

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

May 2, 2000

**CASE NO: TA-2000-691, TA-2000-693, TA-2000-664
TA-2000-685, TA-2000-692**

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

Mark W. Comley
Newman Comley & Ruth P. C.
601 Monroe Street, Suite 301
Jefferson City, MO 65102

Sheldon K. Stock
Greensfelder, Hemker & Gale, PC
2000 Equitable Building
10 South Broadway
ST. Louis, MO 63102

James M. Fischer, Esq.
Fischer & Dority, P.C.
101 West McCarty Street, Suite 215
Jefferson City, MO 65101

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Russell M. Blau/Tony S. Lee
Swidler Berlin Shereff Friedman, LLP
3000 K Street
Washington, DC 20007

**Gerald J. Waldron/Mary Newcomer
Williams**
Covington & Burling
1201 Pennsylvania Avenue, N. W.
Washington, D.C. 20004-2401

Enclosed find certified copy of a NOTICE in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copies:
To all Interexchange and basic local telecommunications companies

BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

NOTICE OF APPLICATIONS FOR INTRASTATE CERTIFICATES OF SERVICE AUTHORITY AND OPPORTUNITY TO INTERVENE

YOU ARE NOTIFIED THAT each applicant listed in the schedules accompanying this notice has applied to the Commission for a certificate of service authority to provide intrastate telecommunications services. The certificate requested may be for provision of: 1) interexchange, 2) nonswitched local exchange, or 3) basic local exchange telecommunications services, or a combination thereof under Sections 392.410 through 392.455¹. Each applicant has requested competitive classification and either filed a proposed tariff with a 45-day effective date or requested a temporary waiver of 4 CSR 240-2.060(4) (H).

The Commission must find that the grant of service authority is in the public interest. § 392.440. Applications for authority to provide basic local services must comply with § 392.455. The Commission may classify a company as competitive if it finds that all the telecommunications services the company offers are competitive services. § 392.361.3. If the Commission's Staff makes a favorable recommendation and no request for hearing is filed, the Commission may act upon a verified application without hearing. State ex rel. Deffenderfer v. P.S.C., 776 S.W.2d 494 (Mo. App. 1989). The Commission ordinarily waives the application of the statutes and Commission rules listed below for competitive companies.

WAIVERS FOR COMPETITIVE BASIC LOCAL EXCHANGE CARRIERS:

<u>Statutes</u>	<u>Commission Rules</u>
392.210.2	4 CSR 240-10.020
392.240(1)	4 CSR 240-30.010(2)(C)
392.270	4 CSR 240-30.040
392.280	4 CSR 240-32.030(4)(C)
392.290	4 CSR 240-33.030
392.300.2	4 CSR 240-35
392.310	
392.320	
392.330	
392.340	

¹ Statutory references are to the Revised Statutes of Missouri 1994 with the exception of §§ 392.330 and 392.455 found in the 1999 Supplement.

WAIVERS FOR INTEREXCHANGE & NONSWITCHED LOCAL EXCHANGE CARRIERS:

<u>Statutes</u>	<u>Commission Rules</u>
392.210.2	4 CSR 240-10.020
392.240(1)	4 CSR 240-30.010(2)(C)
392.270	4 CSR 240-30.040
392.280	4 CSR 240-33.030
392.290	4 CSR 240-35
392.300.2	
392.310	
392.320	
392.330	
392.340	

If an applicant requests waiver of a provision that is not listed, the request will be specifically noted in the Schedule of Applicants. If you wish to contest whether it is in the public interest to grant an applicant a certificate of service authority or competitive status, you may file a written application to intervene. **PLEASE NOTE:** the intervention period for an interexchange or nonswitched local exchange application is 15 DAYS (unless otherwise noted); the intervention period for a competitive basic local exchange application is 30 DAYS (unless otherwise noted). Address your application to intervene to the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and serve copies on the applicant, the applicant's attorney, and all intervenors. You may obtain a copy of an application for service authority filed with the Commission by sending a written request to the Secretary at the above address.

BY THE COMMISSION

(S E A L)



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Nancy Dippell, Senior Regulatory
Law Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1)
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 2nd day of May, 2000.

**SCHEDULE OF APPLICANTS FOR BASIC LOCAL AND NONSWITCHED
LOCAL EXCHANGE SERVICE AUTHORITY**

**Missouri Public Service Commission
May 2, 2000**

INTERVENTION DEADLINE: June 1, 2000

Case No. TA-2000-691

RLJ: Ruth

Applicant:

OnSite Access Local, LLC
1372 Broadway, Second Floor
New York, New York 10018

Tariff Effective: Waiver requested

Attorneys:

Mark W. Comley, Esq.
Newman, Comley & Ruth, P.C.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, Missouri 65102

Russell M. Blau, Esq.
Tony S. Lee, Esq.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007

Applicant requests a certificate of service authority to provide basic local exchange telecommunications services in exchanges served by Southwestern Bell Telephone Company, GTE Midwest Incorporated, and Sprint Missouri, Inc. d/b/a Sprint. Applicant requests classification as a competitive company and the standard waivers, except Applicant requests waiver of Section 392.290.1 instead of Section 392.290.

Case No. TA-2000-693

RLJ: Ruth

Applicant:

Telistar Communications, LLC
3116 West Tracy Court
Springfield, Missouri 65807

Tariff Effective: Waiver requested

Attorney:

Mark W. Comley, Esq.
Newman, Comley & Ruth, P.C.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, Missouri 65102

Applicant requests a certificate of service authority to provide basic local exchange telecommunications services in exchanges served by Southwestern Bell Telephone Company, GTE Midwest Incorporated, and Sprint Missouri, Inc. d/b/a Sprint. Applicant requests classification as a competitive company and the standard waivers.

**SCHEDULE OF APPLICANTS FOR INTEREXCHANGE AND
NONSWITCHED LOCAL EXCHANGE SERVICE AUTHORITY**

**Missouri Public Service Commission
May 2, 2000**

INTERVENTION DEADLINE: May 17, 2000

Case No. TA-2000-664

RLJ: Ruth

Applicant:

Pathnet, Inc.

11720 Sunrise Valley Drive

Reston, Virginia 20191

Tariff Effective: Waiver requested

Attorneys:

Sheldon K. Stock, Esq.

Greensfelder, Hemker & Gale, P.C.

2000 Equitable Building

10 South Broadway

St. Louis, Missouri 63102

Gerard J. Waldron, Esq.

Mary Newcomer Williams, Esq.

Covington & Burling

1201 Pennsylvania Avenue, N.W.

Washington, D.C. 20004-2401

Applicant requests a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services and classification as a competitive company. The applicant requests the set of standard waivers for the statutes, but instead of the standard waivers for Commission rules, the applicant requests waiver of the following: 4 CSR 240-10.020; 4 CSR 240-30.010(2)(C); 4 CSR 240-30.040; 4 CSR 240-32.030(1)(B); 4 CSR 240-32.030(1)(C); 4 CSR 240-32.030(2); 4 CSR 240-32.050(3); 4 CSR 240-32.050(4)-(6); 4 CSR 240-32.070(4); 4 CSR 240-33.030; and 4 CSR 240-33.040(5).

Case No. TA-2000-685

RLJ: Woodruff

Applicant:

Fidelity Networks, Inc.

64 North Clark

Sullivan, Missouri 63080

Tariff Effective: June 12, 2000

Attorney:

James M. Fischer, Esq.

Fischer & Dority, P.C.

101 West McCarty Street, Suite 215

Jefferson City, Missouri 65101

Applicant requests a certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services and classification as a competitive company. The applicant is requesting the standard waivers, except it has not requested waiver of 4 CSR 240-35.

Case No. TA-2000-692

RLJ: Ruth

Applicant:

OnSite Access Local, LLC
1372 Broadway, Second Floor
New York, New York 10018

Tariff Effective: June 11, 2000

Attorneys:

Mark W. Comley, Esq.
Newman, Comley & Ruth, P.C.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, Missouri 65102

Russell M. Blau, Esq.
Tony S. Lee, Esq.
Swidler Berlin Shereff Friedman, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007

Applicant requests a certificate of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services and classification as a competitive company with the standard waivers.

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

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 2nd day of May 2000.



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

