

MEMORANDUM

FILED
JUL 16 1999

To: Missouri Public Service Commission Official Case File
Case No. TO-2000-5 (No tariff number assigned)
Fiber Four Corporation

Missouri Public
Service Commission

From: Sherri Murphy *SM*
Telecommunications Department *[Signature]*

Wes Headman 7-14-99
Utility Operations Division/Date

[Signature] 7-15-99
General Counsel's Office/Date

Subject: Staff Report Pursuant to Commission Order

Date: July 14, 1999

On July 2, 1999, Fiber Four Corporation (Fiber Four), submitted a Motion to Reinstate and Approve Tariff Filing for an Interim Period of Time. Exhibit 1 attached to the Motion contains copies of Fiber Four's fictitious name registrations. Exhibit 2 is a proposed "consolidated" toll tariff. The tariff has an issued date of June 25, 1999 and an effective date of July 26, 1999, thus it does not allow a full forty-five (45) days from the received date (July 2, 1999) to the effective date. The tariff was not assigned a tariff file number. On July 6, 1999, the Commission issued its Order Directing Filing and Directing Staff Report which directs Fiber Four to file a verification of its **application** and directs Staff to file a report including a recommendation on or before July 15, 1999 as to whether or not Fiber Four's proposed tariff should be approved.

In Case No. TO-96-381, GTE Card Services Incorporated filed a tariff under the name GTE Card Services Incorporated d/b/a GTE Long Distance. The Commission issued an Order Rejecting Tariffs which states:

"The Commission finds that it is not in the public interest to allow a company to do business in the State of Missouri under two different names, unless the company has a separate certificate of service authority and tariff for each name under which it does business.

To allow a company to operate under multiple names without separate certificates and tariffs would cause potential customer confusion and impede the Commission's administrative needs and record keeping responsibilities. In addition, the current tariff submission hinders the collective goal of providing the general public with notice of the utilities doing business within the state, implicit in the Commission's certification procedures. Without a procedure which provides certification for each name under which a company provides services to Missouri customers, notice to the public is illusory."

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The Commission has consistently found that companies wishing to provide service under additional names must file an application for certificate of service authority for each name and notice must be given of the application. Fiber Four's Motion was also submitted without verification as required by 4 CSR 240-2.060(1)(F).

For these reasons, the Staff believes that the filing should be rejected. Staff recommends that Fiber Four submit applications in accordance with 4 CSR 240-2.060 under each name that it proposes to operate under and request expedited treatment of those applications.

Copies: Director – Utility Operations Division
 Director – Research and Public Affairs Division
 Director – Utility Services Division
 General Counsel
 W.R. England, III, Attorney for Applicant
 Office of the Public Counsel