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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 30th day of December, 1997.

In the Matter of the Application of Catholic)	
Telecom, Inc. for a Certificate of Service)	
Authority to Provide Intrastate, Interexchange,)	Case No. TA-98-214
Resold Telecommunications Services Within the)	
State of Missouri.)	

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Catholic Telecom, Inc. (CTI) applied to the Public Service Commission on November 20, 1997, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. CTI 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. CTI is a New Jersey corporation, with its principal office located at 80 West Bowery, Suite 100, Akron, Ohio 44308.

The Commission issued a Notice of Applications and Opportunity to Intervene on November 25, directing parties wishing to intervene to file their requests by December 10. 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

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

or requested a hearing, the Commission may grant the relief requested based on the verified application.

and filed substitute sheets on December 16. The tariff's effective date is January 7, 1998. CTI's tariff describes the rates, rules, and regulations it intends to use, identifies CTI as a competitive company, and lists the waivers requested. CTI intends to provide interexchange telecommunications services including 1+ direct dial, 800/888/877 and travel card services.

In its Memorandum filed on December 23 the Staff of the Commission stated that CTI's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant CTI 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 to become effective on January 7, 1998.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and CTI should be granted a certificate of service authority. The Commission finds that the services CTI proposes to offer are competitive and CTI should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in Ordered Paragraph 2 is reasonable and not detrimental to the public interest.

The Commission determines, by authority of Section 392.470, that CTI should comply with the following regulatory requirements as reasonable and necessary conditions of certification:

- (1) CTI must comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market. § 386.320.3.
- (2) CTI must file tariffs containing rules and regulations applicable to customers, a description of the services provided, and a list of rates associated with those services in accordance with 4 CSR 240-30.010 and Section 392.220, RSMo Supp. 1996.
- (3) CTI may not unjustly discriminate between its customers. \$\\$ 392.200, RSMo Supp. 1996, 392.400.
- (4) CTI must comply with all applicable rules of the Commission except those specifically waived by this order. §§ 386.570, 392.360.
- (5) CTI must file a Missouri-specific annual report. §§ 392.210, 392.390.1.
- (6) CTI must comply with jurisdictional reporting requirements as set out in each local exchange company's access services tariffs. § 392.390.3.
- (7) CTI must submit to the Staff, on a confidential basis, a copy of the jurisdictional report it submits to local exchange companies. The report must be submitted within ten days of the date on which it is submitted to the local exchange company.

The Commission finds that CTI'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 November 20 shall be approved as amended to become effective on January 7, 1998.

IT IS THEREFORE ORDERED:

- 1. That Catholic Telecom, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.
- 2. That Catholic Telecom, Inc. is classified as a competitive telecommunications company. The following statutes and regulatory rules shall be waived:

Statutes

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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. 1996 - issuance of securities,
debts and notes
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Commission Rules

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- depreciation fund income
4 CSR 240-10.020
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
                       - in-state record-keeping
4 CSR 240-32.030(2)
                       - local office record-keeping
4 CSR 240-32.050(3)
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
                       - minimum charges rule
4 CSR 240-33.030
4 CSR 240-33.040(5)
                       - financing fees
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3. That the tariff filed by Catholic Telecom, Inc. on November 20, 1997, is approved as amended to become effective on January 7, 1998. The tariff approved is:

M.P.S.C. No. 1

- 4. That this order shall become effective on January 7, 1998.
- 5. That this case shall be closed on January 13, 1998.

BY THE COMMISSION

Hole Hold Roberts

Dale Hardy Roberts Secretary/ChiefRegulatoryLawJudge

(SEAL)

Lumpe, Ch., Crumpton, Drainer and Murray, CC., concur.

Randles, Regulatory Law Judge