

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.

Uni-Tel filed a proposed tariff in conjunction with its application and filed substitute sheets on November 20, 1998. The tariff's effective date is December 28. Uni-Tel's tariff describes the rates, rules, and regulations it intends to use, identifies Uni-Tel as a competitive company, and lists the waivers requested. Uni-Tel intends to provide interexchange telecommunications services including 1+ direct dial and Directory Assistance.

In its Memorandum filed on December 14, 1998 the Staff of the Missouri Public Service Commission (Staff) recommended that the Commission grant Uni-Tel 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 December 28.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Uni-Tel should be granted a certificate of service authority. The Commission finds that the services Uni-Tel proposes to offer are competitive and Uni-Tel 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 Uni-Tel's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated inter-exchange carriers. The Commission finds that the proposed tariff filed on November 12, 1998 shall be approved as amended to become effective on December 28, 1998.

IT IS THEREFORE ORDERED:

1. That Uni-Tel Communications Group, 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 Uni-Tel Communications Group, 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

3. That the tariff filed by Uni-Tel Communications Group, Inc. on November 12, 1998, is approved as amended to become effective on December 28, 1998. The tariff approved is:

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4. That this order shall become effective on December 28, 1998.

5. That this case shall be closed on January 4, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Anji Gandhi, 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 21st day of December, 1998.