

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

In the Matter of the Application of Lattice)	
Incorporated for a Certificate of Service Authority)	<u>File No. XA-2013-0506</u>
to Provide Competitive Intrastate Interexchange)	Tariff No. YX-2013-0581
Telecommunications Services Including)	
Operator Services with the State of Missouri)	

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

Issue Date: June 27, 2013

Effective Date: July 15, 2013

This order grants Lattice Incorporated a certificate of service authority to provide interexchange telecommunications services and approves the company's proposed tariff.

Lattice Incorporated applied to the Public Service Commission on May 31, 2013, for a certificate of service authority to provide interexchange telecommunications services and operator services and for competitive classification in Missouri under Section 392.440, RSMo 2000. Lattice asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420, RSMo. Lattice is a Delaware corporation with its principal office located at 7150 N. Park Drive, Suite 500, Pennsauken, New Jersey, 08109.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on May 31, 2013, setting June 20 as the deadline for requests to intervene. No requests to intervene were filed.

Lattice filed a proposed tariff in conjunction with its application and filed a substitute sheet on June 21. The effective date of the tariff is July 15, 2013. Lattice's tariff describes the rates, rules, and regulations it intends to use, identifies Lattice as a competitive

company, and lists the waivers requested. Lattice intends to provide interexchange telecommunications services including operator services.

In its Memorandum filed on June 20, 2013, the Staff of the Commission recommended that the Commission grant Lattice a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff as amended to become effective on July 15, 2013.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Lattice shall be granted a certificate of service authority. The Commission finds that the services Lattice proposes to offer are competitive, and Lattice 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 Lattice's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on May 31, 2013, shall be approved as amended to become effective beginning July 15, 2013.

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, 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, 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.

Finally, Lattice will undertake all necessary measures to ensure its contracts with underlying carriers do not contain provisions preventing delivery of traffic to any telephone exchange area of Missouri. Such measures include but are not limited to:

1. Prevention of call blocking or call gapping based on the cost of traffic termination.
2. Preventing the alteration or stripping of Calling Party Number Identification.
3. Ensuring sufficient network capacity exists to process all tariff according to industry accepted practices.

THE COMMISSION ORDERS THAT:

1. Lattice Incorporated is granted a certificate of service authority to provide interexchange telecommunications and operator 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. Lattice Incorporated 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 - 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 240-3.520 - transfer of assets
- 4 CSR 240-3.525 - merger/consolidation
- 4 CSR 240-3.530 - stock issuance and loan debt
- 4 CSR 240-3.535 - stock acquisition
- 4 CSR 240-3.545(8)(C) - listing of waivers in tariff
- 4 CSR 240-3.550 - records/reports (except (5)(B), (D) and (E))
- 4 CSR 240-3.555 - residential customer inquiries
- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts
- 4 CSR 240-32.010 - general provisions
- 4 CSR 240-32.040 - metering, inspections and tests
- 4 CSR 240-32.050 - customer service
- 4 CSR 240-32.060 - engineering and maintenance
- 4 CSR 240-32.070 - quality of service
- 4 CSR 240-32.080 - service objectives and surveillance levels

- 4 CSR 240-32.090 - connection of equipment and inside wiring
- 4 CSR 240-32.100 - provision of basic local and IXC services
- 4 CSR 240-32.130-170 -prepaid calling cards (except 32.140 and 32.150(1))
- 4 CSR 240-32.180-190- caller ID blocking requirements
- 4 CSR 240-33.010 - service and billing practice general provisions
- 4 CSR 240-33.040 - billing and payment standards
- 4 CSR 240-33.045 - identification/placement of charges on bills
- 4 CSR 240-33.050 - deposits
- 4 CSR 240-33.060 - residential customer inquiries
- 4 CSR 240-33.070 - quality of service
- 4 CSR 240-33.080 - disputes by residential customers
- 4 CSR 240-33.090 - settlement agreements with residential customers
- 4 CSR 240-33.130 - operator service requirements
- 4 CSR 240-33.140 - payphone requirements (except(2))
- 4 CSR 240-33.150 - "anti-slamming" requirements
- 4 CSR 240-33.160 - customer proprietary network information

4. The tariff filed by Lattice Incorporated, under tariff number YX-2013-0581, is approved, as amended, to become effective on July 15, 2013.

5. This order shall become effective on July 15, 2013.

6. This file may be closed on July 16, 2013.

BY THE COMMISSION



Morris L. Woodruff
Secretary

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 27th day of June, 2013.