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June 2, 2000

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Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. TA-2000-600

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Wm K Haas

William K. Haas
Deputy General Counsel
(573) 751-7510
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WKH/lb
Enclosure
cc: Counsel of Record

FILED²

JUN 2 2000

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

JUN 01 2000

Missouri Public
Service Commission

In the Matter of the Application of Ionex)
Communications, Inc., for a Certificate of)
Service Authority to Provide Basic Local)
Telecommunications Service, for Waiver)
of Certain Statutory and Regulatory)
Provisions, and for Designation as a)
Competitive Telecommunications)
Company.)

Case No. TA-2000-600

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. On March 27, 2000, Ionex Communications, Inc. (Ionex) filed with the Missouri Public Service Commission (Commission) its Application requesting a certificate of service authority to provide basic local telecommunications services. On that date, Ionex also submitted a proposed tariff. On May 1, 2000, Ionex filed a replacement tariff and extended the effective date to June 12, 2000. On May 24, 2000, the parties filed a Unanimous Stipulation And Agreement which requests the Commission to grant Ionex a certificate of service authority to provide basic local telecommunications services, to waive certain statutory and regulatory provisions, and to designate Ionex and its services as competitive. On May 26, 2000, the Staff filed Suggestions In Support Of The Stipulation And Agreement.
2. In the attached Memorandum, which is labeled Appendix A, the Staff addresses Ionex's proposed tariff. The Staff states that the proposed tariff conforms to the Stipulation and Agreement and includes language which is the same or similar to other tariff language previously

approved by the Commission. The Staff recommends that the proposed Ionex original Missouri P.S.C. Local Exchange Tariff No. 3 be approved concurrently with its Application requesting a certificate of service authority to provide basic local telecommunications services.

Respectfully submitted,

DANA K. JOYCE
General Counsel



William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 2nd day of June 2000.




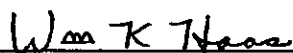
MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. TA-2000-600 File No. 2000 00868
Ionex Communications, Inc.

Docket ID: U5080

FROM: Arthur P. Kuss
Telecommunications Department

 6/2/00
Utility Operations Division/Date

 6/2/00
General Counsel's Office/Date

SUBJECT: Recommendation to Approve Basic Local Telecommunications Services
MO PSC Tariff No. 3 of Ionex Communications, Inc.

EFFECTIVE

DATE: June 12, 2000

DATE: May 31, 2000

Under the Missouri Code of State Regulations Part 4 CSR 240-2.060 (6) (C), application for a certificate of service authority to provide telecommunications services shall include a proposed tariff with an effective date not fewer than forty-five (45) days after the tariff's issue date. On March 27, 2000, **Ionex Communications, Inc.** (Ionex) submitted an Application for a Certificate of Service Authority to Provide Basic Local Telecommunications Services in Missouri (Application), and to classify such services as competitive, to the Public Service Commission (Commission). On the same date, Ionex submitted an original Missouri P.S.C. Local Exchange Tariff No. 1 (tariff) with an appropriate effective date to accompany its Application under Case No. TA-2000-600. On May 01, 2000, Ionex filed a replacement original **Missouri P.S.C. Local Exchange Tariff No. 3** (tariff), as Tariff sequence Nos. 1 and 2 were already on file under the Ionex name. Missouri Tariff No. 1 for Interexchange Services had been approved by the Commission under the name Feist Long Distance Service, Inc. (Feist). This tariff was adopted as Missouri Tariff No. 1 by Ionex upon the purchase and name change of Feist, effective February 04, 2000. Missouri Tariff No. 1 was then superseded and replaced by Ionex's Interexchange Telecommunications Service Missouri P.S.C. Tariff No. 2, effective April 28, 2000.

Pending the Commission's Order granting a Certificate of Service Authority to Ionex to provide basic local telecommunications services in Missouri, a **Unanimous Stipulation and Agreement** was filed on May 24, 2000, in which Ionex proposes to:

- File a written disclosure of all resale or interconnection agreements that will affect its intended Missouri service areas upon submission of its initial tariff.
- Comply with the requirement to file its initial tariff within thirty (30) days of the effective date of the Commission's approval of a resale or interconnection agreement, and notify all affected parties at that time.

- Set its originating and terminating access rates not to exceed those lowest such rates of the underlying ILEC.

On May 24, 2000, Ionex filed a **Notification of Interconnection Agreements** describing the agreements, approved and pending, concerning exchanges currently served by the incumbent Local Exchange Carriers (LECs) Southwestern Bell Telephone Company (SWBT) and Sprint Missouri, Inc. (Sprint). On May 26, 2000, the Staff of the Commission filed **Suggestions in Support of the Stipulation and Agreement**. Ionex's basic local tariff does not offer switched access services. Before beginning to offer access services as a facilities-based CLEC, Ionex has filed **P.S.C. Tariff No. 4** under File No. 200001112, which will offer access services at rates comparable to the largest LEC, SWBT.

I. Background

To promote consideration of its tariff concurrently with its Application, Ionex did not request a waiver of 4 CSR 240-2.060 (6) (C). In the interest of reducing superfluous processing time for review of its tariff, and to support expeditious processing of its Application, Ionex filed its proposed tariff with a 45-day effective date of May 11, 2000. Time to complete text alterations required a request on May 01, 2000, for extension of the filing's Effective Date to June 12, 2000.

Corrections to text required the issuance of a replacement version of all pages of the original tariff No. 3 on May 22, 2000. Further corrections required submission of replacement versions of Original Pages Title, 1, 5, 10, 14, 41, 43, 66, and 89 through 123, on May 24, 2000. An addition to text required a replacement version of Original Pages 3 and 27, received on May 31, 2000.

Ionex's proposed tariff will offer services in exchanges currently served by the incumbent LEC SWBT.

II. Interconnection Agreement

On May 24, 2000, Ionex filed a **Notification of Interconnection Agreements Which Affect Ionex's Proposed Service Areas**. Ionex presently has an interconnection agreement with SWBT, assigned under Case No. TO-2000-274 on December 14, 1999. The interconnection agreement bore the former company name of Feist Long Distance Services, Inc., which was changed to Ionex as of February 24, 2000, as approved by the Commission under Case No. TO-2000-518.

III. Tariff

Subject	Section
1. The proposed tariff includes the following articles:	—
✓ Conforms to Stipulation and Agreement (approval pending).	All
✓ Page format includes the company name, consecutive numbering of pages, Issue and Effective Dates, and the name and address of the issuing officer.	All
✓ The CLEC provides competitive basic local exchange services.	Title
✓ The CLEC offers basic local service as a separate and distinct service.	16.1
✓ A listing of all waivers of Rules and Statutes granted in the Application.	Page 1
✓ Undertaking of the company to provide facilities-based and resold services.	Page 8
✓ The CLEC will provide services to business customers only.	Page 8
✓ A listing of exchanges in which the CLEC proposes to provide service.	13.0
✓ No service area is smaller than an exchange.	13.0
✓ Rates and charges for all regulated services.	16.0
✓ A reseller CLEC is not permitted to provide or charge for switched access.	N/A
2. A listing of terms and conditions for service, including:	—
✓ Company's telephone number to apply for service: 800-479-4824.	Title
✓ The non-recurring service application fees: \$52.25 Business.	15.1
✓ The minimum monthly rate for basic local service will be \$13.50.	16.1
✓ Descriptions of CLEC liabilities and responsibilities	2.0
N/A Statement of Residential Customer Rights and Responsibilities.	N/A
N/A Statement of Residential Emergency Medical Assistance per 4 CSR 240-33.070 (7).	N/A
✓ A minimum thirty (30)-day service period.	2.5.1
✓ A minimum twenty-one (21)-day payment period.	5.2
✓ The deposit interest rate will be 9%.	5.4.10
✓ A delinquent payment penalty of 1.5%.	5.2.6
✓ A one-time charge of \$25.00 for a dishonored personal check.	5.9
✓ A Statement that the rates do not include taxes, Relay Missouri surcharge, E-911 surcharge (if applicable) and franchise fees.	5.8
✓ All other charges are to be submitted to the Commission for approval.	5.8
✓ A procedure and telephone number for complaints and disputes: 800-479-4824.	5.11
N/A Special discount schedule for hearing- or speech-impaired customers.	N/A
3. Notification and other procedures for discontinuing service:	—
✓ Reasons service can be suspended or disconnected [4 CSR 240-33.070 (1)(A ⇒ G)].	5.5
✓ A 10-day minimum notice period and a 24-hour minimum warning contact before disconnection.	5.5.2
✓ Failure to pay charges in dispute or charges not subject to the Commission's jurisdiction does not constitute grounds for disconnection.	5.5.1
✓ A reconnection fee to restore service after a disconnection will be \$20.00.	5.10
✓ Phone number will not be reserved during suspension or disconnection of service.	5.5.7
✓ Compensation adjustment for interruption of service for at least 24 hours.	7.0

4. **Residential customer's cancellation of service:** -----
 - N/A Residential processing fees and recurring charges that are paid at the time of signing the service order will be refunded if the proposed service is canceled before the telephone service has begun. N/A
 - N/A If cancellation is requested within 10 business days following mailing or delivery of the Customer Information Bulletin, fees will be refunded less prorating for the actual number of days during which service was actually provided. N/A
5. **The proposed services include the following:** -----
 - ✓ Basic Local Telephone Service will provide a single voice-grade communications channel, including a telephone number, and a directory listing. 14.1
 - ✓ Place or receive calls within the local calling area. 14.1 (a)
 - ✓ Place or receive calls with toll-free (800) telephone numbers. 14.1 (f)
 - N/A Place long distance calls by prepaid debit calling cards. N/A
 - ✓ Place Operator-assisted (O+) calls. 14.8.1
 - ✓ Local Operator Services. 14.8
 - ✓ Local Directory Assistance services 14.7
 - ✓ Access to long distance or other toll services 14.9
 - N/A Pay telephone service. N/A
 - ✓ Services that may be billed to the customer's telephone number. 14.8.2
 - ✓ PBX trunk service. 14.2
 - ✓ Centrex office service. 14.6
 - ✓ Integrated Services Digital Network (ISDN) 14.5
 - ✓ Facilities-based CLECs - changed number intercept service [4 CSR 240-32.050 (5)]. 2.13
 - ✓ Access to 911 or E911 Emergency Service if available in the customer's calling area. 12.1.3
 - ✓ CLEC is obligated to supply the E-911 Service provider with information necessary to update the E-911 database at the time CLEC submits customer orders to the local exchange company. 12.1.1
6. **Approved tariff language:** -----
 - ✓ Caller ID language is the same or similar to other tariff language approved by the Commission. 14.4.1.J.
 - ✓ CLEC will provide per line blocking of Caller ID at no charge *only* for such entities as domestic violence and law enforcement agencies and residences of their employees/volunteers, when requested by an executive of the agency. 14.4.1.J.
 - ✓ Caller ID service may also be temporarily blocked or unblocked by the customer per individual call by entering an appropriate dial code. 14.4.1.J.
 - ✓ Calling Party Directory Name and/or Number (CPN) will be provided only where facilities are available. 14.4.1.J.
 - ✓ CPN transmitted via Caller ID is for the use of the Caller ID customer and the resale of this information is prohibited by this tariff. 14.4.1.J.
 - ✓ Call Trace language is similar to that approved by the Commission for other CLECs serving SWBT's exchanges. Call Trace will be charged only per activation. 14.4.1.G.

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- ✓ CLEC's promotional tariff language with seven (7) days' notice to the Commission is the same or similar to other tariff language approved by the Commission. 17.0
- ✓ CLEC's ICB tariff language restricted to non-switched local, private lines and Centrex is the same or similar to other tariff language approved by the Commission. 18.0

IV. Summary Recommendation.

The Telecommunications Department Staff (Staff) has reviewed the proposed tariff as amended, and has no objections to Commission approval. Staff recommends that the proposed Ionex Communications, Inc. original Missouri P.S.C. Local Exchange Tariff No. 3 be approved concurrently with its Application for Certificate of Authority to Provide Basic Local Telecommunications Services. The specific tariff sheets recommended for approval are: Original Title Page through Original Page 123. Except as noted above, Staff is unaware of any other filing that may affect, or be affected by, this filing.

**Service List for
Case No. TA-2000-600
June 2, 2000**

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