

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Chariton Valley)
Telecom Corporation for a Certificate of Service) **Case No. CA-2006-0160**
Authority to Provide Interexchange)
Telecommunications Service within Missouri.)

ORDER APPROVING INTEREXCHANGE
CERTIFICATE OF SERVICE AUTHORITY

Issue Date: November 23, 2005

Effective Date: December 3, 2005

This order grants Chariton Valley Telecom Corporation (Chariton) a certificate of service authority to provide interexchange telecommunications services.

Chariton Valley Telecom Corporation (Chariton) applied to the Missouri Public Service Commission on October 11, 2005, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 2000.¹ The company filed an amended application on October 14. Chariton intends to provide interexchange telecommunications services including interLATA and intraLATA interexchange services. Chariton 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. Chariton also requested a waiver for not filing a proposed tariff with its

¹ All statutory references are to the Revised Statutes of Missouri (RSMo), revision of 2000, unless otherwise indicated.

application.² Chariton is a Missouri corporation with its principal office located at 109 Butler Street, Macon, MO 63552.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on October 18, 2005, directing those wishing to intervene to file their requests by November 2, 2005. No requests for intervention were filed.

In its Memorandum filed on November 10, 2005, the Staff of the Commission recommended that the Commission grant Chariton a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Chariton shall be granted a certificate of service authority. The Commission finds that the services Chariton proposes to offer are competitive and Chariton 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 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

² As revised on September 30, 2005, 4 CSR 240-3.510(1)(C) makes the filing of a tariff with the application optional.

\$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 Supp. 2004, 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.

IT IS THEREFORE ORDERED:

1. That Chariton Valley Telecom Corporation 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. That the certification granted herein is conditioned upon the company's compliance with the regulatory obligations in this order.

3. That Chariton Valley Telecom Corporation 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 CSR 240-3.550(5)(C) - exchange boundary maps

4. That Chariton Valley Telecom Corporation shall not operate until it has an effective tariff.

5. That Chariton Valley Telecom Corporation shall **not** file its proposed tariff in this case but shall file its tariff under a new case.

6. That this order shall become effective on December 3, 2005.
7. That this case may be closed on December 4, 2005.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

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

Dated at Jefferson City, Missouri,
on this 23rd day of November, 2005.