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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of LDM Systems,)
Inc. for a Certificate of Service Authority to)
Provide Resold Local Exchange Services in the) **Case No. TA-98-199**
State of Missouri and for Designation as a)
Competitive Telecommunications Company.)

ORDER AND NOTICE

LDM Systems, Inc. (LDM) filed an application on November 13, 1997, for certificates of service authority to provide basic local telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). Specifically, LDM wishes to provide resold services in all the exchanges currently served by Southwestern Bell Telephone Company. LDM 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 LDM requested a temporary waiver of 4 CSR 240-2.060(4)(H) that requires an applicant to file a tariff simultaneously with its application until it has executed interconnection agreements with the underlying CLECs and those agreements have been approved by the Commission. Finally, LDM requested waiver of the following statutes and Commission rules:

Statutes

392.210.2
392.270
392.280
392.290.1
392.300.2
392.310
392.320
392.330
392.340

Commission Rules

4 CSR 240-10.020
4 CSR 240-30.040
4 CSR 240-35

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

The Commission finds that notice of this application should be sent to all certificated Missouri telecommunications companies, and that interested parties should have the opportunity to intervene. Applications to intervene should be submitted by December 23, 1997, to the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

Clifton M. Smart, III
Strong & Associates, P.C.
901 East Battlefield Road
Springfield, Missouri 65807-4800

If no one requests a hearing, the Commission may determine that no hearing is necessary and grant the authority requested based on the verified petition. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice of this application to all certificated Missouri telecommunications companies.
2. That parties wishing to intervene shall file an application to intervene no later than December 23, 1997.
3. That this order shall become effective on November 24, 1997.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin F. Hennessey, 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 24th day of November, 1997.