

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
CommPartners, LLC, for a Certificate)
of Service Authority to Provide Intrastate)
Interexchange and Non-switched)
Local Telecommunications Services within)
the State of Missouri and for Competitive)
Classification)

Case No. LA-2006-0311

ORDER APPROVING INTEREXCHANGE
AND NONSWITCHED LOCAL EXCHANGE
CERTIFICATE OF SERVICE AUTHORITY

Issue Date: March 1, 2006

Effective Date: March 11, 2006

Syllabus: This order grants CommPartners, LLC, a certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services, and classifies the company and its services as competitive.

CommPartners, LLC, (CommPartners) applied to the Missouri Public Service Commission on January 30, 2006, for a certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Sections 392.410, RSMo Supp. 2005, through 392.450, RSMo 2000.¹ CommPartners asked the Commission to classify it as a competitive company and to waive certain statutes and rules as authorized by Sections 392.361 and 392.420. CommPartners

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

is a Nevada corporation, authorized to do business in Missouri, with its principal office located at 3291 North Buffalo Drive, Suite 8, Las Vegas, Nevada 89129.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on February 7, 2006, directing parties wishing to intervene to file their requests by February 22, 2006. No requests for intervention were filed. CommPartners stated in its Application that it will separately submit a proposed tariff or adoption notice with an effective date not fewer than 45 days after its issue date.

CommPartners intends to provide interexchange and nonswitched local exchange telecommunications services to residential and business customers throughout the state of Missouri.

In its Memorandum filed on February 27, 2006, the Staff of the Commission recommended that the Commission grant CommPartners a certificate of interexchange service authority and a certificate of service authority for local exchange telecommunications service on condition that this authority be restricted to providing dedicated, private line services. Staff recommended that the Commission grant CommPartners competitive status and waiver of the statutes and rules listed in the Notice of Applications.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and CommPartners should be granted certificates of service authority. The Commission finds that the services CommPartners proposes to offer are competitive and CommPartners should 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 \$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, its officers 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. 2005, 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 ORDERED THAT:

1. CommPartners, LLC, 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. CommPartners, LLC, is granted a certificate of service authority to provide nonswitched local exchange telecommunications services in the state of Missouri, limited to providing dedicated, private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. CommPartners, LLC, 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. Prior to delivering services under its certificate of service authority, CommPartners, LLC, shall file, in a separate case, tariff sheets with an effective date which is not fewer than 45 days from the issue date and which reflects the rates, rules,

regulations and the services it will offer. The tariff shall also include a listing of the statutes and Commission rules waived above.

5. This order shall become effective on March 11, 2006.
6. This case may be closed on March 12, 2006.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Steven C. Reed, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 1st day of March, 2006.