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BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Promise-	)	
Net International Ltd., for a Certificate	)	
of Service Authority to Provide Competitive	)	Case No. TA-99-288
Intrastate Interexchange Telecommunications	)	Tariff No. 9900491
Services within the State of Missouri	)	

ORDER APPROVING INTEREXCHANGE

CERTIFICATE OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Promise-Net International, Ltd. (PNI) applied to the Public Service Commission on December 29, 1998, for a certificate of service authority to provide intrastate interexchange in Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1997¹. PNI 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. PNI is a Georgia corporation, with its principal office located at 2671 Centerville Highway, Snellville, Georgia 30078.

The Commission issued a Notice of Application and Opportunity to Intervene on January 5, 1999, directing parties wishing to intervene to file their requests by January 20, 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

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

has asked permission to intervene or requested a hearing, the Commission may grant the relief requested based on the verified application.

PNI filed a proposed tariff in conjunction with its application and filed substitute sheets on January 25, 1999. The tariff's effective date is February 12, 1999. PNI's tariff describes the rates, rules, and regulations it intends to use, identifies PNI as a competitive company, and lists the waivers requested. PNI intends to provide interexchange telecommunications services including 1+ dialing, 800/888/877 services, directory assistance, private line, debit card services, and travel card services.

In its Memorandum² filed on January 27, the Staff of the Commission stated that PNI's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant PNI a certificate of interexchange service authority. Staff recommended that the Commission grant PNI 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 February 12.

The Commission finds that competition in the intrastate interexchange telecommunications markets is in the public interest and PNI should be granted a certificate of service authority. The Commission finds that the services PNI proposes to offer are competitive and PNI should be classified as a competitive company.

² Staff inadvertently recommended that PNI be granted a certificate to provide local services also; this was simply a scrivener's error.

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 PNI'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 December 29, 1998 and as substituted on January 25, 1999, shall be approved as amended to become effective on February 12, 1999.

IT IS THEREFORE ORDERED:

1. That Promise-Net International, Ltd. 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 Promise-Net International, Ltd. 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. 1997 - 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 Promise-Net International, Ltd. on December 29, 1998 is approved as amended by the substitute filing on January 25, 1999, to become effective on February 12, 1999. The tariff approved is:

Missouri P.S.C. Tariff No. 1

4. That this order shall become effective on February 11, 1999.

5. That this case may be closed on February 12, 1999.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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 1st day of February, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION