

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

May 26, 2000

CASE NO: TA-2000-581

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

Uncertified Copies:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Teligent)	
Services, Inc. for a Certificate of Service)	
Authority to Provide Interexchange and Local)	Case No. TA-2000-581
Exchange Telecommunications Services in the)	Tariff No. 200000850
State of Missouri and for Competitive)	
Classification)	

**ORDER APPROVING INTEREXCHANGE AND
NONSWITCHED LOCAL EXCHANGE CERTIFICATES OF
SERVICE AUTHORITY AND ORDER APPROVING TARIFF**

Teligent Services, Inc. (Teligent) applied to the Missouri Public Service Commission (Commission) on March 17, 2000, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1999¹. Teligent 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. Teligent is a Delaware corporation with its principal office located at 8065 Leesburg Pike, Suite 400, Vienna, Virginia.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on March 28, 2000, directing parties wishing to intervene to file their requests by April 12, 2000. The requirement for a hearing is met when

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

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 application.

Teligent filed a proposed tariff in conjunction with its application and filed substitute sheets on May 4, May 5, and May 10, 2000. The tariff's effective date is May 31, 2000. Teligent's tariff describes the rates, rules, and regulations it intends to use, identifies Teligent as a competitive company, and lists the waivers requested. Teligent intends to provide interexchange and nonswitched local exchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Private Line, and Travel Card services.

In its memorandum filed on May 23, 2000, the Staff of the Commission (Staff) stated that Teligent's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Teligent 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, nonswitched local exchange private line services. Staff recommended that the Commission grant Teligent competitive status, and waiver of the statutes and rules listed in the Notice. Staff also noted that Teligent had requested waiver of

Commission Rule 4 CSR 240-32.030(4)(A)(2) in its Amendment By Interlineation filed on April 14, 2000, but that Teligent did not list this rule as one of the rules from which it requested waivers on its proposed tariff sheets filed on May 5, 2000. Staff recommended that Commission Rule 4 CSR 240-32.030(4)(A)(2) not be waived because this rule does not apply to IXC's. Staff recommended that the Commission approve the proposed tariff as amended to become effective on May 31, 2000.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and Teligent should be granted certificates of service authority. The Commission finds that the services Teligent proposes to offer are competitive and Teligent 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. Commission Rule 4 CSR 240-32.030(4)(A)(2) will not be waived.

The Commission finds that Teligent'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 nonswitched local exchange carriers. The Commission finds that the proposed tariff filed on March 17, 2000, shall be approved as amended to become effective on May 31, 2000.

IT IS THEREFORE ORDERED:

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

3. That Teligent Services, 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 - rates-rentals-service & physical connections
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) - posting of tariffs
4 CSR 240-30.040 - uniform system of accounts
4 CSR 240-33.030 - minimum charges
4 CSR 240-35 - reporting of bypass and
customer-specific arrangements

4. That the tariff filed by Teligent Services, Inc. on March 17, 2000, under tariff number 200000850, is approved as amended to become effective on May 31, 2000. The tariff approved is:

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5. That this order shall become effective on May 31, 2000.

6. That this case may be closed on June 1, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, 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 26th day of May, 2000.

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 26th day of May 2000.



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

