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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
Twister Communications Network, Inc. for)	
a Certificate of Service Authority to)	<u>Case No. TA-2000-40</u>
Provide Competitive Intrastate Inter-)	Tariff No. 200000067
exchange Telecommunications Service in)	
Missouri)	

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

Twister Communications Network, Inc. (Twister) applied to the Public Service Commission on July 19, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. Twister 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. Twister is a Texas corporation, with its principal office located at 100 Medical Center Boulevard, Suite 110, Conroe, Texas 77304.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on July 27, 1999, directing parties wishing to intervene to file their requests by August 11, 1999. 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.

Twister filed a proposed tariff in conjunction with its
application with an effective date of September 2, 1999, and filed
substitute sheets on August 18, 1999. Twister's tariff describes the
rates, rules, and regulations it intends to use, identifies Twister as
a competitive company, and lists the waivers requested. Twister
intends to provide interexchange telecommunications services in the
state of Missouri, including 1+, 800/888/877, Directory Assistance,
Debit Card, and Travel Card services.

In its Memorandum filed on August 26, 1999, the Staff of the
Commission (Staff) stated that Twister's proposed services are similar
to existing IXC offerings. Staff recommended that the Commission
grant Twister 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 September 2, 1999.

The Commission finds that competition in the intrastate
interexchange telecommunications market is in the public interest and
that Twister should be granted a certificate of service authority.
The Commission finds that the services Twister proposes to offer are
competitive and Twister 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 Twister'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 July 19, 1999, with substitute sheets filed on August 18, 1999, should be approved to become effective on September 2, 1999.

IT IS THEREFORE ORDERED:

1. That Twister Communications Network, Inc. is granted a certificate of service authority to provide interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That Twister Communications Network, 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 Twister Communications Network, Inc. on July 19, 1999, with substitute sheets filed on August 18, 1999, is approved to become effective on September 2, 1999. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on September 2, 1999.

5. That this case may be closed on September 3, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior 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 30th day of August, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION