

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

March 8, 2000

CASE NO: TA-2000-98

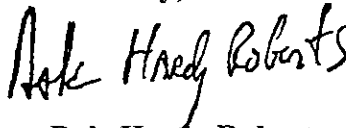
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

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

Lisa C. Creighton, Esq.
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, MO 64111

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

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

James F. Kalishman
Maverix.com, Inc.
2702 North Lincoln Avenue, Unit N
Chicago, IL 60614

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
Maverix.com, Inc., d/b/a Maverix.net, for)	
a Certificate of Public Convenience and)	
Necessity in the State of Missouri for)	Case No. TA-2000-98
the Purpose of Providing Data High Speed)	Tariff No. 200000658
Communications Technologies for Nonbasic,)	
Nonswitched Local Exchange Services and)	
Interexchange Services (IntraLATA and)	
InterLATA).)	

ORDER APPROVING INTEREXCHANGE AND NONSWITCHED LOCAL EXCHANGE
CERTIFICATES OF SERVICE AUTHORITY, ORDER APPROVING TARIFF,
AND ORDER RECOGNIZING CHANGE OF NAME

Maverix.com, Inc., (Maverix), applied to the Public Service Commission on August 6, 1999, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1999.¹ Maverix 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. Maverix is a Delaware corporation, with its principal office located at 2707 North Lincoln Avenue, Unit N, Chicago, Illinois 60614.

The Commission issued a Notice of Deficiency on September 5, 1999, which directed Maverix to correct several deficiencies in its application. On October 8, 1999, Maverix submitted a Filing to Satisfy Notice of Deficiency.

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

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on October 12, 1999. This notice incorrectly listed the intervention date as October 20, 1999. A second Notice of Applications, issued on October 19, 1999, indicated that the intervention date was October 27, 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.

On October 6, 1999, Maverix filed a letter indicating that it has filed a fictitious name registration with the Missouri Secretary of State. The fictitious name is Maverix.net. Maverix provided copies of the Registration of Fictitious Name of Maverix.net from the Secretary of State's Office.

Maverix did not file a proposed tariff with its application. Instead, it filed a proposed tariff on January 24, 2000, and substitute sheets on February 4, 2000, and February 10, 2000. The tariff's effective date is March 10, 2000. The tariff describes the rates, rules, and regulations it intends to use, identifies it as a competitive company, and lists the waivers requested. Maverix intends to provide interexchange and nonswitched local exchange telecommunications services including private line services.

In its memorandum filed on February 14, 2000, the Staff of the Commission (Staff) recommended that the Commission grant Maverix 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, nonswitched local exchange private line services. Staff recommended that the Commission grant Maverix 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 March 10, 2000.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and Maverix should be granted certificates of service authority. The Commission finds that the services Maverix proposes to offer are competitive and Maverix 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 Maverix's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on August 6, 1999, shall be approved as amended to become effective on March 10, 2000. The Commission has also reviewed Maverix's filing regarding its fictitious name registration, and finds that the adoption of the fictitious name should be recognized.

IT IS THEREFORE ORDERED:

1. That Maverix.com, Inc., d/b/a Maverix.net, 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 Maverix.com, Inc., d/b/a Maverix.net, is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, nonswitched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Maverix.com, Inc., d/b/a Maverix.net, 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. 1999 - 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 Maverix.com, Inc., d/b/a Maverix.net, on January 24, 2000, and assigned Tariff File No. 200000658, is approved as amended to become effective on March 10, 2000. The tariff approved is:

Missouri Public Service Commission Tariff No. 1
Original Page 1 through Original Page 16

5. That the adoption of the fictitious name Maverix.net by Maverix.com, Inc., is acknowledged.

6. That this order shall become effective on March 10, 2000.

7. That this case may be closed on March 13, 2000.

BY THE COMMISSION



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 8th day of March, 2000.

**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 8th day of March 2000.



A handwritten signature in dark ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a horizontal line underneath.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge