

15

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 3rd
day of August, 1999.

In the Matter of the Application of Maxxis	)	
Communications, Inc., for Approval of the	)	<u>Case No. TM-99-540</u>
Acquisition of Certain Assets of Colorado	)	
River Communications Corporation.	)	

ORDER APPROVING TRANSFER OF ASSETS

On May 3, 1999, Maxxis Communications, Inc. (Maxxis), filed its application requesting the Commission issue an Order approving Maxxis' acquisition of certain assets of Colorado River Communications Corporation (CRC). On July 26, 1999, the Commission's Staff filed its memorandum recommending that the Commission approve the Application. The Staff also recommended that Maxxis be directed to notify the Commission upon completion of the transaction.

Specifically, Maxxis is seeking approval under Section 392.300, RSMo, to acquire the subscriber base Maxxis developed for CRC as an independent sales agent of long distance services for CRC, along with the assets utilized to serve this base. Following the asset acquisition, Maxxis will provide long distance services to these customers in Missouri.

Both Maxxis and CRC hold certificates of service authority in Missouri and will continue to provide long distance telecommunications services to Missouri customers under their respective approved tariffs.

Maxxis has filed a tariff incorporating CRC's service offerings in Missouri, enabling CRC's customers to obtain service from Maxxis under the same terms and conditions that those customers purchased such services. Maxxis will provide the affected CRC customers with written notification of its acquisition of the CRC assets and will provide these customers with the opportunity to cancel their service at no charge if they choose not to accept long distance services from Maxxis.

Maxxis represented that the transaction will have no impact upon the tax revenues of any political subdivision in Missouri and that Maxxis has no pending or final decisions or judgments against it from any state or federal agency involving service to customers or rates charged.

Maxxis stated that the transaction would result in economies of scale allowing it to operate more efficiently, to compete more effectively, and to improve and expand its services, to the benefit of Missouri customers.

The Commission has reviewed the application with the attached documentation and Staff recommendation and determines that the transfer is not detrimental to the public interest. The Commission approves the transfer as set out in the application in this case.

IT IS THEREFORE ORDERED:

1. That the proposed transfer of assets from Colorado River Communications Corporation to Maxxis Communications, Inc., as set out in the application of Maxxis Communications, Inc., filed on May 3, 1999, is hereby approved.

2. That Maxxis Communications, Inc., shall notify the Commission upon completion of the transfer of assets by filing a notice of compliance and completion of transfer in this case.

3. That this order shall become effective on August 13, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Drainer,
Murray, and Schemenauer, CC., concur.

Thornburg, Regulatory Law Judge

RECEIVED

AUG 03 1993

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION