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July 27, 2000

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Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No.TA-2000-453

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Bruce H. Bates
Assistant General Counsel
(573) 751-7434
(573) 751-9285 (Fax)

Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

FILED²

JUL 27 2000

Missouri Public
Service Commission

In the Matter of the Application of MGC)
Communications, Inc. for a Certificate of)
Service Authority to Provide Basic Local)
Telecommunications Service in Portions)
of the State of Missouri and for)
Competitive Classification.)

Case No. TA-2000-453

STAFF RECOMMENDATION

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

In the attached *Memorandum*, which is labeled *Appendix A*, the Staff recommends that
the Missouri Public Service Commission issue an order granting MGC Communications Inc.'s
proposed tariffs: P.S.C. Mo. No 1, Original Title Sheet to Original Sheet 50; and P.S.C. Mo. No.
2, Original Title Sheet to Original Sheet 62, both with proposed effective dates of August 7,
2000, for the reasons stated therein.

Respectfully submitted,

DANA K. JOYCE
General Counsel



Bruce H. Bates
Assistant General Counsel
Missouri Bar No. 35442

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel or parties of record as shown on the attached service list this 27th day of July 2000.



Bruce H. Bates

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. TA-2000-453, File No. 200001151, 200001152
MGC Communications, Inc.

FROM: Philip M. Garcia, ^{PG} Telecommunications Department

SUBJECT: Staff Recommendation to Approve Basic Local Exchange and Exchange Access
Service Tariffs

Bruce V. [Signature] 07-26-00
Utility Operations Division/Date

Wm K. Hase 7/26/00 [Signature] 7-26-00
General Counsel's Office/Date

DATE: July 26, 2000

History

^{DH}
07-26-00 01:00 RUCD

On January 20, 2000, MGC Communications, Inc. (MGC) submitted proposed tariffs P.S.C. MO Nos. 1 and 2 containing the rates, terms and conditions for the provision of basic local exchange telecommunications services and exchange access services. In the Order Granting Certificate of Service Authority to Provide Basic Local Telecommunications Services, effective April 3, 2000, the Missouri Public Service Commission (Commission):

- Granted a certificate of service authority for basic local service conditional upon tariff approval,
- Classified MGC as a competitive telecommunications company,
- Waived certain statutes and Commission rules,
- Conditioned MGC's certification and competitive status on the requirement that MGC's originating and terminating access rates be no greater than the lowest Commission approved corresponding access rates in effect for the large incumbent local exchange company for each service area within which MGC seeks authority to provide service.
- Any increases in switched access service rates above the maximum switched access service rates set forth in the order shall be made pursuant to Sections 392.220, RSMo Supp. 1999, and 392.230, rather than Sections 392.500 and 392.510.
- Ordered MGC to file tariff sheets with a minimum 45-day effective date within 30 days after the effective date of a Commission order approving an interconnection agreement that will allow MGC to provide services.

On May 30, 2000 MGC submitted for Commission approval an interconnection agreement with Southwestern Bell Telephone Company (SWBT). On June 9, 2000, MGC filed proposed tariffs Mo PSC Tariff Nos 1 and 2 (basic local 200001151 and access services 200001152) with a 45-day effective date. On July 11, 2000 the Commission approved the Interconnection Agreement between MGC Communications, Inc. and SWBT effective July 21, 2000.

APPENDIX A

Proposed Local Exchange and Exchange Access CLEC Tariff Nos 1, 2

MGC intends to provide resold and facilities-based basic local telecommunications services to business customers {small businesses} and may, in the future, additionally offer services to residential customers. MGC plans to deploy its own facilities network using a regional switching architecture to service Missouri customers, subsequently MGC will provide exchange access services in conformance to Commission's order. Although MGC intends to provide service in the territories of SWBT, GTE and Sprint, the interconnection agreement with SWBT is the first filed and only one approved to date.

The Telecommunications Department Staff (Staff) has reviewed MGC's proposed tariffs and finds they conform to the Commission's standards as set forth in the Order in Case No. TA-2000-453 (Certification Order). MGC's proposed tariffs cover the provision of resold and facilities-based intrastate basic local exchange and exchange access telecommunications services to business customers and IXC's.

MGC's proposed tariffs contain a list of the approved waivers listed in the Certification Order, sections on additional obligations of MGC, proposed products and services, and lists the exchanges in which it will provide service.

MGC proposed tariffs are similar to other CLEC tariffs previously approved by the Commission. MGC proposes to provide resold and facilities-based service to business customers. However MGC is the first CLEC to propose the provisioning of a LATA wide local calling area. The Kansas City exchanges -LATA 524- wherein MGC will initially provide LATA wide calling scope will be, subject to collocation progress, Benton, Gladstone, Hiland, Kansas City, Liberty Parkville, South Kansas City. The St. Louis exchanges -LATA 520- will be Creve Coeur, Ladue, St. Louis. The St. Louis LATA-wide calling scope will also include LATA 521. Customers will be able to place or receive calls to any calling station in the local calling area, access basic and/or enhanced 911 emergency service, and place or receive calls to 800 telephone numbers. MGC also will provide exchange access services which will enable IXC and other LEC's to terminate traffic to MGC's customers via MGC's facilities.

MGC's proposed switched access service rates have been compared to SWBT's and, in keeping with the Commission instructions, are no higher than SWBT's, which is the large incumbent local exchange company for the service area within which MGC is initially seeking authority to provide service.

Staff Recommendation

MGC submitted its tariffs before its interconnection agreement with SWBT had been approved.

Subsequently MGC requested an extension for the tariffs to an effective date of August 7, 2000. The interconnection agreement was approved July 11, with an effective date of July 21, 2000. MGC submitted substitute sheets at Staff's request on July 13, 14, 18, and 26, 2000. The substitute pages were reviewed and found acceptable. Staff has reviewed MGC's tariffs, as amended, and finds them acceptable. Staff has no objections to MGC's proposed tariffs, P.S.C. MO No. 1 and 2, with an effective date of August 7, 2000. The specific tariff sheets are as follows:

*Basic Local Exchange Tariff No. 1, (File No 200001151), Original Title Sheet to Original Sheet 50, and
Exchange Access Services Tariff No.2 (File No 200001152) Original Title Sheet to Original Sheet 62*

Staff is unaware of other filings which would affect or be affected by this filing.

Service List for
Case No. TA-2000-453
July 27, 2000

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