

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
June 6, 2000**

**CASE NO: TA-2000-723**

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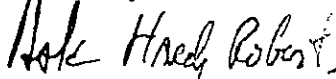
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**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**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 Atlas	)	
Mobilfone, Inc., for a Certificate of Service	)	
to Provide Interexchange and Non-switched	)	<b>Case No. TA-2000-723</b>
Local Exchange Telecommunications Services in	)	<b>Tariff No. 200001005</b>
the State of Missouri and for Competitive	)	
Classification	)	

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

Atlas Mobilfone, Inc. (Atlas) applied to the Missouri Public Service Commission (Commission) on May 2, 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. 1999<sup>1</sup>. Atlas 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. Atlas is a Missouri corporation, with its principal office located at 1905 South Glenstone, Springfield, Missouri 65804.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on May 9, 2000, directing parties wishing to intervene to file their requests by May 24, 2000. The requirement for a hearing is met when

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<sup>1</sup> 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.

Atlas filed a proposed tariff in conjunction with its application and filed substitute sheets on May 26, 2000. The tariff's effective date is June 16, 2000. Atlas' tariff describes the rates, rules, and regulations it intends to use, identifies Atlas as a competitive company, and lists the waivers requested. Atlas intends to provide interexchange and non-switched local exchange telecommunications services, including private line and xDSL services.

In its memorandum filed on June 2, 2000, the Staff of the Commission (Staff) stated that Atlas' proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Atlas 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 Atlas 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 June 16, 2000.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications

markets is in the public interest and Atlas should be granted certificates of service authority. The Commission finds that the services Atlas proposes to offer are competitive and Atlas 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 Atlas' 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 May 2, 2000 shall be approved as amended to become effective on June 16, 2000.

**IT IS THEREFORE ORDERED:**

1. That Atlas Mobilfone, 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 Atlas Mobilfone, 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 Atlas Mobilfone, 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 Atlas Mobilfone, Inc. on May 2, 2000, under tariff number 200001005, is approved as amended to become effective on June 16, 2000. The tariff approved is:

P.S.C. Mo. No. 1

5. That this order shall become effective on June 16, 2000.

6. That this case may be closed on June 17, 2000.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

( S E A L )

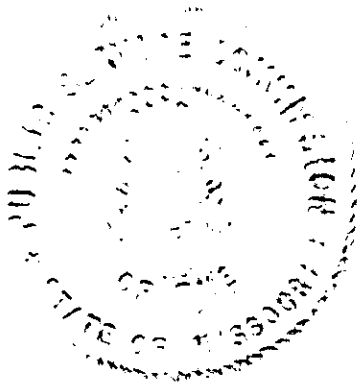
Bill Hopkins, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
4 CSR 240-2.120(1) (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 6th day of June, 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 6<sup>th</sup> day of June 2000.



*Dale Hardy Roberts*

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**Dale Hardy Roberts**  
Secretary/Chief Regulatory Law Judge