

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Network)
Communications International Corp. for a) Case No. TA-99-592
Certificate of Authority to Provide Alterna-) Tariff No. 9900960
tive Operator Services in Missouri.)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

Network Communications International Corp. (NCIC) applied to the Public Service Commission on June 9, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services, limited to alternative operator services between and among locations within the state of Missouri, under Section 392.440, RSMo 1994¹. NCIC 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. NCIC is a Texas corporation, with its principal office located at 606 East Magrill Street, Longview Texas 75601.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on June 29, directing parties wishing to intervene to file their requests by July 14. 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

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

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 verified application.

NCIC filed a proposed tariff in conjunction with its application with an effective date of July 26. NCIC's tariff describes the rates, rules, and regulations it intends to use, identifies NCIC as a competitive company, and lists the waivers requested. NCIC intends to provide interexchange telecommunications services including Directory Assistance and Operator Assistance services.

In its Memorandum filed on July 15, the Staff of the Commission (Staff) stated that NCIC's proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant NCIC a certificate of service authority, 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 July 26.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and NCIC should be granted a certificate of service authority. The Commission finds that the services NCIC proposes to offer are competitive and NCIC 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 NCIC's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission finds that the proposed tariff filed on June 9 shall be approved to become effective on July 26, 1999.

IT IS THEREFORE ORDERED:

1. That Network Communications International Corp. is granted a certificate of service authority to provide intrastate interexchange telecommunications services, limited to alternative operator services between and among locations in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That Network Communications International Corp. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

- 392.240(1) - ratemaking
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.340 - reorganization(s)
- 392.330, RSMo Supp. 1998 - issuance of securities, debts and notes

Commission Rules

- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.010(2)(C) - rate schedules
- 4 CSR 240-30.040 - Uniform System of Accounts
- 4 CSR 240-32.030(1)(B) - exchange boundary maps
- 4 CSR 240-32.030(1)(C) - record-keeping
- 4 CSR 240-32.030(2) - in-state record-keeping
- 4 CSR 240-32.050(3) - local office record-keeping

- 4 CSR 240-32.050(4) - telephone directories
- 4 CSR 240-32.050(5) - call intercept
- 4 CSR 240-32.050(6) - telephone number changes
- 4 CSR 240-32.070(4) - public coin telephone
- 4 CSR 240-33.030 - minimum charges rule
- 4 CSR 240-33.040(5) - financing fees

3. That the tariff filed by Network Communications International Corp. on June 9, 1999, and assigned Tariff File No. 9900960, is approved to become effective on July 26, 1999. The tariff approved is:

P.S.C. MO Tariff No. 1
Original Sheet 1 through Original Sheet 43

- 4. That this order shall become effective on July 26, 1999.
- 5. That this case shall be closed on July 27, 1999.

BY THE COMMISSION

Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Vicky Ruth, 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 20th day of July, 1999.

RECEIVED

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION