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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of	)	
FreedomStarr Communications, Inc. for	)	
a Certificate of Service Authority to	)	<i>TA</i>
Provide Interexchange Telecommunications	)	<u>Case No. TO-99-244</u>
Services.	)	

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

FreedomStarr Communications, Inc. (FreedomStarr) applied to the Public Service Commission on December 1, 1998, 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. 1997¹. FreedomStarr asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by §§ 392.361 and 392.420. Applicant is a California corporation, with its principal office located at 332 S. Juniper, Suite 200, Escondido, California 92025.

The Commission issued a Notice of Applications and Opportunity to Intervene on December 8, 1998, directing parties wishing to intervene to file their requests by December 23, 1998. The requirement for a hearing is met when the opportunity for hearing has been provided and no

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

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.

FreedomStarr filed a proposed tariff in conjunction with its application and filed substitute sheets on January 5, 1999 and January 6, 1999. The tariff's effective date is January 21, extended from January 15. FreedomStarr's tariff describes the rates, rules, and regulations it intends to use, identifies FreedomStarr as a competitive company, and lists the waivers requested. FreedomStarr intends to provide interexchange and non-switched local exchange telecommunications services including 1+, 800/888/877 Services and Directory Assistance Services.

In its Memorandum filed on January 11, the Staff of the Commission stated that Applicant's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Applicant 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 Applicant 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 January 21, 1999, extended from January 15, 1999.

The Commission finds that competition in the intrastate interexchange and non-switched local exchange telecommunications markets is in the public interest and Applicant should be granted certificates of service authority. The Commission finds that the services Applicant proposes to offer are competitive and Applicant 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 FreedomStarr'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 December 1, 1998 shall be approved as amended to become effective on January 21, 1999, extended from January 15, 1999.

IT IS THEREFORE ORDERED:

1. That FreedomStarr Communications, 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 FreedomStarr Communications, 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 FreedomStarr Communications, 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. 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

4. That the tariff filed by FreedomStarr Communications, Inc. on December 1, 1998, is approved as amended to become effective on

January 21, 1999, extended from January 15, 1999. The tariff approved is:

P.S.C. Mo. No. 1

5. That this order shall become effective on January 21, 1999, extended from January 15, 1999.

6. That this case shall be closed on January 31, 1999.

BY THE COMMISSION

A handwritten signature in dark ink, reading "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

**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 20th day of January, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION