

JK

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

In the Matter of the Application of	)	
INET Interactive Network System, Inc. for	)	
a Certificate of Service Authority to	)	
Provide Intrastate Interexchange	)	<b>Case No. TA-99-579</b>
Telecommunications Services in the	)	<b>(File No. 9900926)</b>
State of Missouri.	)	

**NOTICE OF DEFICIENCY**

On May 28, 1999, INET Interactive Network System, Inc. (INET) filed its application requesting a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri. INET also filed its proposed tariff (Tariff File No. 9900926) with an effective date of August 25. In its proposed tariff, INET set forth the standard waivers which would be waived as applied to this tariff. The standard waivers listed include:

<u>Statutes</u>	<u>Commission Rules</u>
392.240(1)	4 CSR 240-10.020
392.270	4 CSR 240-30.010(2) (C)
392.280	4 CSR 240-30.040
392.290	4 CSR 240-32.030(1) (B)
392.310	4 CSR 240-32.030(1) (C)
392.320	4 CSR 240-32.030(2)
392.330	4 CSR 240-32.050(3-6)
392.340	4 CSR 240-32.070(4)
	4 CSR 240-33.030
	4 CSR 240-33.040(5)

In Paragraph 9 of its Application, INET requested that the Commission grant the standard waivers of the statutes and rules listed but failed to include the following rules that are included in its proposed tariff: 4 CSR 240-10.020, 4 CSR 240-30.040, 4 CSR 240-32.030(1) (B), and 4 CSR 240-

33.040(5). INET's application is inconsistent with its proposed tariff and is, therefore, deficient. INET is directed to file an amended pleading correcting its request for standard waiver of statutes and rules in such a manner as to be consistent with its proposed tariff no later than June 21, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Dated at Jefferson City, Missouri,  
on this 14th day of June, 1999.

Register, Regulatory Law Judge

RECEIVED

JUN 15 1999

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION

gjk

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

In the Matter of the Application of	)	
INET Interactive Network System, Inc.	)	
for a Certificate of Service Authority	)	<u>Case No. TA-99-579</u>
to Provide Intrastate Interexchange	)	(File No. 9900926)
Telecommunications Services in the	)	
State of Missouri	)	

**ORDER APPROVING INTEREXCHANGE CERTIFICATE OF**  
**SERVICE AUTHORITY AND ORDER APPROVING TARIFF**

INET Interactive Network System, Inc. (INET) applied to the Public Service Commission on May 28, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. INET 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. INET is a California corporation, with its principal office located at 1640 S. Sepulveda Blvd., Suite 320, Los Angeles, California 90025.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on June 8, directing parties wishing to intervene to file their requests by June 23. The Commission also notified INET of an inconsistency with the request of standard waivers of Commission rules between its application and the tariff proposed. On June 21, INET filed an

---

<sup>1</sup> All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

amended application requesting waiver of the additional rules which are included in the standard waiver of statutes and rules.

The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked permission to intervene or requested a hearing, the Commission may grant the relief requested based on the verified application. INET filed a proposed tariff in conjunction with its application with an effective date of August 25. INET's tariff describes the rates, rules, and regulations it intends to use, identifies INET as a competitive company, and lists the waivers requested. INET intends to provide interexchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, and Travel Card services.

In its Memorandum filed on July 19, the Staff of the Commission stated that INET's proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant INET a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff to become effective on August 25.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and INET should be granted a certificate of service authority. The Commission finds that the services INET proposes to offer are

competitive and INET 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 finds that INET's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission finds that the proposed tariff filed on May 28 should be approved to become effective on August 25.

**IT IS THEREFORE ORDERED:**

1. That INET Interactive Network System, Inc. 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. That INET Interactive Network System, Inc. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

**Statutes**

392.240(1)	- ratemaking
392.270	- valuation of property (ratemaking)
392.280	- depreciation accounts
392.290	- issuance of securities
392.310	- stock and debt issuance
392.320	- stock dividend payment
392.340	- reorganization(s)
392.330, RSMo Supp. 1998	- issuance of securities, debts and notes

Commission Rules

4 CSR 240-10.020	- depreciation fund income
4 CSR 240-30.010(2)(C)	- rate schedules
4 CSR 240-30.040	- Uniform System of Accounts
4 CSR 240-32.030(1)(B)	- exchange boundary maps
4 CSR 240-32.030(1)(C)	- record-keeping
4 CSR 240-32.030(2)	- in-state record-keeping
4 CSR 240-32.050(3)	- local office record-keeping
4 CSR 240-32.050(4)	- telephone directories
4 CSR 240-32.050(5)	- call intercept
4 CSR 240-32.050(6)	- telephone number changes
4 CSR 240-32.070(4)	- public coin telephone
4 CSR 240-33.030	- minimum charges rule
4 CSR 240-33.040(5)	- financing fees

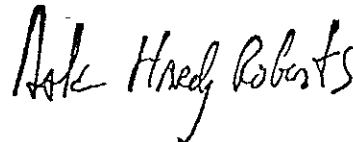
3. That the tariff filed by INET Interactive Network System, Inc. on May 28, 1999, and assigned Tariff File No. 9900926, is approved to become effective on August 25, 1999. The tariff approved is:

P.S.C. Mo. Tariff No. 1

4. That this order shall become effective on August 10, 1999.
5. That this case may be closed after August 26, 1999.

BY THE COMMISSION

( S E A L )



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

Shelly A. Register, 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 August, 1999.

RECEIVED

AUG 02 1999

PUBLIC SERVICE COMMISSION