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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 7th
day of October, 1998.

In the Matter of the Application of BroadSpan)
Communications, Inc. for a Certificate of Service)
Authority to Provide Basic Local Telecommunications) Case No. TA-98-181
Services, Local Exchange Services, and Inter-) (Tariff File No.
exchange Telecommunications Services in the State) 9900047)
of Missouri and for Competitive Classification.)

ORDER APPROVING TARIFF

The Commission granted to BroadSpan Communications, Inc. (BroadSpan) certificates of service authority to provide basic local, dedicated, non-switched local exchange telecommunications services and intrastate interexchange telecommunications services in Missouri by Report and Order issued on May 20, 1998. The Order waived the filing of a 45-day tariff as required by 4 CSR 240-2.060(4)(H) until 30 days after BroadSpan entered into a Commission-approved interconnection agreement that will enable it to provide basic local exchange services. The Order provided that BroadSpan's certificates of service authority will become effective upon the effective date of its approved tariffs.

The Commission approved an interconnection agreement between BroadSpan and Southwestern Bell Telephone Company on August 12. BroadSpan filed tariff sheets on July 20, with an effective date of August 19, reflecting the rates, rules, and regulations it will use and the services it will offer. The effective date of the tariff was subsequently extended to September 1. BroadSpan filed substitute tariff

sheets on August 5, 14, and 19 in order to make clarifications and bring its tariff into compliance with Commission rules and regulations.

The Commission's Staff reviewed the tariff sheets and filed a memorandum on August 21, recommending that the Commission approve them as amended by the substitute sheets, effective on September 1. The Commission, by its Order dated August 26, suspended BroadSpan's tariff until October 13 or until otherwise ordered by the Commission. The August 26 Order also directed BroadSpan to file tariffs for approval reflecting the rates, rules and regulations and the services it will offer for interexchange telecommunications services no later than September 11.

On August 27, BroadSpan filed an application for rehearing or reconsideration. On September 3, the Commission entered an Order Directing Filing of Supplemental Staff Memorandum, which directed Staff to file a supplemental memorandum addressing the Commission's specific concerns about BroadSpan's tariff. The Staff's supplemental memorandum was filed on September 11 and on the same date, BroadSpan filed a Response to the Commission's September 3 Order. BroadSpan filed additional substitute tariff sheets on September 11, 14, 23, and 29. On October 1, Staff filed a second supplemental Staff recommendation to approve BroadSpan's tariff.

The Commission has reviewed the tariff sheets and Staff's recommendation and finds that the tariff sheets, as amended, conform to the Commission's orders of May 20 and August 26 and should be approved to become effective on October 13. The Commission concludes that the conditions stated in the May 20 Report and Order for BroadSpan's certificates of service authority to provide basic local, dedicated, non-

switched local exchange telecommunications services and intrastate interexchange telecommunications services have been satisfied and the certificates will take effect on October 13.

IT IS THEREFORE ORDERED:

1. That the tariff filed by BroadSpan Communications, Inc. on July 20, 1998, is approved as amended to become effective on October 13, 1998. The tariff approved is:

BroadSpan Communications, Inc. P.S.C. Mo. No. 1

2. That the certificates of service authority granted to BroadSpan Communications, Inc. on May 20, 1998, to provide basic local, dedicated, non-switched local exchange telecommunications services and intrastate interexchange telecommunications services shall become effective on October 13, 1998.

3. That this order shall become effective on October 13, 1998.

4. That this case shall be closed on October 14, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Murray and Drainer, CC., concur.
Schemenauer, C., absent.

Woodruff, Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION