

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

In the Matter of the Application of Entelegent)
Solutions, Inc., to for Certificate of Service)
Authority to Provide Basic Local Exchange,)
Nonswitched Local Exchange and Interexchange)
Telecommunications Services in the State of)
Missouri and to Classify Said Services and the)
Company as Competitive.)

Case No. TA-2009-0415

STAFF’S RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission, by and through Counsel, and for its Recommendation states:

1. On May 18, 2009, Entelegent Solutions, Inc., (“Entelegent”) filed its Application for Certificates of Service Authority to provide basic local exchange, nonswitched local exchange, and interexchange telecommunications services in Missouri, and to classify said services and the company as Competitive (“Application”).

2. The Commission directed the Staff to file a Recommendation as to the Application no later than June 30, 2009.

3. On June 30, 2009, Staff filed a pleading indicating that certain information necessary to Staff’s consideration of the Application was not included with the Application, as required by Commission Rule. Staff’s June 30 pleading requested deferring the date by which Staff must file its Recommendation until July 30, 2009, to allow for the filing of the information by the Company, and its review by Staff.

4. On June 30, 2009, the Commission entered its Order extending the date by which Staff must file its Recommendation until July 30, 2009.

5. On July 13, 2009, the Company filed its Supplement to Application.

6. On July 30, the Staff filed its Motion to Extend Filing Deadline, which was granted on July 30.

7. On August 14 the Staff filed its Motion to Extend Filing Deadline, which was granted on August 14.

8. On August 14 the Company filed its Supplement to Application and Addendum to Appendix C.

9. 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. §§ 392.430 and 392.440 RSMo (2000).

10. In the attached Memorandum, labeled Appendix A, Staff recommends that because the Application demonstrates that the grant of authority is in the public interest that the Commission grant to Entelegent a certificate to provide basic local exchange, nonswitched local exchange, and interexchange telecommunications services in Missouri, upon the conditions contained there-in, and described below.

11. Staff also recommends that the Commission classify the Company and the services it proposes to offer in its Application as competitive, upon the conditions contained there-in, and described below. 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. § 392.361.4 RSMo (2000). The majority of services a competitive company provides must be classified as competitive under § 392.361.3 RSMo (2000), as amended by HB 1779 (effective August 28, 2008).

12. Staff further recommends that the Commission grant the waivers listed in the Company's Application, upon the conditions contained there-in, and described below. 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. §§ 392.185, 392.361.5 and 392.420 RSMo (2000).

13. Staff's recommendations, above, are premised upon imposition of the following conditions:

a. Entelegent will file proposed basic local exchange and interexchange services tariffs with a forty-five (45) day effective date within one year of approval of this Application, pursuant to Commission Rule 4 CSR 240-3.510(1)(C), which requires that a tariff and any applicable interconnection agreements must be filed with the Commission and approved before service can be provided.

b. Entelegent's originating and terminating switched exchange access rates will be no greater than the lowest Commission-approved corresponding access rates in effect for each ILEC within those service area(s) in which it seeks authority to provide service.

c. If the ILEC in whose service area Entelegent is operating decreases its originating and/or terminating access service rates, Entelegent shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates within thirty (30) days of the ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap on switched access rates, pursuant to Section 392.370.

14. The Company is not delinquent in the filing of its annual report, the payment of its PSC assessment, or the remittance of either the MoUSF or Relay Missouri surcharges.

WHEREFORE, Staff recommends that the Commission issue an Order granting Entelegent Solutions, Inc., Certificates of Service Authority to provide basic local exchange, nonswitched local exchange, and interexchange telecommunications services in Missouri, and to classify said services and the company as Competitive; and indicating that unless exercised within one year from its issuance that authority conferred by a certificate of service authority shall be null and void.

Respectfully submitted,

/s/ Sarah Kliethermes

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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 27th day of August, 2009.

/s/ Sarah Kliethermes