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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 2nd
day of December, 1997.

In the Matter of the Application of Quintelco, Inc.)
for a Certificate of Service Authority to Provide) Case No. TA-98-111
Interexchange and Local Exchange Telecommunications)
Services.)
)

**SECOND ORDER REJECTING CERTAIN TARIFF SHEETS,
SUSPENDING CERTAIN TARIFF SHEETS
AND DIRECTING THE FILING OF AN AMENDED APPLICATION**

Quintelco, Inc. (Quintelco) filed an Application with the Commission on September 9, 1997, captioned "In the Matter of the Application of Quintelco, Inc. for a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services." The company filed two tariffs in association with its Application carrying an effective date of October 21.

On September 23, the Commission rejected Quintelco's local tariff (M.P.S.C. No. 2 — Telephone), and suspended Quintelco's interexchange tariff (M.P.S.C. TARIFF NO. 1) to February 21, 1998. The local tariff was rejected because Quintelco did not have an interconnection agreement with an incumbent local exchange carrier (ILEC) upon which it could base its local rates. The interexchange certificate was suspended because the type of certificate sought by Quintelco was not clear from its original Application. The Commission's September 23 order pointed out the ways in which Quintelco's Application failed to comply with Missouri's regulations, and gave Quintelco until October 23 to amend its Application.

On October 29, despite the fact that its prior tariffs had been rejected and suspended, Quintelco filed several revised sheets for each tariff. The revised sheets have an effective date of December 5, 1997.

On November 18, Quintelco filed its Amended Application to Provide Interexchange and Local Exchange Telecommunications Services. Quintelco did not seek leave to file its Amended Application out of time. Moreover, the Amended Application failed to list the specific exchanges in which Quintelco would like to provide basic local service, as had the original Application. This requirement is expressed in § 392.455(3), RSMo Supp. 1996, and 4 CSR 240-2.060(4)(G). The original Application stated that Quintelco intended to provide service "throughout the entire State of Missouri." In its Amended Application, Quintelco stated that it "intends to service all existing exchange boundaries covered by ILECs, excluding rural areas," without specifying whether this change from the original Application pertains only to Quintelco's basic local and local services or to its interexchange services as well. The term "rural areas" is defined in neither Chapter 386 nor Chapter 392 of the Revised Statutes of Missouri. Neither has Quintelco defined this phrase in its Application. Quintelco must specifically list each exchange in which service is to be offered and clarify whether that list will apply to its local exchange, basic local exchange or interexchange offerings.

The Commission concludes that it should reject the revised sheets filed for Quintelco's local tariff and should suspend the effective date of the supplemental tariff sheets filed by Quintelco for its interexchange tariff to February 21, 1998, to coincide with the effective date of the previously filed interexchange tariff sheets. Any future revised sheets filed for this tariff should bear an effective date of February 21, 1998, or they will be similarly suspended to that date. Quintelco will be given

a final opportunity to amend its Application to comply with Missouri statutes and regulations.

THEREFORE, IT IS ORDERED:

1. That the following tariff sheets, filed by Quintelco, Inc., on October 29, 1997, are rejected:

M.P.S.C. No. 2 — Telephone

Section 4, First Revised Page 8
Section 5, First Revised Page 3
Section 5, First Revised Page 5
Section 5, First Revised Page 25

2. That the effective date of the following tariff sheets filed by Quintelco, Inc., on October 29, 1997, are suspended to February 21, 1998, or until otherwise ordered by this Commission:

M.P.S.C. TARIFF NO. 1

FIRST REVISED SHEET 2
FIRST REVISED SHEET 25
FIRST REVISED SHEET 28
FIRST REVISED SHEET 30

3. That Quintelco, Inc., may file an amended application no later than January 2, 1998. If the company fails to appropriately amend its Application, this case will be subject to dismissal for failure to comply with Missouri law and Commission rules, and the company's remaining tariff sheets will be rejected.

4. That this order shall become effective on December 2, 1997.

BY THE COMMISSION



(S E A L)

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

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

Randles, Regulatory Law Judge