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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of Coleman )  
Enterprises, Inc. d/b/a Local Long Distance, )  
Inc. for a Certificate of Service Authority ) **Case No. TA-99-38**  
to Resell Interexchange Telecommunications )  
Services in Missouri. )

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

Coleman Enterprises, Inc., d/b/a Local Long Distance, Inc. (Coleman) applied to the Public Service Commission on July 28, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under § 392.440, RSMo 1994<sup>1</sup>. Coleman asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420. Applicant is a Minnesota corporation, with its principal office located at 28 West 5th Street, Suite 480, St. Paul, Minnesota, 55102.

The Commission issued a Notice of Applications and Opportunity to Intervene on August 4, directing parties wishing to intervene to file their requests by August 19. 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

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<sup>1</sup>All 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.

Coleman filed a proposed tariff in conjunction with its application and filed substitute sheets on August 26 and September 8. The tariff's effective date is October 15. Coleman's tariff describes the rates, rules, and regulations it intends to use, identifies Coleman as a competitive company, and lists the waivers requested. Coleman intends to provide interexchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Travel Card, and Special Access services.

In its Memorandum filed on September 14, the Staff of the Commission stated that Applicant's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Applicant 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 October 15.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Applicant should be granted a certificate of service authority. The Commission finds that the services Applicant proposes to offer are competitive and Applicant 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 Coleman'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 July 28 shall be approved as amended to become effective on October 15.

**IT IS THEREFORE ORDERED:**

1. That Coleman Enterprises, Inc., d/b/a Local Long Distance, 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 Coleman Enterprises, Inc., d/b/a Local Long Distance, 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

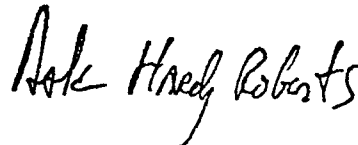
3. That the tariff filed by Coleman Enterprises, Inc., d/b/a Local Long Distance, Inc. on July 28, 1998, is approved as amended to become effective on October 15, 1998. The tariff approved is:

**P.S.C. Mo. No. 1**

4. That this order shall become effective on October 15, 1998.

5. That this case may be closed on October 16, 1998.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Lewis R. Mills, 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 23rd day of September, 1998.

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COMMISSION COUNCIL  
PUBLIC SERVICE COMMISSION