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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of United States )  
Telecommunications, Inc. d/b/a Tel Com Plus for )  
a Certificate of Service Authority to Provide ) **Case No. TA-99-45**  
Competitive Intrastate Interexchange and Local ) (Tariff File 9900093)  
Exchange Telecommunications Services in the State )  
of Missouri. )

**ORDER APPROVING INTEREXCHANGE AND NONSWITCHED LOCAL EXCHANGE**  
**CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF**

United States Telecommunications, Inc. d/b/a Tel Com Plus (Tel Com Plus) applied to the Public Service Commission on August 3, 1998, for certificates of service authority to provide intrastate inter-exchange and nonswitched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994 and RSMo Supp. 1997<sup>1</sup>. Tel Com Plus 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. Tel Com Plus is a Florida corporation, with its principal office located at 13902 North Dale Mabry, Suite 212, Tampa, Florida 33618.

The Commission issued a Notice of Applications and Opportunity to Intervene on August 11, 1998, directing parties wishing to intervene to file their requests by August 26, 1998. 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 further statutory references are to the Revised Statutes 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.

Tel Com Plus filed a proposed tariff in conjunction with its application and filed substitute sheets on October 22, 1998. The tariff's effective date is November 12, 1998. Tel Com Plus's tariff describes the rates, rules, and regulations it intends to use, identifies Tel Com Plus as a competitive company, and lists the waivers requested. Tel Com Plus intends to provide interexchange and nonswitched local exchange telecommunications services including debit card services.

In its Memorandum filed on October 29, 1998, the Staff of the Commission stated that Tel Com Plus's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Tel Com Plus a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunication services on condition that this authority be restricted to providing dedicated, nonswitched local exchange private line services. Staff recommended that the Commission grant Tel Com Plus 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 November 12, 1998.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and Tel Com Plus should be granted certificates of service authority. The Commission finds that the services Tel Com Plus proposes to offer are competitive and Tel Com Plus 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 Tel Com Plus's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and nonswitched local exchange carriers. The Commission finds that the proposed tariff filed on August 3, 1998 shall be approved as amended to become effective on November 12, 1998.

**IT IS THEREFORE ORDERED:**

1. That United States Telecommunications, Inc. d/b/a Tel Com Plus 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 United States Telecommunications, Inc. d/b/a Tel Com Plus is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, nonswitched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That United States Telecommunications, Inc. d/b/a Tel Com Plus 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

4. That the tariff filed by United States Telecommunications, Inc. d/b/a Tel Com Plus on August 3, 1998, is approved as amended to become effective on November 12, 1998. The tariff approved is:

**MO P.S.C. TARIFF NO. 1**

- 5. That this order shall become effective on November 12, 1998.
- 6. That this case shall be closed on November 16, 1998.

**BY THE COMMISSION**

*Dale Hardy Roberts*

**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 5th day of November, 1998.

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COMMISSION COUNCIL  
PUBLIC SERVICE COMMISSION