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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Worldwide)
Fiber Networks, Inc., for a Certificate of) Case No. TA-2000-207
Service Authority to Provide Interexchange) Tariff No. 200000192
and Local Exchange Telecommunications Services.)

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

Worldwide Fiber Networks, Inc. (Worldwide), applied to the Public Service Commission on September 1, 1999, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994, and RSMo Supp. 1998.¹ Worldwide 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. Worldwide is a Nevada corporation, with its principal office located at 1333 West 120th Avenue, Suite 216, Westminster, Colorado 80234.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on September 7, 1999, directing parties wishing to intervene to file their requests by September 22, 1999. A Notice of Amendment was issued in the September 28, 1999, Notice of Applications, and the intervention deadline was amended to October 28, 1999. The

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

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

Worldwide filed a proposed tariff in conjunction with its application and filed substitute sheets on September 27 and 29, 1999. The tariff's effective date was extended from October 18, 1999, to November 17, 1999. Worldwide's tariff describes the rates, rules, and regulations it intends to use, identifies Worldwide as a competitive company, and lists the waivers requested. Worldwide intends to provide interexchange and nonswitched local exchange telecommunications services including private line services.

In its memorandum filed on November 5, 1999, the Staff of the Commission (Staff) recommended that the Commission grant Worldwide 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, nonswitched local exchange private line services. Staff recommended that the Commission grant Worldwide 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 November 17, 1999.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and Worldwide should be granted certificates of service authority. The Commission finds that the services Worldwide proposes to offer are competitive and Worldwide 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 Worldwide's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff filed on September 1, 1999, shall be approved as amended to become effective on November 17, 1999.

IT IS THEREFORE ORDERED:

1. That Worldwide Fiber Networks, 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 Worldwide Fiber Networks, Inc., is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, nonswitched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Worldwide Fiber Networks, 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
4 CSR 240-25 - reporting of bypass and customer
specific arrangements

4. That the tariff filed by Worldwide Fiber Networks, Inc., on September 1, 1999, and assigned Tariff File No. 200000192, is approved as amended to become effective on November 17, 1999. The tariff approved is:

PSC Mo. No. 1

Original Sheet 1 through Original Sheet 13

5. That this order shall become effective on November 17, 1999.

6. That this case may be closed on November 18, 1999.

BY THE COMMISSION



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 8th day of November, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION