

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
August 15, 2000**

CASE NO: TA-2000-585

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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

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
ConnectSouth Communications of)
Missouri, Inc. for a Certificate of)
Service Authority to Provide Basic)
Local Telecommunications Service,)
Local Exchange Telecommunications)
Service, and Interexchange)
Telecommunications Services in the)
State of Missouri and to Classify)
Said Services and the Company as)

Case No. TA-2000-585

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

ConnectSouth Communications of Missouri, Inc. (ConnectSouth) applied to the Missouri Public Service Commission (Commission) on March 21, 2000, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Sections 392.420-.440 and 392.450, and Section 392.410, RSMo Supp. 1999.¹ ConnectSouth asked the Commission to classify it as a competitive company and to waive certain statutes and rules as authorized by Sections 392.361 and 392.420. ConnectSouth is a Delaware corporation with its principal office located at 9600 Great Hills Trail, Austin, Texas 78759.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on

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

March 28, 2000, directing parties wishing to intervene to file their requests by April 12, 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 application.

ConnectSouth filed a proposed tariff in conjunction with its application and filed substitute sheets on July 24, 2000, July 28, 2000 and August 3, 2000. The tariff's effective date is August 20, 2000. ConnectSouth's tariff describes the rates, rules, and regulations it intends to use, identifies ConnectSouth as a competitive company, and lists the waivers requested. ConnectSouth intends to provide interexchange and nonswitched local exchange telecommunications services including xDSL, SDSL, IDSL, T-1 services.

In its memorandum filed on August 10, 2000, the Staff of the Commission (Staff) recommended that the Commission grant ConnectSouth a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunications services on condition that this authority be restricted to providing dedicated private line services. Staff recommended that the Commission grant ConnectSouth 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 August 20, 2000.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and ConnectSouth should be granted certificates of service authority. The Commission finds that the services ConnectSouth proposes to offer are competitive and ConnectSouth 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 ConnectSouth'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 21, 2000, shall be approved as amended to become effective on August 20, 2000.

IT IS THEREFORE ORDERED:

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

3. That ConnectSouth Communications of Missouri, 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 ConnectSouth Communications of Missouri, Inc. on March 21, 2000, under tariff number 200100009, is approved as amended to become effective on August 20, 2000. The tariff approved is:

P.S.C. Mo. No. 1
Original Pages 1 to 54

5. That this order shall become effective on August 20, 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 Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 15th day of August, 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 15th day of Aug. 2000.

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

