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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 16th
day of October, 1997.

In the Matter of the Application of Associated)
Network Partners, Inc. for a Certificate of Service)
Authority to Resell Interexchange Telecommunications)
Service at Wholesale to Telecommunications Companies)
Providing Service to the Public Within the State of)
Missouri.)
)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE
AUTHORITY AND ORDER APPROVING TARIFF

Associated Network Partners, Inc. (ANPI) applied to the Public Service Commission on August 15, 1997, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994.¹ ANPI 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. ANPI is a Illinois corporation, with its principal office located at 2601 West Iles, Springfield, Illinois 62704.

The Commission issued a Notice of Applications and Opportunity to Intervene on September 2, directing parties wishing to intervene in the case to file their requests by September 17. 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

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

494, 496 (Mo. App. 1989). Since no one has asked permission to intervene or requested a hearing in this case, the Commission may grant the relief requested based on the verified application.

ANPI filed a proposed tariff in conjunction with its application and filed substitute sheets on October 8. The tariff's effective date was September 29 and was extended to October 21. ANPI's tariff describes the rates, rules, and regulations it intends to use, identifies ANPI as a competitive company, and lists the waivers requested. ANPI intends to provide interexchange telecommunications services including 1+ direct dial, 800 number services, operator services and travel card services.

The Staff of the Commission filed a Memorandum recommending rejection of ANPI's application on September 8. The Commission considered Staff's recommendation in its regular agenda discussion on September 16. For good cause shown, the Commission continued this case until the September 17 agenda discussion and notified the parties. Both ANPI's attorney and Staff were present for the discussion. Further negotiations between ANPI and Staff resulted in Staff filing on October 8 a second Memorandum recommending approval of ANPI's application. In its Memorandum filed on October 8, Staff stated that ANPI's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant ANPI 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 October 21.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and ANPI should be granted a certificate of service authority. The Commission finds

that the services ANPI proposes to offer are competitive and ANPI should be classified as a competitive company. The Commission is of the opinion that waiving the statutes and Commission rules set out in Ordered Paragraph 2 is reasonable and not detrimental to the public interest.

The Commission determines, by authority of Section 392.470, that ANPI should comply with the following regulatory requirements as reasonable and necessary conditions of certification:

- (1) ANPI must comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market. § 386.320.3.
- (2) ANPI must file tariffs containing rules and regulations applicable to customers, a description of the services provided, and a list of rates associated with those services in accordance with 4 CSR 240-30.010 and Section 392.220, RSMo Supp. 1996.
- (3) ANPI may not unjustly discriminate between its customers. §§ 392.200, RSMo Supp. 1996, 392.400.
- (4) ANPI must comply with all applicable rules of the Commission except those specifically waived by this order. §§ 386.570, 392.360.
- (5) ANPI must file a Missouri-specific annual report. §§ 392.210, 392.390.1.
- (6) ANPI must comply with jurisdictional reporting requirements as set out in each local exchange company's access services tariffs. § 392.390.3.
- (7) ANPI must submit to the Staff, on a confidential basis, a copy of the jurisdictional report it submits to local exchange

companies. The report must be submitted within ten days of the date on which it is submitted to the local exchange company.

The Commission finds that ANPI's proposed tariff as amended 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 15 shall be approved as amended to become effective on October 21.

IT IS THEREFORE ORDERED:

1. That Associated Network Partners, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That Associated Network Partners, Inc. is classified as a competitive telecommunications company. 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. 1996 - 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 Associated Network Partners, Inc. on August 15, 1997, is approved as amended to become effective on October 21, 1997. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on October 21, 1997.
5. That this case shall be closed on October 31, 1997.

BY THE COMMISSION



Cecil I. Wright
Executive Secretary

(S E A L)

Lumpe, Ch., Crumpton, Drainer
and Murray, CC., concur.

Hennessey, Regulatory Law Judge