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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)	
AS Telecommunications, Inc., d/b/a ALLSTAR)	
Telecom for Authority to Operate as a)	<u>Case No. TA-2000-223</u>
Reseller of Telecommunications Service)	Tariff No. 200000209
Within the State of Missouri.)	

**ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE
AUTHORITY AND APPROVING TARIFF**

On September 8, 1999, AS Telecommunications, Inc., doing business as ALLSTAR Telecom (AS or Applicant), filed its application for a certificate of service authority to provide resold intrastate interexchange telecommunications services to the public in the state of Missouri. AS 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, RSMo. Applicant is an Arizona corporation, with its principal office located at 3030 North Central Avenue, Suite 702, Phoenix, Arizona 85012. Its corporate headquarters is located at 223 East De La Guerra, Santa Barbara, California 93101.

On September 14, 1999, the Commission issued its Order Directing Filing to Applicant, advising Applicant that it must submit evidence of the registration of its fictitious name with the Missouri Secretary of State, as required by Commission Rule 4 CSR 240-2.060(1)(A). AS supplemented its application on September 29, 1999. On October 14, 1999,

at the request of the Staff of the Missouri Public Service Commission (Staff), AS filed revisions to pages 4 and 5 of its application.

The Commission issued a Notice of Applications and Opportunity to Intervene on September 14, 1999, directing parties wishing to intervene to file their requests by September 29, 1999. No requests to intervene were received. 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 or requested a hearing, the Commission may grant the relief requested based on the verified application.

AS filed a proposed tariff in conjunction with its application, Tariff No. 200000209, effective November 5, 1999. On October 14, 1999, AS extended the effective date of its proposed tariff to November 5, 1999, and filed substitute proposed tariff sheets. AS filed further substitute proposed tariff sheets on October 20, 1999. AS's tariff describes the rates, rules, and regulations it intends to use, identifies AS as a competitive company, and lists the waivers requested. AS intends to provide interexchange telecommunications services including 1+ long distance services, 800/888/877, Directory Assistance, and Travel Card services.

In its Memorandum filed on October 25, 1999, 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 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 November 5, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and AS should be granted a certificate of service authority. The Commission finds that the services AS proposes to offer are competitive and AS 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 AS'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 substitute proposed tariff sheets filed on September 8, 1999, shall be approved as amended on October 14, 1999, and October 20, 1999, to become effective on November 5, 1999.

IT IS THEREFORE ORDERED:

1. That AS Telecommunications, Inc., doing business as ALLSTAR Telecom, 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 AS Telecommunications, Inc., doing business as ALLSTAR Telecom, 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 substitute proposed tariff sheets (Tariff No. 200000209) filed on September 8, 1999, by AS Telecommunications, Inc., doing business as ALLSTAR Telecom, shall be approved as amended on October 14, 1999, and October 20, 1999, for service rendered on or after November 5, 1999. The tariff approved is:

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

6. That this case shall be closed on November 6, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief
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 26th day of October, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION