

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

In the Matter of the Application of NextGen Communications, Inc.)
for a Certificate of Service Authority to Provide Basic Local)
Telecommunications Services in the State of Missouri and to) **File No. CA-2011-0053**
Classify Said Services and the Company as Competitive.)

STAFF STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned counsel, and hereby respectfully requests that the Missouri Public Service Commission (“Commission”) and submits this Status Report.

On August 25, 2010, the above-referenced company filed an application for a certificate of service authority to provide basic local telecommunications service, among other things. No tariff effective date applies in this matter, as the tariff submitted by the Company is for illustrative purposes only. Having reviewed the application and that tariff, the Staff has questions about the Company’s proposed services and about the wording of certain elements of its tariff, which are discussed in greater detail in the Staff’s First Status Report, attached hereto and marked “Attachment A”.

WHEREFORE, the Staff submits its Status Report.

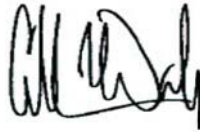
Respectfully submitted,



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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 10th day of September, 2010.

A handwritten signature in black ink, appearing to be "All the way" or similar, written in a cursive style.

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No. CA-2011-0053

From: William Voight
Supervisor, Rates and Tariffs
Telecommunications Department

Subject: Staff's First Status Report

Date: September 10, 2010

On August 25th, NextGen Communications, Inc. (NextGen) applied for a Certificate of Service Authority to Provide Basic Local Telecommunications Service. Although NextGen seeks to obtain certification to provide basic local exchange telephone service, NextGen states that it does not intend to provide local or interexchange telephone service (paragraphs 4 & 8). Rather, NextGen states that it only intends to provide certain emergency telephone services to other telecommunications carriers and Voice over Internet Protocol (VoIP) telephone companies. According to its application, NextGen also intends to provide its services to municipal, county and state governments, and to certain "private enterprises" obligated to route emergency telephone calls to appropriate Public Safety Answering Points (PSAPs) throughout Missouri.

NextGen requests that the Commission grant authority for it to aggregate and transport emergency telephone calls to PSAPs, and to manage and transmit location routing information to Missouri's PSAPs.

On August 26th, the Commission ordered Staff to file a recommendation or status report no later than September 17th. Staff finds that NextGen's application is a case of first impression that raises significant public policy considerations. For example:

In support of its application, NextGen has submitted a 26 page draft tariff (Exhibit C, attached as part of NextGen's SEC 10Q filing) and states that it will file its tariff consistent with similar cases. Staff wishes to note that there are no cases similar to that of NexGen's. Staff finds numerous areas of potential concern with NextGen's draft tariff. For example, Staff is concerned that NextGen's tariff attempts to place unnecessary and burdensome restrictions and obligations on county and municipal governments. Staff suggests that perhaps a better way would be for NextGen to negotiate such restrictions with its PSAP, wireless and VoIP customers. Staff is concerned that NextGen's tariff contemplates customer-specific pricing beyond that contemplated in Subsection 392.200.8 RSMo. In summary, Staff has concerns that NextGen is attempting to use the tariff approval process to place extraordinary restrictions on other companies and governmental entities which should be subject to further negotiations.

NextGen states that it aggregates emergency calls; however, the company offers no explanation of the level of aggregation. Staff would seek assurances from NextGen that its level of aggregation will not be disruptive to emergency calling.

NextGen seeks certification to provide local exchange telephone service and states that such certification will enable it to acquire telephone numbering resources. NextGen states that local certification under these circumstances is in furtherance of Federal Communications Commission (FCC) objectives. Staff would seek assurances from NextGen that its objectives of local certification are not only necessary to provide emergency telephone service, but that local exchange certification is in furtherance of FCC objectives, especially as it pertains to numbering resources.

NextGen states that it is a subsidiary of TeleCommunication Systems, Inc, (TCS) a leading VoIP provider. Staff would seek to know if TCS operates as an Interconnected VoIP provider in Missouri, and whether the company intends to seek authorization as such from the MoPSC.

For these and other reasons, the Staff requests it be granted an additional 45 days to file a recommendation or further status report.

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Case No. CA-2011-0053

AFFIDAVIT OF William Voight

STATE OF MISSOURI)
) ss:
COUNTY OF COLE)

William Voight, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that he has participated in preparing the accompanying Staff Status Report, and that the facts therein are true and correct to the best of his knowledge and belief.

Bill Voight

WILLIAM VOIGHT

Subscribed and affirmed before me this 10th day of September 2010.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086

Susan L. Sundermeyer

NOTARY PUBLIC