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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of 2nd Century)
Communications, Inc. for a Certificate of)
Service Authority to Provide Competitive Resold) Case No. TA-2000-324
Intrastate Interexchange Telecommunications) Tariff No. 200000602
Services and Non-Switched Basic)
Telecommunications Services within the State)
of Missouri)

ORDER REQUESTING RESPONSE

On November 9, 1999, 2nd Century Communications, Inc. (2nd Century) applied to the Missouri Public Service Commission (Commission) 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. 1998¹. On December 29, 1999, 2nd Century filed a proposed tariff.

On March 22, 2000, the Staff of the Commission (Staff) filed its recommendation, to which was attached its memorandum.

The memorandum is a printed form which, on the first page, contains two boxes which the person filling out the form checks, if applicable. The second box, which was checked, indicates that the Staff recommends that the Commission grant 2nd Century a "...certificate to provide local exchange telecommunications services.* *local [sic] exchange authority should be restricted to dedicated, private line services."

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

On the second page of the memorandum, there are several boxes, some of which may be checked by Staff to indicate the services offered in 2nd Century's initial tariff. One of the boxes, which was not checked here, is for " Private line [services]."

2nd Century's application was for a certificate authorizing it to provide interexchange telecommunications services and local exchange telecommunications services². Thus, concerning " private line services," Staff's memorandum appears that it may contain contradictory material.

The Commission would be assisted in this matter by the Staff filing a pleading answering the following questions: Does 2nd Century's proposed tariff properly reflect that it will be authorized to provide local telecommunications services restricted to dedicated, private line services? State and explain whether or not there is a contradiction in Staff's memorandum.

The Commission will also allow 2nd Century to file a response to this request if it so desires.

2 The body of 2nd Century's application and caption both referred to a request for a certificate to provide " non-switched basic telecommunications services" while its prayer requested a certificate to provide " non-switched basic local exchange telecommunications services." 2nd Century filed another application in case number TA-2000-323 at the same time as this application. The caption in 2nd Century's application in TA-2000-323 referred to a request for a certificate to provide " basic local telecommunications services" while the body of the application requested a certificate to provide " facilities-based and resold basic local telecommunications services" and the prayer requested a certificate to provide " basic local exchange telecommunications services."

IT IS THEREFORE ORDERED:

1. That the Staff of the Missouri Public Service Commission shall file no later than 3:00 p.m. on April 29, 2000, its pleading stating whether or not the proposed tariff of 2nd Century Communications, Inc. properly reflects that it will be authorized to provide local telecommunications services restricted to dedicated, private line services. The pleading shall also state and explain whether or not there is a contradiction in the memorandum filed by the Staff of the Missouri Public Service Commission.

2. That 2nd Century Communications, Inc. may, if it so desires, file no later than 3:00 p.m. on April 29, 2000, its pleading stating whether or not the proposed tariff of 2nd Century Communications, Inc. properly reflects that it will be authorized to provide local telecommunications services restricted to dedicated, private line services. The pleading may also state and explain whether or not there is a contradiction in the memorandum filed by the Staff of the Missouri Public Service Commission.

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

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

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 24th day of March, 2000.