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## ORDER AND NOTICE

Tin Can Communications Company, L.L.C. (Tin Can) filed an application on December 5, 1997, for a certificate of service authority to provide basic local telecommunications service in the State of Missouri under 4 CSR 240-2.060(4). Specifically, Tin Can wishes to provide resold services in all the exchanges currently served by Southwestern Bell Telephone Company, GTE Midwest Incorporated, and United Telephone Company of Missouri d/b/a Sprint<sup>1</sup>. Tin Can's application stated that its most recent financial statement was attached, but this document was in fact not attached to the application.

Tin Can 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.<sup>2</sup> Tin Can 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

<sup>1</sup> Tin Can attached a list of the wire centers in which it proposes to offer service to its application. This list included exchanges served by GTE North, Inc. However, GTE North, Inc. was not mentioned in the body of the application.

<sup>2</sup> All statutory references are to the Revised Statutes of Missouri, 1994 unless otherwise indicated.

the underlying CLECs and those agreements have been approved by the Commission. Finally, Tin Can 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

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 January 9, 1998, to the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and copies sent to:

William M. Shansey  
Stewart & Keevil, L.L.C.  
1001 Cherry Street, Suite 302  
Columbia, Missouri 65201

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). In addition, the Commission finds that Tin Can should be given 30 days to file an amended application that clarifies the specific exchanges in which Tin Can proposes to offer service and includes the omitted financial statement.

**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 January 9, 1998.
3. That Tin Can Communications Company, L.L.C. shall file an amended application that includes its most recent financial statement and clarifies the specific wire centers in which it proposes to offer service by no later than January 9, 1998.
4. That this order shall become effective on December 10, 1997.

**BY THE COMMISSION**



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

(S E A L)

Amy E. Randles, 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 10th day of December, 1997.