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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of )  
Network Billing Systems, L.L.C. for )  
a Certificate of Service Authority ) **Case No. TA-99-223**  
to Provide Competitive Intrastate ) **Tariff File No. 9900395**  
Interexchange Telecommunications )  
Services within the State of Missouri. )

**ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE**  
**AUTHORITY AND ORDER APPROVING TARIFF**

Network Billing Systems, L.L.C. (NBS) applied to the Public Service Commission on November 17, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under § 392.440, RSMo 1994<sup>1</sup>. NBS asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420. Applicant is a New Jersey corporation, with its principal office located at 155 Willowbrook Boulevard, Wayne, New Jersey 07470.

The Commission issued a Notice of Applications and Opportunity to Intervene on December 1, directing parties wishing to intervene to file their requests by December 16. 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 verified application.

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

NBS filed a proposed tariff in conjunction with its application and filed substitute sheets on January 1 and January 14, 1999. The tariff's effective date is February 5. NBS's tariff describes the rates, rules, and regulations it intends to use, identifies NBS as a competitive company, and lists the waivers requested. NBS intends to provide interexchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Private Line and Travel Card services.

In its Memorandum filed on January 20, the Staff of the Commission (Staff) stated that Applicant's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Applicant 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 February 5.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Applicant should be granted a certificate of service authority. The Commission finds that the services Applicant proposes to offer are competitive and Applicant 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 NBS'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 November 17, 1998

shall be approved as amended to become effective on February 5, 1999.

**IT IS THEREFORE ORDERED:**

1. That Network Billing Systems, L.L.C. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That Network Billing Systems, L.L.C. 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. 1997	- 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

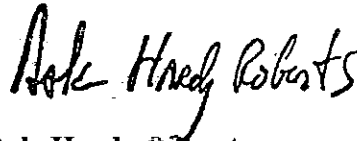
3. That the Tariff File No. 9900395 submitted in File No. TA-99-223, by Network Billing Systems, L.L.C. on November 17, 1998, is approved as amended to become effective on February 5, 1999. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on February 5, 1999.

5. That this case may be closed on February 6, 1999.

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 4 CSR  
240-2.120(1) (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 26th day of January, 1999.

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COMMUNICATIONS  
PUBLIC SERVICE COMMISSION