

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of MultiBand, )  
Inc. For a Certificate of Service Authority to )  
Provide Shared Tenant Services in the State of )  
Missouri )

Case No. ZA-2006-0346

**STAFF RECOMMENDATION**

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

1. On March 6, 2006, MultiBand, Incorporated, filed an Application under Section 392.410 RSMo 2005 Supp. requesting the Commission to grant it a Certificate of Service Authority to install, own, operate, control, manage and maintain shared tenant services in the State of Missouri. MultiBand has requested the waiver of certain statutes and regulations.

2. MultiBand is requesting authority to provide shared tenant services to apartments located at 415 North Tucker Road, St. Louis, Missouri.

3. Section 386.020(40) RSMo Supp. 2005 provides:

“Private shared tenant services” includes the provision of telecommunications and information management services and equipment within a user group located in discrete private premises as authorized by the commission by a commercial-shared services provider or by a user association, through privately owned customer premises equipment and associated data processing and information management services and includes the provision of connections to the facilities of local exchange telecommunications companies and to interexchange telecommunications companies.

Section 392.520.1 RSMo 2000 provides that the Commission has jurisdiction of shared tenant services, but “shall subject such services to the minimum regulation permitted by this chapter for competitive telecommunications services.” Shared tenant services are also exempted from tariff filing requirements. *Id.*

4. The Commission issued an Order and Notice on March 14, 2006, directing parties wishing to intervene in the case to do so no later than April 3, 2006. AT&T Missouri filed an application to intervene on March 31, 2006.

5. In the attached Memorandum, which is labeled Appendix A, the Staff summarizes its review of the application and recommends that the Commission approve the application and grant MultiBand a certificate to provide shared tenant services.

6. When granting a certificate of service authority to provide shared tenant services, the Commission must determine whether certification is in the public interest. Section 392.440 RSMo 2000.

7. The Staff recommends that the Commission grant MultiBand the requested waivers, consistent with the Commission's treatment of other shared tenant services providers.

WHEREFORE, based upon the foregoing, the Staff respectfully recommends that the Commission enter an Order which grants MultiBand a certificate to provide shared tenant services in the state of Missouri and grants the requested waivers.

Respectfully submitted,

/s/ William K. Haas

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 7<sup>th</sup> day of April 2006.

/s/ William K. Haas

## MEMORANDUM

**To:** Missouri Public Service Commission Official Case File

Case No.: **ZA-2006-0346**

Applicant: **MultiBand, Incorporated (MBI)**

**From:** A.P. Kuss  
Telecommunications Department

William L. Voight 04/04/06  
Utility Operations Division/Date

/s/ William K. Haas 04/07/06  
General Counsel's Office/Date

**Subject:** Staff Recommendation for Approval of Certificate of Service Authority to Provide Shared Tenant Services in Missouri

**Date:** April 04, 2006

**Filing Deadline:** N/A

On March 06, 2006, MultiBand, Incorporated (MBI) filed an application for Certificate of Authority to Provide Shared Tenant Service in the State of Missouri. Applicant is requesting such authority to install, own, operate, control, manage and maintain Shared Tenant Services (STS). The location to be served is Jefferson Arms (Apartments) at 415 North Tucker Road, St. Louis, MO.

Staff has reviewed the application and finds the application provides all requisite information and recommends approval. Also, Staff recommends the Commission grant all of the following waivers for STS providers as requested by MBI:

392.220	File tariffs with the Commission.	4 CSR 240-10.020	Income on depreciation fund investments.
392.230	Charges for short and long distance service.	4 CSR 240-30.040	Uniform system of accounts
392.370(4)	Submission of cost information.	4 CSR 240-33.030	Inform customers of lowest priced services.
392.370(5)	Application of 392.220 and 392.230 for transitionally competitive services.	4 CSR 240-33.040(5)	Finance fee.
392.390(3)	Separations reports.	4 CSR 240-3.545(2)(C)	Posting exchange rates in central office.
392.500	Changes in rates.		
392.240(1)	Rates-reasonable average return on investment.		
392.270	Property valuation.		
392.280	Depreciation rates.		
392.290	Issuance of stocks and bonds.		
392.310	Issuance of stocks and bonds.		
392.320	Issuance of stocks and bonds.		
392.330	Issuance of stocks and bonds.		
392.340	Reorganization.		

- ☒ The Company is not delinquent in filing an annual report or paying the PSC assessment.
- ☐ The Company is delinquent. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.
- ☐ No annual report.      ☐ Unpaid PSC assessment.    Amount owed: \_\_\_\_\_

