BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)
Ciera Network Systems, Inc. for a)
Certificate of Service to Provide)
Intrastate Interexchange and Non-Switched) **Case No. TA-2000-216**
Local Exchange Telecommunications Services) Tariff File No. 200000199
to the Public within the State of Missouri)
and for Competitive Classification.)

ORDER APPROVING INTEREXCHANGE AND NON-SWITCHED LOCAL EXCHANGE CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Ciera Network Systems, Inc. (CNS) applied to the Public Service

Commission on September 3, 1999, for certificates of service authority

to provide intrastate interexchange and non-switched local exchange

telecommunications services in Missouri under §§ 392.410-.450, RSMo 1994

and RSMo Supp. 1998[1]. CNS asked the Commission to classify it as a

competitive company and waive certain statutes and rules as authorized

by §§ 392.361 and 392.420. CNS is a Texas corporation, with its

principal office located at 2630 Fountainview, Suite 300, Houston, Texas

77057.

The Commission issued a Notice of Applications and Opportunity to

Intervene on September 14, directing parties wishing to intervene to file

their requests by September 29. The requirement for a hearing is met

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

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.

CNS filed a proposed tariff in conjunction with its application and filed substitute sheets on October 1 and 8. The tariff's effective date is October 25. CNS's tariff describes the rates, rules, and regulations it intends to use, identifies CNS as a competitive company, and lists the waivers requested. CNS intends to provide interexchange and non-switched local exchange telecommunications services including 1+, 800/888/877, Directory Assistance, Private Line and Travel Card services.

In its Memorandum filed on October 14, the Staff of the Commission recommended that the Commission grant CNS a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunication services on condition that this authority be restricted to providing dedicated, non-switched local exchange private line services. Staff recommended that the Commission grant CNS 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 October 25.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets

is in the public interest and CNS should be granted certificates of service authority. The Commission finds that the services CNS proposes to offer are competitive and CNS 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 CNS's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and non-switched local exchange carriers. The Commission finds that the proposed tariff filed on September 3 shall be approved as amended to become effective on October 25.

IT IS THEREFORE ORDERED:

1. That Ciera Network Systems, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That Ciera Network Systems, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, non-switched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3.   That Ciera Network Systems, 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

4.   That the tariff filed by Ciera Network Systems, Inc. on September 3, 1999, and assigned tariff number 200000199 is approved as amended to become effective on October 25, 1999. The tariff approved is:

Missouri P.S.C. Tariff No. 1

5.   That this order shall become effective on October 25, 1999.

6.   That this case may be closed on October 26, 1999.

BY THE COMMISSION

[signature]

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, 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 19th day of October, 1999.