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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Dobson Wireless, Inc. for a Certificate)
of Service Authority to Provide Intrastate)
Resold Non-Switched Local Exchange and) **Case No. TA-98-314**
Interexchange Telecommunications Services)
to the Public Within the State of Missouri)
and for Competitive Classification.)

ORDER APPROVING INTEREXCHANGE AND LOCAL EXCHANGE CERTIFICATES OF
SERVICE AUTHORITY AND ORDER APPROVING TARIFF

Dobson Wireless, Inc. (Dobson) applied to the Public Service Commission on January 26, 1998, for a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services in Missouri under § 392.410-.450, RSMo 1994¹. Dobson 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 an Oklahoma corporation, with its principal office located at 13439 N. Broadway Extension, Suite 200, Oklahoma City, Oklahoma 73114.

The Commission issued a Notice of Applications and Opportunity to Intervene on February 3, directing parties wishing to intervene to file their requests by February 18. 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 permission to intervene

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

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

Dobson filed a proposed tariff in conjunction with its application and filed substitute sheets on February 26, and March 17, 23, 24, and 25. The tariff's effective date was originally March 12, but was subsequently extended to April 6. Dobson's tariff describes the rates, rules, and regulations it intends to use, identifies Dobson as a competitive company, and lists the waivers requested. Dobson intends to provide interexchange and local exchange telecommunications services including 1+ direct dial, 800 services, directory assistance, operator services, private line, debit card, and travel card services.

In its Memorandum filed on March 26, 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 to become effective on April 6.

The Commission initially notes that Dobson included 4 CSR 240-33.040(1) and (4) in the list of waivers included in the tariff it filed on January 26, although it did not request these waivers in its application. These nonstandard waivers were referenced in the Commission's Notice. Although the Staff does not specifically mention these waivers in its recommendation, a review of the case file indicates that a new waiver

list which excludes these nonstandard waivers was submitted as a substitute sheet on February 26.

The Commission finds that competition in the intrastate interexchange and local exchange telecommunications markets is in the public interest and Applicant should be granted a certificate 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 Dobson'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 local exchange carriers. The Commission finds that the proposed tariff filed on January 26 shall be approved as amended to become effective on April 6.

IT IS THEREFORE ORDERED:

1. That Dobson Wireless, 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 Dobson Wireless, 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 Dobson Wireless, 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 Dobson Wireless, Inc. on January 26, 1998, is approved as amended to become effective on April 6, 1998. The tariff approved is:

P.S.C. Mo. No. 1

5. That this order shall become effective on April 6, 1998.

6. That this case shall be closed on April 14, 1998.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts", written over the printed name.

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

(S E A L)

Elaine E. Bensavage, 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 31st day of March, 1998.