

**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

|   |   |                           |
|---|---|---------------------------|
| In the Matter of the Application of Cable & | ) |                           |
| Wireless Global Markets, Inc., for a        | ) | <u>Case No. TA-99-586</u> |
| Certificate of Service Authority to Operate | ) | Tariff No. 9900951        |
| As a Competitive Reseller of Intrastate     | ) |                           |
| Interexchange Telecommunications Services,  | ) |                           |

**ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY**

**AND ORDER APPROVING TARIFF**

Cable & Wireless Global Markets, Inc. (CWGM) applied to the Public Service Commission on June 3, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. CWGM 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. CWGM is a Delaware corporation, with its principal office located at 1275 Pennsylvania Avenue N.W., Washington, DC 20004.

The Commission issued a Notice of Applications and Opportunity to Intervene on June 15, directing parties wishing to intervene to file their requests by June 30. 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

---

<sup>1</sup>All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

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

CWGM filed a proposed tariff in conjunction with its application and filed substitute sheets on July 16 and 22. The tariff's proposed effective date is August 2. CWGM's tariff describes the rates, rules, and regulations it intends to use, identifies CWGM as a competitive company, and lists the waivers requested.

In its Memorandum filed on July 22, the Staff of the Commission recommended that the Commission grant CWGM a certificate of service authority, 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 August 2.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and CWGM should be granted a certificate of service authority. The Commission finds that the services CWGM proposes to offer are competitive and CWGM 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 CWGM'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 June 3 shall be approved as amended to become effective on August 2.

**IT IS THEREFORE ORDERED:**

1. That Cable & Wireless Global Markets, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That Cable & Wireless Global Markets, 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. 1998 - 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 Cable & Wireless Global Markets, Inc. on June 3, 1999, and assigned tariff number 9900951 is approved

as amended to become effective on August 2, 1999. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on August 2, 1999.
5. That this case may be closed on August 3, 1999.

BY THE COMMISSION



Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

( S E A L )

Morris Woodruff, 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 30th day of July, 1999.

RECEIVED

JUL 30 1999

COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION