BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Application	i for Cert	tificate of	Service)	
Authority	to Provi	ide Basic	Local)	
Exchange	and	Interes	xchange)	Case No. TA-2008-0273
Telecommu	ınications	Service an	nd For)	Tariff File No. JX-2008-0503
Competitiv	e Classifica	tion)	JX-2008-0504
)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation respectfully states:

- 1. In the attached Memorandum, labeled Appendix A, Staff recommends that the Missouri Public Service Commission (Commission) grant Preferred Long Distance Service, Inc. (Applicant) a certificate of service authority to provide basic local exchange telecommunications service in the service areas of Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri, Embarq Missouri Inc. and CenturyTel Missouri, LLC. Staff also recommends that the Commission grant Applicant a certificate of service authority to provide interexchange telecommunications services. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. Sections 392.430 and 392.440 RSMo (2000).
- 2. Staff recommends that the Commission classify Applicant and its services as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is "subject to sufficient competition to justify a lesser degree of regulation." Section 392.361.2 RSMo (2000). All services provided by a competitive company must be classified as competitive. Section 362.361.3 RSMo (2000).

- 3. Staff recommends that the Commission approve the waivers listed in the Notice of Applications. The Commission may waive the application of its rules and certain statutes if the Commission determines that waiver is consistent with the purposes of Chapter 392. Sections 392.185, 392.361.5 and 392.420.
- 4. Staff recommends that the approval of the certificate to provide basic local telecommunications service be based on the 3 conditions listed in Appendix A.
- 5. Staff has no objection to Applicant's proposed tariff taking effect on May 18, 2008.

WHEREFORE, Staff recommends that the Commission grant Preferred Long Distance Service, Inc. certificates of service authority to provide basic local telecommunications services and interexchange telecommunications services and to classify Applicant and its services as competitive. Staff recommends that the Commission grant the waivers listed in the Notice of Application. Staff recommends that the Commission approve Applicant's tariff effective May 18, 2008 or at its earliest convenience.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz, Associate General Counsel Missouri Bar No. 57128 Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102 (573) 751-8701 (Telephone) (573) 751-9285 (Fax) jennifer.heintz@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7th day of May 2008.

/s/ Jennifer Heintz

MEMORANDUM

To:	Missouri P	Missouri Public Service Commission Official Case File					
	Case No.:	TA-2008-0273	File No.	JX-2008-0503 JX-2008-0504			
	Applicant:	Preferred Long Dis	tance Service, Inc. (Preferred))			
From:	Tele Wm	. Kuss communications Depar L Voight 05/07/08					
	Utili	ty Operations Division	/Date General	Counsel's Office/Date			
Subjec	et: Staff	Recommendation for A	Approval of Certificate to Prov	vide Service			
Date:	May	07, 2008	Filing Deadline:	N/A			
			Staff) recommends the applica we on the same date the tariff b				
	Certificate to provide basic local exchange telecommunications services in the following service areas: ☐ All of Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri (AT&T Mo) ☐ All of Embarq Missouri Inc. d/b/a Embarq (Embarq) ☐ All of CenturyTel of Missouri, LLC (CenturyTel Mo) ☐ All of Spectra Communications Group, LLC d/b/a CenturyTel (Spectra) ☐ Other (please describe):						
\boxtimes	Certificate to	provide Interexchange	telecommunications services.				
	Certificate to provide local exchange telecommunications services.* *Local exchange authority should be restricted to dedicated, private line services.						
Staff rec	commends the	annlicant and its servic	es receive competitive classifi	cation Staff further			

Staff recommends the applicant and its services receive competitive classification. Staff further recommends a Commission order granting certification state that pursuant to Section 392.410 RSMo, unless exercised within a period of one year from the issuance thereof, authority conferred by a certificate of service authority shall be null and void. In addition, Staff recommends approval of the waivers listed in the Notice.

Granting the certificate to provide basic local exchange telecommunications services should be based on the following conditions:

- 1. The applicant's originating and terminating access rates will be no greater than the lowest Commission approved corresponding access rates in effect for each ILEC within whose service area the applicant seeks authority to provide service, unless authorized by the Commission pursuant to Sections 392.220 and 392.230 RSMo.
- 2. The certificate and service classification for switched access service is conditioned on the continued applicability of Section 392.200 RSMo, and the requirement that any

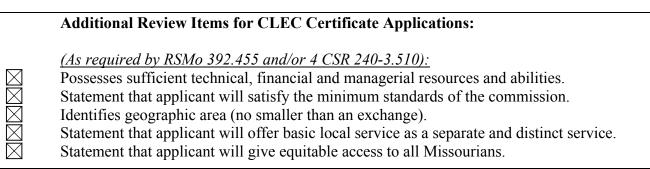
Case No. TA-2008-0273 File No. JX-2008-0503 File No. JX-2008-0504

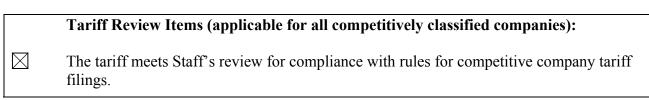
increases in switched access services rates above the maximum switched access service rates set forth herein shall be made pursuant to Sections 392.220 and 392.230 RSMo, and not Sections 392.500 and 392.510 RSMo.

3. If the directly competing ILEC, in whose service area the applicant is operating, decreases its originating and/or terminating access service rates, the applicant shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates in the directly competing ILEC's service area within 30 days of the directly competing ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap.

	No objection to tariff taking effect (see below): PSC ID: Missouri P.S.C. Tariff No. 1 Effective Date: May 18, 2008 Missouri P.S.C. Tariff No. 2
	The Staff states that the tariff meets the requirements of all applicable statutes, specifically, one or more of the following: Sections 392.200(8), (12); 392.245; 392.455(3), (4); 392.500(2); and 392.515(1) RSMo. In addition, the tariff filing does not conflict with the following Commission rules: 4 CSR 240-3.545 (4), (6), (7), (8 C,G,H), (9), (15), (16), (19); 4 CSR 240-31.065(1), (2), (3); 4 CSR 240-32.150(5), 32.160(1), (2), 32.190; 4 CSR 240-33.040(4), 33.045(2), 33.050(4) and 33.070(2).
	Tariff was not submitted with Application. Pursuant to 4 CSR 240-3.510(1)(C), the applicant cannot lawfully provide service until tariffs are effective (see below).
Addit	ional Comments:
\boxtimes	The Company is not delinquent in filing an Annual Report or paying the PSC Assessment.
	The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.
	No Annual Report.

	Review Items for IXC, Non-Switched Local and CLEC Certificate Applications:
	(As required by 4 CSR 240-2.060): Proper Secretary of State authorization. Statement of character of business performed. Statement declaring no pending action or final unsatisfied judgments. Statement declaring no overdue Annual Reports or Assessment fees. Application includes an Affidavit. The Applicant is requesting waivers of rules or statutes previously granted to a competitively classified company.
\boxtimes	(As required by RSMo 392.430/.440): Application shows that grant of authority is in the public interest.





BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Applica Distance Service, Inc. for a Authority to Provide Basic Services in Portions of the S Provide Interexchange Tele Throughout the State of Mis Exchange Access Service, a Telecommunications and A	Certificate of Local Telecon State of Misson communication ssouri, to Prove and to Classify	Service nmunications uri, to ns Services ide Basic Local) Case No.)))	TA-2008-0273
	AFF	IDAVIT OF	Arthur P. K	Cuss
STATE OF MISSOURI)			
) ss:			
COUNTY OF COLE)			
of the accompanying Memor best of his knowledge and be		Arthur P. K	an P.7	luss
Subscribed and affirmed bet	fore me this	7 th	day of	May, 2008.
I am commissioned as a Not		thin the Coun	033803700	
and my commission expires		ember 21, 20		
NOTARY SEAL OF MISS SUSAN L. SUND My Commissio September 2 Callaway C Commission #6	n Expires 1, 2010 county	Sum	LSundi	ermege