

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 26th  
day of January, 1993.

In the matter of the application of North American       )  
Communications Corporation for a temporary and       ) CASE NO. TA-93-107  
permanent certificate of service to provide       )  
interexchange operator services.       )

ORDER GRANTING CERTIFICATE

On September 18, 1992, North American Communications Corporation (North American) filed an application with the Commission seeking a temporary and permanent certificate of service authority to provide operator-assisted resale of intrastate telecommunications services in the State of Missouri. On October 2, 1992, the Commission granted North American a temporary interexchange telecommunications service authority certificate to provide operator services to Lincoln University in Jefferson City, Missouri.

On October 9, 1992, the Commission issued an Order and Notice directing its Executive Secretary to send notice of the application for a permanent certificate. The Commission stated that if no one filed an application to intervene nor motion for hearing, North American would be allowed to submit evidence in support of the application by verified statement. On September 21, 1992, the Office of the Public Counsel requested a hearing unless North American agreed not to collect payphone surcharges through its billing agreements with local exchange companies. On September 30, 1992, North American filed a response agreeing that it would not collect payphone surcharges through its billing agreements with local exchange companies, and on October 5, 1992, the Office of

the Public Counsel withdrew its request for hearing. No other application to intervene nor request for a hearing was filed.

On January 6, 1993, the Staff of the Commission (Staff) filed a memorandum recommending that the Commission grant North American a permanent certificate of service authority. In its memorandum, Staff stated that:

1. North American should not affect a caller's access to local emergency service providers as all "0-" calls will be handled by the local exchange company;

2. North American will provide the traffic aggregator with information for placement where North American services are provided, including a customer service 800 number that is answered twenty-four hours a day and can be used to obtain both rate and complaint information;

3. North American will use local exchange company billing and any denial of service or disconnection as a result of nonpayment shall be in accordance with state law;

4. North American's rates will be similar to other companies' rates;

5. North American will provide an 800 number that is answered by a live operator twenty-four hours a day for handling complaints; and

6. North American's quality of service will be the same as or better than industry standard.

Staff also stated that North American will comply with the operator service requirements the Commission has established for other operator service providers and with all applicable Commission rules.

Based upon North American's application and Staff's recommendation, the Commission finds that North American is qualified to perform the proposed service. Pursuant to Sections 392.440 and 392.530, RSMo Supp. 1992, the

Commission will assume that additional competition in the intraLATA and interLATA toll markets is in the public interest. The Commission does not deem it necessary to determine a public need for each reseller's services as the market would eliminate any reseller for which there is no public need. Consequently, pursuant to Section 392.440, RSMo Supp. 1992, the Commission finds that it is in the public interest to grant North American a certificate of service authority to provide intrastate interexchange telecommunications services.

Pursuant to Section 392.470, RSMo Supp. 1992, the Commission determines that certain regulatory requirements should be imposed upon resellers authorized to provide telecommunications services in Missouri. Since North American proposes to operate as a reseller of telecommunications services in Missouri, the Commission finds that the following regulatory requirements should be imposed upon North American as reasonable and necessary conditions of certification:

- (1) Applicant is required to comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market pursuant to Section 386.320.3, RSMo Supp. 1992;
- (2) North American is required to file tariffs containing rules and regulations applicable to customers, a description of the services provided and a list of rates associated with the services pursuant to Section 392.220, RSMo Supp. 1992, and 4 CSR 240-30.010;
- (3) North American is precluded from unjustly discriminating between and among its customers pursuant to Section 392.200, RSMo Supp. 1992, and Section 392.400, RSMo Supp. 1992;

- (4) North American is required by Sections 386.570, RSMo 1986, and 392.360, RSMo Supp. 1992 to comply with all applicable rules of the Commission except those which are specifically waived by the Commission pursuant to Section 392.420, RSMo Supp. 1992;
- (5) North American is required to file a Missouri-specific annual report pursuant to Section 392.210, RSMo Supp. 1992, and Section 392.390.1, RSMo Supp. 1992;
- (6) North American is required, until the Commission orders otherwise, to submit to Staff on a confidential basis, quarterly reports showing its percentage of interstate use and intrastate inter-LATA and intraLATA use pursuant to Section 392.390.3, RSMo Supp. 1992;
- (7) Pursuant to Section 392.390.3, RSMo Supp. 1992, North American is required to comply with the jurisdictional reporting requirements as set out in each local exchange company's access services tariff.

The Commission further finds that North American should file appropriate tariffs within thirty days of the effective date of this Order. North American's certificate will become effective only upon approval by the Commission of such tariffs.

IT IS THEREFORE ORDERED:

1. That North American Communications Corporation is hereby granted a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri.

2. That the certificate of service authority granted in Ordered Paragraph 1 is subject to the conditions of certification set forth herein.

3. That North American Communications Corporation shall file tariffs consistent with this Order on or before March 9, 1993.

4. That North American Communications Corporation shall not provide services under the certificate granted in Ordered Paragraph 1 until such time as the tariffs directed in Ordered Paragraph 3 are approved by the Commission.

5. That this Order shall become effective on February 5, 1993.

BY THE COMMISSION

*Brent Stewart*

Brent Stewart  
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,  
Perkins and Kincheloe, CC., Concur.