

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

In the Matter of the Application of Velocity)	
The Greatest Phone Company Ever, Inc.)	
For a Certificate of Service Authority to Provide)	<u>File No. XA-2010-0113</u>
Interexchange Telecommunications Services)	Tracking No. YX-2010-0262
And to Classify Said Services and the Company)	
as Competitive)	

**ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE
AUTHORITY AND ORDER APPROVING TARIFF**

Issue Date: December 4, 2009

Effective Date: December 14, 2009

Velocity The Greatest Phone Company Ever, Inc. (Velocity) applied to the Missouri Public Service Commission on October 13, 2009, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 2000. Velocity asked the Commission to classify it as a competitive company and to waive certain statutes and rules as authorized by Sections 392.361 and 392.420, RSMo Supp. 2008. Velocity is a Delaware corporation with its principal office located at 7130 Spring Meadows West Dr., Holland, Ohio 43528.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on October 13, 2009, directing parties wishing to intervene to file their requests by October 28, 2009. No requests for intervention were filed.

Velocity filed a proposed tariff in conjunction with its application with an effective date of November 26, 2009. Subsequently, the Commission suspended the operation of that tariff until December 26, 2009. Velocity's tariff describes the rates, rules, and

regulations it intends to use, identifies Velocity as a competitive company, and lists the waivers requested. Velocity intends to provide interexchange telecommunications services within the State of Missouri.

In its Memorandum filed on December 3, 2009, the Staff of the Commission recommended the Commission grant Velocity a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended the Commission approve the suspended tariff.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Velocity shall be granted a certificate of service authority. The Commission finds that the services Velocity proposes to offer are competitive and Velocity shall be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission finds that Velocity's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission finds that the proposed tariff filed on October 13, 2009, shall be approved to become effective concurrent with this order.

The Commission reminds the company that failure to comply with its regulatory obligations may result in the assessment of penalties against it. These regulatory obligations include, but are not limited to, the following:

A) The obligation to file an annual report, as established by Section 392.210, RSMo 2000. Failure to comply with this obligation will make the utility liable to a penalty of

\$100 per day for each day that the violation continues. 4 CSR 240-3.540 requires telecommunications utilities to file their annual report on or before April 15 of each year.

B) The obligation to pay an annual assessment fee established by the Commission, as required by Section 386.370, RSMo 2000.

C) The obligation to comply with all relevant laws and regulations, as well as orders issued by the Commission. If the company fails to comply, it is subject to penalties for noncompliance ranging from \$100 to \$2,000 per day of noncompliance, pursuant to Section 386.570, RSMo 2000.

D) The obligation to keep the Commission informed of its current address and telephone number.

Furthermore, the company is reminded that, as a corporation, non-attorneys may not represent the company before the Commission. Instead, the corporation must be represented by an attorney licensed to practice law in Missouri.

In addition, the company is reminded that Section 392.410.5, RSMo Supp. 2008, renders the company's certificate of service authority null and void one year from the date of this order unless it has exercised its authority under that certificate.

THE COMMISSION ORDERS THAT:

1. Velocity The Greatest Phone Company Ever, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. The certification granted herein is conditioned upon the company's compliance with the regulatory obligations in this order.

3. Velocity The Greatest Phone Company Ever, Inc. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

- 392.210.2 - uniform system of accounts
- 392.240.1 - rates-rentals-service & physical connections
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

Commission Rules

- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts

4. The tariff filed by Velocity The Greatest Phone Company Ever, Inc. on October 13, 2009, under tariff tracking number YX-2010-0262, previously suspended until December 26, 2009, is approved to become effective on December 14, 2009. The tariff approved is:

P.S.C. Mo. Tariff No. 1

5. This order shall become effective on December 14, 2009.

6. This case may be closed on December 15, 2009.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Morris L. Woodruff, Chief Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of December, 2009.