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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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| In the Matter of the Application of |) | |
| SBC Advanced Solutions, Inc. for a |) | |
| Certificate of Authority to Provide |) | <u>Case No. TA-2000-260</u> |
| Advanced Telecommunications Within the |) | |
| State of Missouri. |) | |

ORDER APPROVING INTEREXCHANGE AND NON-SWITCHED LOCAL
EXCHANGE CERTIFICATE OF SERVICE AUTHORITY

SBC Advanced Solutions, Inc. (Advanced Solutions) applied to the Public Service Commission on September 30, 1999, for a certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services in Missouri under Sections 392.410-.450, RSMo 1994 and RSMo Supp. 1998¹. Advanced Solutions 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. Advanced Solutions is a Delaware corporation, with its principal office located at 1010 North St. Mary's, Room 1400, San Antonio, Texas 78215.

The Commission issued a Notice of Applications and Opportunity to Intervene on October 12, directing parties wishing to intervene to file their requests by October 27. 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.

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

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.

In its Memorandum filed on November 5, the Staff of the Commission recommended that the Commission grant Advanced Solutions a certificate of interexchange service authority and a certificate of service authority for local exchange telecommunication service, on condition that this authority be restricted to providing dedicated, non-switched local exchange private line services. Staff recommended that the Commission grant Advanced Solutions competitive status, and waiver of the statutes and rules listed in the Notice.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets is in the public interest and that Advanced Solutions should be granted certificates of service authority. The Commission finds that the services Advanced Solutions proposes to offer are competitive and Advanced Solutions 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.

In conjunction with its application, Advanced Solutions filed an illustrative tariff without issued or effective dates. The application requests a waiver of 4 CSR 240-2.060(4)(H), which requires the filing of a tariff with a 45-day effective date. The Commission will grant the

requested waiver. However, Advanced Solutions' certificate of service authority will not become effective until its tariffs are filed, approved and become effective.

IT IS THEREFORE ORDERED:

1. That SBC Advanced Solutions, 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 SBC Advanced Solutions, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri, limited to providing dedicated, non-switched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That SBC Advanced Solutions, 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

4. That SBC Advanced Solutions, Inc., is granted a waiver of 4 CSR 240-2.060(4)(H) to permit it to file a tariff with a 45-day effective date subsequent to the issuance of this order.

5. That the certificates of service authority granted to SBC Advanced Solutions, Inc. shall become effective only upon the filing, approval and effective date of its tariffs.

6. That this order shall become effective on November 18, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, 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 8th day of November, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION