

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No: **CA-2013-0492** File No:

Applicant: **Giant Communications, Inc.**

From: Contessa Poole-King
Telecommunications Unit

John Van Eschen
Tariff, Safety, Economic and Engineering Analysis

Subject: Staff Recommendation for Approval of Certificate

Date: June 4, 2013

The Telecommunications Unit Staff (Staff) recommends the applicant be granted the following certificate(s), as indicated below, to be effective on the same date the tariff becomes effective:

☐ certificate to provide basic local exchange telecommunications services in the following service areas.

- ☐ All of AT&T Missouri
- ☐ All of CenturyLink
- ☐ All of Spectra
- ☐ Statewide
- ☐ Other _____ (please describe)

☒ certificate to provide interexchange telecommunications services.

☒ certificate to provide local exchange telecommunications services.*

*local exchange authority should be restricted to dedicated, private line services.

Staff recommends the applicant and its services receive competitive classification. Staff further recommends a Commission order granting certification state that pursuant to Section 392.410 RSMo, unless exercised within a period of one year from the issuance thereof, authority conferred by a certificate of service authority shall be null and void. In addition, Staff recommends approval of the waivers listed in the Notice.

Granting a certificate to provide basic local exchange telecommunications services should be based on the following two conditions:

1. 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.
2. 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.

☐ No objection to tariffs taking effect:
Effective Date:

- ☒ Tariff was not submitted with application.
- Applicant chooses to make available all retail telecommunications services only on its website at <http://www.giantcomm.net>

Review Items for IXC, Non-switched Local and CLEC Certificate Applications (as required by 4 CSR 240-2.060):

- ☒ Proper Secretary of State authorization
- ☒ Statement of character of business performed.
- ☒ Statement declaring no pending action or final unsatisfied judgments
- ☒ Statement declaring no overdue annual reports/assessment fees
- ☒ Application includes an affidavit.
- ☒ The applicant is requesting waivers of rules or statutes previously granted to a competitively classified company.
- ☒ Application shows that grant of authority is in the public interest (as required by 392.430/.440).

Additional Review Items for CLEC Applications (as required by 392.455):

- ☐ Possesses sufficient technical and managerial resources and abilities.
- ☐ Applicant has provided an affidavit attesting that the company possesses sufficient financial resources.
- ☐ Statement that the applicant will satisfy the minimum standards established by the commission.
- ☐ Identifies geographic area (no smaller than an exchange).
- ☐ Statement that applicant will give equitable access to all Missourians.

Under penalty of perjury, I affirm that the above statement is true and correct.


