

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

In the Matter of the Application of)	
Crexendo Business Solutions, Inc. for a)	
Certificate of Service Authority to Provide)	<u>File No. XA-2011-0010</u>
Interexchange Telecommunications Services)	Tracking No. YX-2011-0021
and to Classify Said Services)	
and the Company as Competitive)	

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

Issue Date: August 10, 2010

Effective Date: August 23, 2010

The Missouri Public Service Commission is approving the application for a certificate of service authority (application), and accompanying tariff, of Crexendo Business Solutions, Inc. (Applicant) to provide interexchange telecommunications services.

Applicant is an Arizona corporation with its principal office located at 10201 South 51st Street, Phoenix, Arizona 85044. Applicant filed the application on July 9, 2010, with a tariff bearing an effective date of August 23, 2010. Applicant asks the Commission to certify it to provide interexchange telecommunications services, classify it as a competitive company, and to waive certain statutes and regulations as authorized by Sections 392.361 and 392.420, RSMo Supp. 2009, and approve its tariff. Applicant' tariff describes the rates and service standards it intends to use, identifies Applicant as a competitive company, and lists the waivers requested.

The Commission issued an *Order Directing Notice Of Application and Opportunity to Intervene and Filing of Recommendation* on July 12, 2010, directing parties wishing to intervene to file their requests by July 19, 2010. The Commission received no request for intervention. In the *Staff Report and Recommendation* filed on August 10, 2010, the Commission's Staff recommends that the Commission grant the Applicant a certificate of

interexchange service authority. Staff also recommended that the Commission grant Applicant competitive status and waive the statutes and regulations listed in the Notice. Staff further recommended that the Commission approve the proposed tariff to become effective on August 23, 2010. Staff's recommendations are subject to two conditions set forth in the ordered paragraphs below.

The Commission finds that competition in the interexchange telecommunications markets is in the public interest. The Commission finds that the services Applicant proposes to offer are competitive and Applicant shall be classified as a competitive company. The Commission finds that waiving the statutes and Commission regulations set out in the ordered paragraph below is reasonable and not detrimental to the public interest. The Commission finds that Applicant' proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. Therefore, the Commission will grant the application, issue a certificate of interexchange service authority, and approve the tariff to become effective on August 23, 2010.

The Commission reminds the Applicant 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.

Further, the company is reminded that, if it is 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. 2009, 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. Crexendo Business Solutions, Inc. is granted a certificate of service authority to provide interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission regulations except as specified in this order.

2. The certification granted herein is conditioned upon applicant's compliance with the regulatory obligations in this order and the following conditions:

a. The applicant's originating and terminating access rates shall not exceed the access rates of the incumbent local exchange company against whom the applicant is competing pursuant to Sections 392.361.6 and 392.370 RSMo.

b. If the directly competing ILEC, in whose service area the applicant is operating, decreases its originating and/or terminating access service rates, the applicant shall file an appropriate tariff amendment to reduce its originating

and/or terminating access rates in the directly competing ILEC's service area within 30 days of the directly competing ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap.

3. Crexendo Business Solutions, Inc. is classified as a competitive telecommunications company and its interexchange services are classified as competitive.
4. The following statutes and regulatory regulations 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 Regulations

4 CSR 240-3.550(5)(C)	-	exchange boundary map
4 CSR 240-10.020	-	depreciation fund income
4 CSR 240-30.040	-	uniform system of accounts

5. The tariff to which the Commission assigned tracking YX-2011-0021 is approved to become effective on August 23, 2010.
6. The specific tariff sheets approved are:

P.S.C. MO. Tariff No. 1

- Original Title Sheet**
- Original Sheet 1**
- Original Sheet 2**
- Original Sheet 3**
- Original Sheet 4**
- Original Sheet 5**
- Original Sheet 6**
- Original Sheet 7**
- Original Sheet 8**

Original Sheet 9
Original Sheet 10
Original Sheet 11
Original Sheet 12
Original Sheet 13
Original Sheet 14
Original Sheet 15
Original Sheet 16
Original Sheet 17
Original Sheet 18
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Original Sheet 22
Original Sheet 23
Original Sheet 24
Original Sheet 25
Original Sheet 26
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Original Sheet 28
Original Sheet 29
Original Sheet 30
Original Sheet 31
Original Sheet 32

7. This order shall become effective on August 23, 2010.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Jordan, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of August 2010.