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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)
AmericaNetworks, Inc. for a Certificate) Case No. TA-2000-477
of Service Authority to Provide Interexchange) Tariff No. 200000700
and Local Exchange Telecommunications Services)

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

AmericaNetworks, Inc. (ANI) applied to the Missouri Public Service Commission (Commission) on February 4, 2000, for certificates of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1999¹. ANI 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. ANI is a Missouri corporation, with its principal office located at 103 West Lockwood, Suite 4, Saint Louis, Missouri 63119.

On February 8, 2000, ANI filed revised pages of its application, changing "noncompetitive local exchange services" in paragraph 4 to "non-switched local exchange services," inserting a statement in paragraph 6 that granting ANI's application would be in the public interest, and amending the references to statutory waivers. On March 1, 2000, ANI filed a revised page of its application, amending the references to statutory and rule waivers. On March 6, 2000, ANI

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

filed a revised page of its application, deleting the references to debit card services.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on February 8, 2000, directing parties wishing to intervene to file their requests by February 23, 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. 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.

ANI filed a proposed tariff in conjunction with its application and submitted substitute tariff sheets requested by the Staff of the Commission (Staff) on March 1, 2, and 6, 2000. The tariff's effective date is March 23, 2000. ANI's tariff describes the rates, rules, and regulations it intends to use, identifies ANI as a competitive company, and lists the waivers requested. ANI intends to provide interexchange and non-switched local exchange telecommunications services including 1+, 800/888/877, Directory Assistance, Operator Assistance, Private Line, and Travel Card services.

In its memorandum filed on March 10, 2000, the Staff of the Commission (Staff) stated that ANI's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant ANI a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunication

services on condition that this authority be restricted to providing dedicated, non-switched local exchange private line services. Staff recommended that the Commission grant ANI competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff as amended to become effective on March 23, 2000.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets is in the public interest and ANI should be granted certificates of service authority. The Commission finds that the services ANI proposes to offer are competitive and ANI 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 ANI's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and non-switched local exchange carriers. The Commission finds that the proposed tariff filed on February 4, 2000 shall be approved as amended to become effective on March 23, 2000.

IT IS THEREFORE ORDERED:

1. That AmericaNetworks, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That AmericaNetworks, 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 AmericaNetworks, 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 - ratemaking
- 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
- 392.320 - stock dividend payment
- 392.340 - reorganization(s)
- 392.330, RSMo Supp. 1999 - 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(1-3) - Uniform System of Accounts
- 4 CSR 240-32.030(4)(C) - exchange boundary maps
- 4 CSR 240-32.030(4)(A)(2) - record-keeping
- 4 CSR 240-32.030(2) - in-state record-keeping
- 4 CSR 240-32.040(5) - uniform system of accounts²
- 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

² The application and tariff requested waiver of "4 CSR 240-32.040(5)(6) Uniform System of Accounts [sic]." This is not a citation to an existing rule. There is, however, a Commission Rule 4 CSR 240-30.040(5).

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 the tariff filed by AmericaNetworks, Inc. on February 4, 2000, as amended by substitute sheets submitted March 1, 2, and 6, 2000, under tariff number 200000700, is approved as amended to become effective on March 23, 2000. The tariff approved is:

P.S.C. Mo. No. 1

5. That this order shall become effective on March 23, 2000.

6. That this case may be closed on March 24, 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 17th day of March, 2000.

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

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