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ORDER APPROVING INTEREXCHANGE AND NON-SWITCHED LOCAL EXCHANGE
CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

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

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

NorthPoint filed a proposed tariff in conjunction with its application and filed substitute sheets on June 15. The tariff's effective date is July 11. NorthPoint's tariff describes the rates, rules, and regulations it intends to use, identifies NorthPoint as a competitive company, and lists the waivers requested. NorthPoint intends to provide interexchange and non-switched local exchange telecommunications services including private line services.

In its Memorandum filed on June 24 the Staff of the Commission stated that NorthPoint's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant NorthPoint 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, non-switched local exchange private line services. Staff recommended that the Commission grant NorthPoint 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 11.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets is in the public interest and NorthPoint should be granted certificates of service authority. The Commission finds that the services NorthPoint proposes to offer are competitive and NorthPoint 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 NorthPoint'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 non-switched local exchange carriers. The Commission finds that the proposed tariff filed on May 27 shall be approved as amended to become effective on July 11.

IT IS THEREFORE ORDERED:

1. That NorthPoint Communications, 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 NorthPoint Communications, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, non-switched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That NorthPoint 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

4. That the tariff filed by NorthPoint Communications, Inc. on May 27, 1998, is approved as amended to become effective on July 11, 1998. The tariff approved is:

Missouri P.S.C. Tariff No. 1

- 5. That this order shall become effective on July 11, 1998.
- 6. That this case shall be closed on July 13, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

L. Anne Wickliffe, Deputy Chief
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 30th day of June, 1998.

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JUN 30 1998
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION