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¹ All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated. Applicant cites RSMo Cum. Supp. 1992 which is no longer in use.

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.

Powercom filed a proposed tariff in conjunction with its application with an effective date of January 14, 2000. Powercom's tariff describes the rates, rules, and regulations it intends to use, identifies Powercom as a competitive company, and lists the waivers requested. Powercom intends to provide interexchange telecommunications services, including 1+, 800/888/877, directory assistance, debit card, and travel card services.

On December 8, 1999, the Commission entered its Order Directing Filing, directing Powercom to file a brief statement of the character of the business performed by Powercom pursuant to Commission Rule 4 CSR 240-060(1)(B). On December 15, 1999, Powercom filed its Response to Order Directing Filing, stating that Powercom was currently a reseller of interexchange services, primarily prepaid calling card services, thus curing the deficiency in its original pleadings.

In its Memorandum filed on December 28, 1999, the Staff of the Commission (Staff) stated that Powercom's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Powercom 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 January 14, 2000.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and that Powercom should be granted a certificate of service authority. The Commission finds that the services Powercom proposes to offer are competitive and Powercom 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 Powercom'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 November 30, 1999 should be approved to become effective on January 14, 2000.

IT IS THEREFORE ORDERED:

1. That Powercom Corporation 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 Powercom Corporation 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 Powercom Corporation on November 30, 1999, under tariff number 200000507, is approved to become effective on January 14, 2000. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on January 14, 2000.

5. That this case may be closed on January 15, 2000.

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 6th day of January, 2000.