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January 27, 2000

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Director, Utility Services

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Director, Administration

DALE HARDY ROBERTS  
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE  
General Counsel

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-2000-389

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) 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,

David J. Stueven  
Assistant General Counsel  
(573) 751-6726  
(573) 751-9285 (Fax)

DS/dkf  
Enclosure  
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

JAN 27 2000

Missouri Public  
Service Commission

In the Matter of the Application of )  
Newsouth Communications Corp )  
for a Certificate of Service Authority )  
to provide Resold Interexchange )  
Telecommunications Services in )  
the State of Missouri and to Classify )  
Said Services and the Company as )  
Competitive )

Case No. TA-2000-389

STAFF RECOMMENDATION

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

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission ("Commission") grant Newsouth Communications Corp. (Applicant) a certificate to provide interexchange telecommunications services. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. (See §§ 392.430 and 392.440, RSMo 1994).

2. Staff also recommends that the Commission classify the Applicant and its services as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is subject to sufficient competition to justify a lesser degree of regulation. (See §392.361.2 RSMo 1994). All the services a competitive company provides must be classified as competitive. (See §392.361.3 RSMo 1994).

3. Staff further recommends that the Commission approve the waivers listed in the Notice of Application. The Commission may waive the application of its rules and certain statutes if the Commission determines that waiver is consistent with the purposes of Chapter 392 RSMo. (See §§ 392.361.3 and 392.420 RSMo 1994 and § 392.185 RSMo Supp. 1999).

**WHEREFORE**, the Staff recommends that the Commission grant Newsouth Communications Corp. a certificate to provide interexchange telecommunications services, grant Applicant competitive classification, approve Applicant's proposed tariff, PSC MO No. 1 with a proposed effective date of February 17, 2000, and approve waivers listed in the Notice of Applications.

Respectfully submitted,

DANA K. JOYCE  
General Counsel




David J. Stueven  
Assistant General Counsel  
Missouri Bar No. 51274

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751-6726 (Telephone)  
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### **Certificate of Service**

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

A handwritten signature in black ink, appearing to be "J. M. Smith", is written over a horizontal line.

# MEMORANDUM

RECEIVED

JAN 27 2000

To: Missouri Public Service Commission Official Case File  
Case No: TA-2000-389 File No: 20000593  
Applicant: NewSouth Communications Corp. COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION

From: Shawnee Claiborn-Pinto  
Telecommunications Department

*West Handman 1-27-00 Wm K Haas 1/27/00*  
Utility Operations Division/Date General Counsel's Office/Date

*11:45 AM*  
*1-27-00*

Subject: Staff Recommendation for Approval of Certificate

Date: 1-21-00

Date Assigned: 12-28-99

Staff Deadline: 2-7-00

The Telecommunications Department Staff (Staff) recommends the applicant be granted the following certificate(s), as indicated below, to be effective on the same date the tariff becomes effective:

- ☒ certificate to provide interexchange telecommunications services.  
☐ certificate to provide local exchange telecommunications services.\*  
\*local exchange authority should be restricted to dedicated, private line services.

Staff recommends the applicant and its services, receive competitive classification. Furthermore, Staff recommends approval of the applicant's proposed tariff, PSC MO NO. 1, with a proposed effective date of 2-17-00. In addition, Staff recommends approval of the waivers listed in the Notice.

Is there an attachment to this recommendation indicating any additional recommendations or special considerations? ☐ Yes ☒ No

### Application/Tariff Review Items

☒ No applications to intervene filed.

#### Application contains the following:

- ☒ Proper Secretary of State authorization  
☒ Request for classification as a competitive telecommunications company.  
☒ All requested waivers are listed in the Notice and all requested waivers have previously been granted to other competitive companies.

#### Proposed tariff:

- ☒ Complies with PSC rules and statutes applicable to applicant.  
N/A If operator services offered, operator services requirements are included.  
N/A Includes "interexchange" tariff text if offers private line service w/o requesting a local certificate.  
N/A If ICB pricing proposed, only for private line.  
N/A If ICB pricing is offered, tariff includes standardized ICB text.  
☒ Rate structures or service offerings are similar to existing IXC offerings. (In addition, tariff does not geographically de-average).  
☒ If promotional offering text is included, it is standardized promotion text.  
☒ Waivers listed in tariff match those listed in application and Notice.

### Services Offered in Initial Tariff

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> 1+                   | <input type="checkbox"/> Private Line           |
| <input checked="" type="checkbox"/> 800/888/877 Services | <input type="checkbox"/> Debit Card             |
| <input checked="" type="checkbox"/> Directory Assistance | <input checked="" type="checkbox"/> Travel Card |
| <input type="checkbox"/> Operator Assistance             | <input type="checkbox"/> Other:                 |

Has proposed effective date been extended? ☐ Yes ☒ No

New effective date:

Have substitute tariff sheets been filed? ☒ Yes ☐ No

Date of substitute sheets: January 14, 2000, January 19, 2000

From	Initials	Date	Revised
S. Claiborn-Pinto	SCP	1-21-00	
Wm. Voight			
Mr. VanEschen	<i>[Signature]</i>	1/26	
Mr. Henderson	<i>W/H</i>	1-27-00	
Legal	<i>W/H</i>	1/27/00	

**Service List for  
Case No. TA-2000-389  
January 27, 2000**

Office of the Public Counsel  
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