

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Pacific South)
Telecom, Inc. for a Certificate of Service Authority)
to Provide Competitive Intrastate Interexchange) **Case No. LO-2008-0294**
Telecommunications Services Including Operator)
Services in Missouri)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE
AUTHORITY

Issue Date: April 3, 2008

Effective Date: April 13, 2008

Syllabus: This order grants Pacific South Telecom, Inc. ("Pacific"), a certificate of service authority to provide interexchange telecommunications services.

On March 7, 2008,¹ Pacific applied to the Missouri Public Service Commission for a certificate of service authority to provide intrastate interexchange telecommunications services including operator services between and among locations in Missouri pursuant to Commission rule 4 CSR 240-33.130, Section 392.440 and Section 392.515.² Pacific also 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. Pacific is a Texas corporation with its principal office located at 3419 Westminster Avenue, Suite 312, Dallas, Texas 75205.

¹ All dates throughout this order refer to the year 2008 unless otherwise noted.

² All statutory references are to the Revised Statutes of Missouri (RSMo), revision of 2000, unless otherwise indicated.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on March 11, directing parties wishing to intervene to file their requests by March 26. No requests for intervention were filed.

In its Memorandum filed on April 1, the Staff of the Commission recommended that the Commission grant Pacific 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 Pacific shall be granted a certificate of service authority. The Commission finds that the services Pacific proposes to offer are competitive and Pacific 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 \$100 per day for each day that the violation continues. Commission Rule 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 for each offense, 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.

Pacific did not file a proposed tariff as part of its application. The Commission's regulations do not require that such a tariff be filed along with an application for a certificate, but Pacific is reminded that, pursuant to Commission Rule 4 CSR 240-3.510(1)(C), it cannot provide service in Missouri until its tariff is approved by this Commission. 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. Pacific South Telecom, Inc., is granted a certificate of service authority to provide intrastate interexchange telecommunications services, including operator services, in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. The certification granted herein is conditioned upon the company's compliance with the regulatory obligations in this order.

3. Pacific South Telecom, Inc., is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

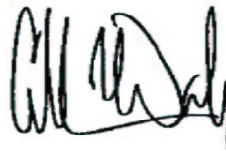
- 392.210.2 - uniform system of accounts
- 392.240.1 - rates-rentals-service & physical connections
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.300.2 - acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock 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. This order shall become effective on April 13, 2008.
- 5. This case may be closed on April 14, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of April, 2008.