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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 30th
day of September, 1997.

In the matter of the application of MICRO-COMM,)
INC. for a Certificate of Service Authority) **Case No. TA-98-114**
to Provide Interexchange (and Local Exchange))
Telecommunications Services)

ORDER SUSPENDING TARIFF SHEETS
AND DIRECTING THE FILING OF AN AMENDED APPLICATION

MICRO-COMM, INC. (Micro-Comm) filed an application with the Commission on September 10, 1997 captioned "In the Matter of the application of MICRO-COMM, INC. for a Certificate of Service Authority to Provide Interexchange (and Local Exchange) Telecommunications Services." The company filed tariff sheets in association with its application carrying an effective date of October 27.

Review of the application revealed numerous inconsistencies with the caption and other deficiencies. The statement of relief requested in the application indicates that Micro-Comm seeks a certificate of service authority to provide interexchange telecommunications service. The allegations of Micro-Comm's application indicate that the company will not be providing private line services within the local exchange. The tariff accompanying the application does not contain any rates for private line services within the local exchange, but contains rates for both interstate and intrastate interexchange telecommunications services. Furthermore, the application and tariff do not reflect the name of the applicant as the

applicant is authorized to do business in Missouri by the Secretary of State (under the name Legend Marketing International, Inc.).

Micro-Comm's application fails to comply with Missouri's regulations in that it:

- a) fails to clearly state the relief requested as required by 4 CSR 240-2.060(1)(E) in that it has not correctly identified the types of certification for which it is applying;
- b) fails to reference the appropriate statutory authority under which it requests relief as required by 4 CSR 240-2.060(1)(D);
- c) fails to include the legal name of the applicant as well as evidence of any registration of fictitious name with the Missouri secretary of state, as required by 4 CSR 240-2.060(1)(A); and
- d) fails to allege facts demonstrating that issuance of the requested certification is in the public interest as required by Section 392.430 - .440, RSMo 1994.

Micro-Comm's tariff fails to comply with Missouri's regulations in that it fails to include the name of the issuing telephone corporation as required by 4 CSR 240-30.010(11)(A) and (12)(B).

The Commission finds that Micro-Comm's application and associated tariff are inadequate as filed. Accordingly, the Commission will suspend Micro-Comm's tariff sheets on its own motion. This will permit the applicant time to file an amended application. Micro-Comm is cautioned that Missouri's procedures for processing applications for basic local exchange certificates differ dramatically from the procedures for inter-exchange and local exchange (dedicated private line) certificates. Micro-Comm's P.S.C. MO. No. 1 will be suspended for a period of one hundred

and twenty days beyond the effective date of October 27 to February 24, 1998, or until otherwise ordered by this Commission. The Commission will give the company 30 days to file an amended application in compliance with Missouri law and Commission rules.

IT IS THEREFORE ORDERED:

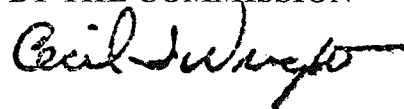
1. That the effective date of the following tariff, filed by MICRO-COMM, INC. on September 10, 1997, is suspended to February 24, 1998, or until otherwise ordered by this Commission:

P.S.C. MO. No. 1

2. That MICRO-COMM, INC. may file an amended application no later than October 30, 1997. 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 tariff sheets will be rejected.

3. That this order shall become effective on September 30, 1997.

BY THE COMMISSION



**Cecil I. Wright
Executive Secretary**

(S E A L)

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

ALJ: Randles