BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of EZ Talk Communications, L.L.C. for a Certificate of Service) Authority to Provide Basic Local Telecommunications Service in Portions of the State of Missouri and to Classify Said Service as Competitive.

) <u>Case No. TA-98-184</u>

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ORDER AND NOTICE

EZ Talk Communications, L.L.C. (EZ Talk) filed an application on November 4, 1997, for a certificate of service authority to provide basic local telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). Specifically, EZ Talk wishes to provide resold services in all the exchanges currently served by Southwestern Bell Telephone Company (SWBT), GTE Midwest Incorporated (GTE), and United Telephone Company of Missouri, d/b/a Sprint (Sprint-United). EZ Talk asked to be classified as a competitive company and receive a lesser degree of regulation as permitted by Sections 392.361 and 392.420, RSMo.¹ EZ Talk requested a temporary waiver of 4 CSR 240-2.060(4)(H) that requires an applicant to file a tariff simultaneously with its application, on the grounds that it is impossible for EZ Talk to prepare a tariff until it has executed interconnection agreements with SWBT, GTE, and Sprint-United and those agreements have been approved by the Commission. Finally, EZ-Talk requested waiver of the following statutes and Commission rules:

¹ All statutory references are to the Revised Statutes of Missouri, 1994 or to the 1996 Supplement.

<u>Statutes</u>	Commission Rules
392.210.2 392.270 392.280 392.290.1 392.300.2 392.310 392.320 392.330	4 CSR 240-10.020 4 CSR 240-30.040 4 CSR 240-35
392.340	

EZ Talk alleged that its team possesses the technical expertise and financial resources and abilities necessary to provide the proposed services, but its supporting documentation did not describe its key personnel's technical expertise. EZ Talk's supporting documentation states that its managers have elected to omit substantially all of the disclosures required by generally accepted accounting principles. EZ Talk also failed to state whether it intends to offer basic local exchange telecommunications service as a separate and distinct service. The Commission will permit EZ Talk to provide the necessary documentation.

The Commission finds that notice of this application should be sent to the same companies that receive notice of applications for interexchange service authority, and that interested parties should have the opportunity to intervene. Applications to intervene should be submitted by December 12, 1997, to the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

> William M. Shansey Stewart & Keevil, L.L.C. 1001 Cherry Street, Suite 302 Columbia, Missouri 65201

If no one requests a hearing, the Commission may determine that no hearing is necessary and grant the authority requested based on the verified

2

petition. <u>State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public</u> <u>Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).</u>

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice of this application as described above.

2. That parties wishing to intervene shall file an application to intervene no later than December 12, 1997.

3. That EZ Talk Communications, L.L.C. shall submit verified documentation and statements clarifying whether it intends to offer basic local exchange telecommunications as a separate and distinct service and demonstrating the technical expertise of its officers and the sufficiency of its financial ability to provide basic local exchange telecommunications services as required by § 392.455(1), RSMo Supp. 1996, no later than December 5, 1997.

4. That this order shall become effective on November 12, 1997.

BY THE COMMISSION

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Cecil I. Wright Executive Secretary

(SEAL)

Amy E. Randles, 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 12th day of November, 1997.