

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 1st
day of June, 2000.

In the Matter of the Application of IDT)	
America, Corp., for Approval of a Transaction)	
Whereby IDT America, Corp., Will Acquire)	<u>Case No. TM-2000-493</u>
Selected Interexchange Customers of MCI)	
WorldCom Communications, Inc.)	

ORDER APPROVING TRANSFER OF ASSETS

On February 10, 2000, IDT America, Corp. (IDT or Applicant), filed its application pursuant to Section 392.300, RSMo Supp. 1999, and 4 CSR 240-2.060(5) for approval of a transaction whereby IDT would acquire certain business and residential customers of MCI WorldCom Communications, Inc. (MCI). IDT also requested a waiver of 4 CSR 240-33.150 regarding customer authorization and verification requirements related to a change of service.

On March 9, 2000, the Commission issued its Notice and Order Directing Supplemental Pleading. IDT responded by filing its Supplement to Application on April 12, 2000. The Commission's Staff filed its recommendation on May 24, 2000.

IDT was authorized to provide interexchange telecommunications services in Missouri by order of the Commission dated November 23, 1998, in Case No. TA-99-97. According to the application, IDT seeks to acquire and serve certain customer accounts currently served by MCI WorldCom Communications (MCI). IDT previously served as an agent for MCI and acquired these customers for MCI. There are 357 residential and business

customers in Missouri affected by this transfer. IDT proposes to provide interexchange telecommunications service to these customers under the same or better rates as provided by MCI.

In support of its request for waiver of the requirements of 4 CSR 240-33.150, IDT proposes to notify these customers prior to the transfer of the change in service provider by a letter; provide for customers to switch to another interexchange service provider, if the customer desires, with IDT reimbursement for primary interexchange carrier (PIC) change charges if imposed by local exchange carriers; provide a toll-free number for customer questions; and provide a second written notice after the transfer is closed.

Staff noted that IDT would have to amend its tariff to provide services to these customers on terms equal or better than presently provided by MCI. Staff did not find any detriment to the public interest related to the proposed transfer. Staff recommended that the Commission grant the waiver of 4 CSR 240-33.150 for good cause, based on the notice procedures proposed by IDT and the opportunity for customers to switch to another provider at IDT's expense. Staff recommended that IDT be directed to make the necessary tariff filing to amend its tariff within 30 days of the effective date of the Commission's order.

The Commission has reviewed the application as supplemented and Staff's recommendation, and finds that the proposed transfer of assets will have no adverse impact on the Missouri customers of IDT or MCI. The Commission finds that the transaction is not detrimental to the public interest and should be approved, and that 4 CSR 240-33.150 may be waived.

IT IS THEREFORE ORDERED:

1. That the application by IDT America, Corp., for approval of a transfer of assets is approved as of the effective date of this order, provided that the transfer may not be finalized until IDT America, Corp., has an effective tariff in place to provide uninterrupted services to the affected customers.

2. That IDT America, Corp., is authorized to take any and all actions necessary to effect the transfer of assets authorized by this order.

3. That 4 CSR 240-33.150, is waived with respect to this transfer, provided that IDT America, Corp., provide the customer notices, options and reimbursements stated in its application.

4. That IDT America, Corp., amend its tariff in compliance with this order and include the applicable services and rates that the affected customers are currently receiving and according to its application, and file the required amendments within 30 days of the effective date of this order.

5. That this order shall become effective on June 13, 2000.

BY THE COMMISSION

(S E A L)



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Lumpe, Ch., Drainer, Murray, and
Schemenauer, CC., concur.

Thornburg, Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION