operator and directory assistance to business and residential customers located throughout the State of Missouri, including its own local exchange customers. ALLTEL made this request in light of the Commission's decision in Case No. TO-97-217 to phase out the PTC Plan.

ALLTEL is a Delaware corporation, with its principal office located at One Allied Drive, Little Rock, Arkansas 72202.

---

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

With this filing, ALLTEL submitted tariff revisions to its existing tariff, MO. P.S.C. No. 1. The revisions incorporated the change from interLATA-only services to intrastate intraLATA and interLATA service. Other revisions included the addition of "dedicated" services to the text. The tariff originally bore an effective date of September 24, which was extended to October 5 and again to October 8.

The Commission issued a Notice of Applications and Opportunity to Intervene on September 1, directing parties wishing to intervene to file their requests by September 16. 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.

In its Memorandum filed on September 30, the Staff of the Commission recommended that the Commission approve the application of ALLTEL for an amended Certificate of Service Authority to provide intrastate intraLATA interexchange telecommunications services. Staff recommended that the applicant receive competitive classification and waiver of the statutes and rules listed in the Notice. Furthermore, Staff recommended that the Commission approve the proposed tariff to become effective on October 8.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and ALLTEL should be granted an amended certificate of service authority. The Commission finds that the services ALLTEL proposes to offer are

competitive and ALLTEL 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 ALLTEL's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on August 10 should be approved to become effective on October 8.

**IT IS THEREFORE ORDERED:**

1. That the certificate of service authority in Case No. TA-97-41 which authorized ALLTEL Communications, Inc. to provide interLATA interexchange telecommunications services only is amended to permit ALLTEL Communications, Inc. to also provide intrastate intraLATA interexchange services, as well as associated operator and directory assistance to business and residential customers located throughout the state of Missouri, including its own local exchange customers, subject to all applicable statutes and Commission rules except as specified in this order.

2. That ALLTEL Communications, Inc. 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 sheets filed by ALLTEL Communications, Inc. on August 10, 1998, are approved to become effective on October 8, 1998. The tariff sheets approved are:

TARIFF MO P.S.C. No. 1

Fourth Revised Page 1, Replacing Third Revised Page 1  
Second Revised Page 1.1, Cancels First Revised Page 1.1  
First Revised Page 6, Replacing Original Page 6  
First Revised Page 11, Replacing Original Page 11  
First Revised Page 14, Replacing Original Page 14  
Second Revised Page 35, Replacing First Revised Page 35  
Third Revised Page 36, Replacing Second Revised Page 36  
Third Revised Page 38, Replacing Second Revised Page 38  
Second Revised Page 40, Replacing First Revised Page 40  
First Revised Page 51, Replacing Original Page 50

- 4. That this order shall become effective on October 8, 1998.
- 5. That this case may be closed on October 9, 1998.

BY THE COMMISSION



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 7th day of October, 1998.

RECEIVED  
OCT 08 1998  
COMMISSION COURT  
PUBLIC SERVICE COM. JSION