

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

In the Matter of the Application of Broadvox-CLEC, LLC)	
for a Certificate of Service Authority to Provide)	
Interexchange Telecommunications Services and to)	<u>Case No. CA-2009-0360</u>
Classify Such Services and the Company as Competitive)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and for its *Staff Recommendation* states the following:

1. On April 2, 2009, Broadvox-CLEC, LLC (Broadvox-CLEC or the Company) filed an *Application* with the Missouri Public Service Commission (the Commission) seeking authority to provide resold and facilities-based/UNE basic local exchange telecommunications services in portions of the State of Missouri. The Company also requested competitive classification and a waiver of the corresponding statutory and Commission rule obligations.

2. On April 3, 2009, the Commission issued its *Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene*, directing interested parties to file applications to intervene by April 18, 2009.

3. On May 5, 2009, the Commission issued its *Order Directing Filing*, directing Staff to file a recommendation in this matter no later than May 28, 2009.

4. Commission Rule 4 CSR 240-3.510(1)(D)1.B states that if an application is for basic local exchange service authority that in addition to the requirements outlined in 4 CSR 240-2.060(1) such applicant shall submit on a pro forma basis, at least twelve (12) months of financial statements comprised of a balance sheet and an income statement.

5. The *Application* filed by Broadvox-CLEC does not contain the pro forma financial information required by Commission Rule 4 CSR 240-3.510(1)(D)1.B.

6. Staff cannot formulate a recommendation in this matter with the required financial information.

WHEREFORE, Staff submits this information to the Commission.

Respectfully submitted,

/s/ Eric Dearmont

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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 27th day of May, 2009.

/s/ Eric Dearmont