



STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY October 16, 2000

CASE NO: TA-2000-850

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely, k Hred, Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of WORLDxCHANGE Communications, Inc. for a Certificate of Service Authority to Provide Interexchange Telecommunications Services in the State of Missouri and for Competitive Classification

) Case No. TA-2000-850

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ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

WORLDxCHANGE Communications, Inc. (WCI) applied to the Missouri Public Service Commission (Commission) on June 26, 2000, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. WCI 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. WCI is a Delaware corporation with its principal office located at 945 E. Paces Ferry Road, Suite 2200, Atlanta, Georgia 30326.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on July 11, 2000, directing parties wishing to intervene to file their requests by July 26, 2000. 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. <u>State ex rel.</u> 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 application.

WCI proposed to provide service under the existing interexchange tariff of Communication Telesystems International d/b/a WORLDxCHANGE Communications (CTI). WCI state that a request for approval of merger with CTI is pending in Case No. TM-2000-653. WCI stated that it will either adopt the CTI tariff or file a substantially identical tariff upon approval of the merger transaction. Therefore, WCI requested waiver of Rule 4 CSR 240-2.060(6)(C), which requires the filing of a proposed tariff with an effective date which is not fewer than 45 days from the tariff's issue date.

In its Memorandum filed on September 15, 2000, the Staff of the Commission (Staff) stated that WCI's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant WCI 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 WCI should be granted a certificate of service authority. The Commission finds that the services WCI proposes to offer are competitive and WCI should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules

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

set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission finds that WCI's has stated good cause for waiving the requirements of Commission Rule 4 CSR 240-2.060(6)(C) when it stated that WCI has a pending application for merger with CTI and will adopt its existing upon approval of the merger in that case. Therefore, the Commission will waive Commission Rule 4 CSR 240-2.060(6)(C), and allow WCI to file its proposed tariff with an effective date of no less than 45 days after the approval of its merger application. The Commission will close this case and require the proposed tariff to be filed in a new case.

IT IS THEREFORE ORDERED:

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1. That WORLDXCHANGE Communications, 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 WORLDxCHANGE Communications, 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

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Commission Rules

4 CSR 240-10.020 -	depreciation fund income
4 CSR 240-30.010(2)(C)	 posting of tariffs
4 CSR 240-30.040 -	uniform system of accounts
4 CSR 240-33.030 -	minimum charges
4 CSR 240-35 -	reporting of bypass and
	customer-specific arrangements

3. That Commission Rule 4 CSR 240-2.060(6)(C) shall be waived and WORLDxCHANGE Communications, Inc. shall file its proposed tariff with an effective date of not less than 45 days after the tariff's issue date. The proposed tariffs shall be filed in a new case file and the cover letter shall refer to the proposed tariff as being filed in compliance with the Commission's order in Case No. TA-2000-850.

4. That this order shall become effective on October 26, 2000.

5. That this case may be closed on October 27, 2000.

BY THE COMMISSION

Hok Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

(SEAL)

Shelly A. Register, Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri, on this 16th day of October, 2000.

STATE OF MISSOURI

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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 <u>16th</u> day of Oct. 2000.



Ask Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge