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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Convergent)
Communications Services, Inc. for a Certificate) Case No. TA-99-42
of Service Authority to Provide Interexchange)
Telecommunications Services.)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

Convergent Communications Services, Inc. (CCSI) applied to the Public Service Commission on August 3, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. CCSI asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. CCSI also filed with its application a Motion for Protective Order which was granted on September 10. CCSI is a Colorado corporation, with its principal office located at 400 Inverness Drive South, Suite 400, Englewood, Colorado 80112.

The Commission issued a Notice of Applications and Opportunity to Intervene on August 11, directing parties wishing to intervene to file their requests by August 26. 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

¹ All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

to intervene or requested a hearing, the Commission may grant the relief requested based on the verified application.

CCSI filed a proposed tariff in conjunction with its application and filed substitute sheets on September 2. The tariff's effective date is September 18. CCSI's tariff describes the rates, rules, and regulations it intends to use, identifies CCSI as a competitive company, and lists the waivers requested. CCSI intends to provide interexchange telecommunications services including 1+ direct dial, 800/888/877 Services, Directory Assistance, Debit Card, and Travel Card services.

In its Memorandum filed on September 11, the Staff of the Commission (Staff) stated that CCSI's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant CCSI 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 September 18.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and CCSI should be granted a certificate of service authority. The Commission finds that the services CCSI proposes to offer are competitive and CCSI 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 CCSI'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 August 3 shall be approved as amended to become effective on September 18.

IT IS THEREFORE ORDERED:

1. That Convergent Communications Services, 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 Convergent Communications Services, 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 Convergent Communications Services, Inc. on August 3, 1998, is approved as amended to become effective on September 18, 1998. The tariff approved is:

P.S.C. MO. TARIFF NO. 1

4. That this order shall become effective on September 18, 1998.
5. That this case shall be closed on September 19, 1998.

BY THE COMMISSION



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

(S E A L)

Nancy Dippell, 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 15th day of September, 1998.

SEP 15 1998
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION