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**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of PNG )  
Telecommunications, Inc., for a Certificate ) **Case No. TA-99-574**  
of Service Authority to Provide Interexchange ) **Tariff No. 9900909**  
Telecommunications Service and for )  
Competitive Classification )

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

PNG Telecommunications, Inc. (PNG), applied to the Public Service Commission on May 25, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. PNG 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. PNG is a Ohio corporation, with its principal office located at 4839 Business Center Way, Cincinnati, Ohio 45246.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on June 1, 1999, directing parties wishing to intervene to file their requests by June 16, 1999. 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,

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

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.

PNG filed a proposed tariff in conjunction with its application and filed substitute sheets on June 30, 1999. The tariff's effective date is July 16, 1999. PNG's tariff describes the rates, rules, and regulations it intends to use, identifies PNG as a competitive company, and lists the waivers requested. PNG intends to provide interexchange telecommunications services including 1+, 800/888/877 Services, and Travel Card services.

In its Memorandum filed on July 1, 1999, the Staff of the Commission (Staff) stated that PNG's proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant PNG 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 July 16, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and PNG should be granted a certificate of service authority. The Commission finds that the services PNG proposes to offer are competitive and PNG 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 PNG'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 May 25, 1999, shall be approved as amended to become effective on July 16, 1999.

**IT IS THEREFORE ORDERED:**

1. That PNG Telecommunications, Inc., 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 PNG Telecommunications, 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. 1998 - 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 PNG Telecommunications, Inc., on May 25, 1999, and assigned Tariff File No. 9900909, is approved as amended to become effective on July 16, 1999. The tariff approved is:

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P.S.C. Mo. No. 1, Original Page 18  
P.S.C. Mo. No. 1, Original Page 20

- 4. That this order shall become effective on July 16, 1999.
- 5. That this case shall be closed on July 17, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Keith Thornburg, 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 6th day of July, 1999.

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION