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**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 8th  
day of January, 1998.

In the Matter of the Application of Comm/Net )  
Services Corporation for a Certificate of Service ) Case No. TA-98-213  
to provide Interexchange Telecommunications )  
Services Within the State of Missouri. )  
)

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

Comm/Net Services Corporation (Comm/Net) applied to the Public Service Commission on November 19, 1997, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994.<sup>1</sup> Comm/Net 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. Comm/Net is a Texas corporation, with its principal office located at 2301 Ohio Drive, Suite 285, Plano, Texas.

The Commission issued a Notice of Applications and Opportunity to Intervene on November 25, directing parties wishing to intervene to file their requests by December 10. 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

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<sup>1</sup> All 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.

Comm/Net filed a proposed tariff in conjunction with its application and filed substitute sheets on December 22. The tariff's effective date is January 5, 1998. Comm/Net's tariff describes the rates, rules, and regulations it intends to use, identifies Comm/Net as a competitive company, and lists the waivers requested. Comm/Net intends to provide interexchange telecommunications services including 1+ direct dial, 800/888/877 and travel card services.

In its Memorandum filed on December 31, 1997, the Staff of the Commission (Staff) stated that Comm/Net's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Comm/Net 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 to become effective on January 12, 1998.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Comm/Net should be granted a certificate of service authority. The Commission finds that the services Comm/Net proposes to offer are competitive and Comm/Net should be classified as a competitive company. The Commission finds that waiving the statutes and Commission rules set out in Ordered Paragraph 2 is reasonable and not detrimental to the public interest.

The Commission finds that Comm/Net'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 proposed tariff filed on November 19 should be approved as amended to become effective on January 12, 1998.

**IT IS THEREFORE ORDERED:**

1. That Comm/Net Services Corporation 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 Comm/Net Services Corporation 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. 1996 - 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 Comm/Net Services Corporation on November 19, 1997, is approved as amended to become effective on January 12, 1998. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on January 12, 1998.
5. That this case shall be closed on January 20, 1998.

**BY THE COMMISSION**



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

( S E A L )

Lumpe, Ch., Crumpton, Drainer  
and Murray, CC., concur.

Randles, Regulatory Law Judge