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January 31, 2000

GORDON L. PERSINGER  
Acting Executive Director  
Director, Research and Public Affairs

WESS A. HENDERSON  
Director, Utility Operations

ROBERT SCHALLENBERG  
Director, Utility Services

DONNA M. KOLILIS  
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-2000-400**

**FILED<sup>3</sup>**

JAN 31 2000

Missouri Public  
Service Commission

Dear Mr. Roberts:

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

Nathan Williams  
Assistant General Counsel  
(573) 751-8702  
(573) 751-9285 (Fax)

NW/lb  
Enclosure  
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>  
JAN 21 2000

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

Service Commission

Case No. TA-2000-400

FILED<sup>3</sup>  
JAN 31 2000  
Missouri Public  
Service Commission

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 BCGI 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).

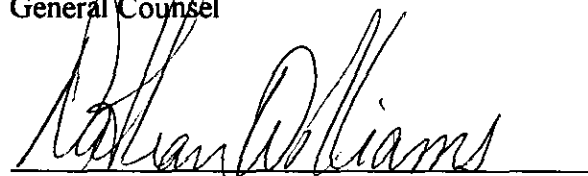
4. The Applicant filed a supplement to its application on January 25, 2000 including a brief statement of the character of the business it performs.

5. Staff also notes that the Applicant has filed a substitute tariff sheet to delete a reference to waiver of 4 CSR 240-33.020 which the Applicant had not requested in its Application and to include 4 CSR 240-30.040 which was requested in the Application.

**WHEREFORE**, the Staff recommends that the Commission grant BCGI 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 13, 2000, and approve waivers listed in the Notice of Applications.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

A handwritten signature in black ink, appearing to read "Nathan Williams", is written over a horizontal line.

Nathan Williams  
Assistant General Counsel  
Missouri Bar No. 35512

Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
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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 31<sup>st</sup> day of January 2000.

  
Nathan Williams

## MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No: TA-2000-400 File No: 20000605  
Applicant: BCGI Communications Corp.

From: Lisa Mahaney *LM*  
Telecommunications Department

RECEIVED

JAN 28 2000

WID 2:55 PM

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION

*Wiss Hendrum 1/28/00* *Wm K. [unclear] 1/28/00*  
Utility Operations Division/Date General Counsel's Office/Date *NW 1/28/00*

Subject: Staff Recommendation for Approval of Certificate

Date: January 27, 2000

Date Assigned: 12/30/99

Staff Deadline: 2/2/00

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 receive competitive classification. Furthermore, Staff recommends approval of the applicant's proposed tariff, PSC MO NO. 1, with a proposed effective date of 2/13/00. 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.



If operator services offered, operator services requirements are included.



Includes "interexchange" tariff text if offers private line service w/o requesting a local certificate.



If ICB pricing proposed, only for private line.



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



1+



Private Line



800/888/877 Services



Debit Card



Directory Assistance



Travel Card



Operator Assistance



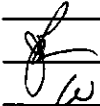
Other:

Has proposed effective date been extended? ☐ Yes ☒ No

New effective date:

Have substitute tariff sheets been filed? ☒ Yes ☐ No

Date of substitute sheets: 1/25/00

From	Initials	Date	Revised
Lisa Mahaney	LM	1/27/00	
Wm. Voight			
Mr. VanEschen		1/28	
Mr. Henderson	W/H	1-28-00	
Legal	W K H	1/28/00	

Attachment to TA-2000-400  
File No. 20000605  
January 27, 2000

A Notice of Deficiency was issued January 13, 2000, requiring Applicant to submit a brief statement of the character of the business performed by Applicant. Applicant filed a Supplement to Application on January 25, 2000, in order to cure the deficiency.

Staff notes that the waiver list in Applicant's tariff included 4 CSR 240-33.020. This waiver was not requested in the Application. Also, the Notice stated that this rule cannot be waived. Applicant's tariff did not include 4 CSR 240-30.040, which was requested in the Application. Applicant submitted a substitute sheet to remove the first waiver and add the second waiver. Staff has reviewed the substitute sheet and finds it acceptable.

**Service List for  
Case No. TA-2000-400  
January 31, 2000**

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