

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
September 16, 1999

CASE NO: TA-2000-39

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**James M. Fischer, Esq**  
James M. Fischer P.C.  
101 West MaCarty Street, Suite 215  
Jefferson City, MO 65101

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

Sincerely,



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Application of	)	
Satlink 3000, Inc. for a Certificate of	)	
Service Authority to Provide Competitive	)	<u>Case No. TA-2000-39</u>
Intrastate Interexchange	)	Tariff No. 200000066
Telecommunications Service in Missouri	)	

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

Satlink 3000, Inc. (Satlink) applied to the Public Service Commission on July 19, 1999, for a certificate of service authority to provide intrastate interexchange telecommunication services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. Satlink 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. Satlink is a Nevada corporation, with its principal office located at 5050 North 19th Avenue, Suite 417, Phoenix, AZ 85015<sup>2</sup>.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on July

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

<sup>2</sup> The original application also stated that Satlink was a Georgia corporation; however, the original application contained only evidence of Nevada incorporation. Also, the original application was made in the name of Satlink 3000, Inc., although a footer in the application stated that the name of the applicant was Satlink 3000, Inc. d/b/a Independent Network Services.

27, 1999, directing parties wishing to intervene to file their requests by August 11, 1999. 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.

Satlink filed a proposed tariff in conjunction with its application with an effective date of September 2, 1999, and filed substitute sheets on August 18 and 19, 1999. On August 25, 1999, Satlink extended the effective date of the tariff to September 7, 1999. On September 2, 1999, the Commission ordered the tariff suspended until October 2, 1999, so that Satlink could file an amended application showing its correct state of incorporation and its correct name. The amended application was filed on September 9, 1999, and all deficiencies were cured.

Satlink's tariff describes the rates, rules, and regulations it intends to use, identifies Satlink as a competitive company, and lists the waivers requested. Satlink intends to provide interexchange telecommunications services in the state of Missouri, including 1+, 800/888/877, Directory Assistance, Operator Assistance, Debit Card, and Travel Card services.

In its Memorandum filed on August 26, 1999, the Staff of the Commission (Staff) stated that Satlink's proposed services are similar to existing IXC offerings. Staff recommended that the Commission

grant Satlink 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 to become effective on September 7, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and that Satlink should be granted a certificate of service authority. The Commission finds that the services Satlink proposes to offer are competitive and Satlink 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 Satlink'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 July 19, 1999, with substitute sheets filed on August 18 and 19, 1999, should be approved to become effective on October 2, 1999.

**IT IS THEREFORE ORDERED:**

1. That Satlink 3000, Inc. is granted a certificate of service authority to provide interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That Satlink 3000, Inc. 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 Satlink 3000, Inc. on July 19, 1999, with substitute sheets filed on August 18 and 19, 1999, is approved to become effective on October 2, 1999. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on October 2, 1999.

5. That this case may be closed on October 3, 1999.

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 16th day of September, 1999.

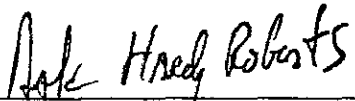
**STATE OF MISSOURI  
OFFICE OF THE PUBLIC SERVICE COMMISSION**

**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 16TH day of SEPTEMBER, 1999.**



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