

CASE NO: TA-2000-600

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4520 Main Street, Suite 1100 Kansas City, MO 64111

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

Sincerely,

K HARdy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

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In the matter of the Application of Ionex Communications, Inc., for a Certificate of Service Authority to Provide Basic Local Telecommunications Services, for Waiver of Certain Statutory and Regulatory Provisions, and for Designation as a Competitive Telecommunications Company.

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Case No. TA-2000-600

ORDER DIRECTING FILING

Ionex Communications, Inc. (Ionex) applied to the Public Service Commission on March 27, 2000, for a certificate of service authority to provide basic local telecommunications services in Missouri under Sections 392.361, .420, and .430, RSMo 1994, and Sections 392.410 and .450, RSMo Supp. 1996. Paragraph 1 of its application stated:

> Ionex Communications, Inc. ("Ionex" or "Applicant") is a Kansas Corporation, duly authorized and in good standing to do business in the State of Missouri. A copy of Ionex's : certificate of good standing is attached hereto as Exhibit A.

The Applicant attached to the application an exhibit showing its authority to transact business in the state of Kansas but did not include any documentation from the Missouri Office of the Secretary of State indicating that the corporation is authorized to do business in the state of Missouri. Commission rule 4 CSR 240-2.060(4)(B) requires that "[i]f the Applicant is not a Missouri corporation, a certificate from the secretary of state that it is authorized to do business <u>in</u> <u>Missouri</u>" (emphasis added) be included in the application. The Applicant will be ordered to file an amended pleading or an exhibit showing its authority to transact business in Missouri.

At Paragraph 8 of the application, the Applicant requested that the Commission waive certain statutes and Commission rules pursuant to section 392.440, RSMo. However, in its proposed tariff, attached as Exhibit B to the application, at Page 1, the Applicant listed a separate set of statutes and regulations to be waived. Therefore, the Commission will direct the Applicant to file an amended pleading to clarify which statutes and regulations it is requesting the Commission to waive.

IT IS THEREFORE ORDERED:

1. That Ionex Communications, Inc., shall file on or before April 17, 2000, an amended pleading or an exhibit showing its authority to transact business in Missouri.

2. That Ionex Communications, Inc., shall file on or before April 17, 2000, an amended pleading or an exhibit clarifying which statutes and regulations it is requesting the Commission to waive.

3. That this order shall become effective on April 11, 2000.

BY THE COMMISSION

(SEAL)

Hok Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

Nancy Dippell, 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 31st day of March, 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 <u>31st</u> day of March 2000.

Hole Hredy Roberts

Dale Hardy Roberts Secretary/Chief Regulatory Law Judge

