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September 20, 2000

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Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. TA-2001-130

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of a **STAFF RECOMMENDATION**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Julie A. Kardis
Assistant General Counsel
(573) 751-8706
(573) 751-9285 (Fax)

JAK/lb
Enclosure
cc: Counsel of Record

FILED²

SEP 20 2000

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

SEP 20 2000

Missouri Public
Service Commission

In the Matter of the Application of K-)
Powernet, L.L.C. for Certificates of)
Authority to Provide Interexchange and)
Non-Switched Local Exchange)
Telecommunications Services Within the)
State of Missouri.)

Case No. TA-2001-130

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation in this matter respectfully states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission (Commission) grant K-Powernet, L.L.C. (Applicant) a certificate of authority to provide interexchange telecommunications services and a certificate to provide local exchange telecommunications services restricted to dedicated, private line services. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. (See §§ 392.430 and 392.440 RSMo 1994.)

2. Staff also recommends that the Commission classify the Applicant and its services as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is subject to sufficient competition to justify a lesser degree of regulation. (See §392.361.2 RSMo 1994.) All the services a competitive company provides must be classified as competitive. (See §392.361.3 RSMo 1994.)

3. Staff further recommends that the Commission approve the waivers listed in the Notice of Application. The Commission may waive the application of its rules and certain

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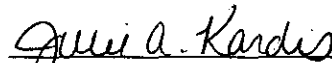
statutes if the Commission determines that waiver is consistent with the purposes of Chapter 392 RSMo. (See §§ 392.361.3 and 392.420 RSMo 1994, and § 392.185 RSMo Supp. 1999.)

4. Finally, Staff recommends that the Commission grant approval of the Applicant's proposed tariff, PSC MO NO. 1, with a proposed effective date of October 16, 2000.

WHEREFORE, Staff recommends that the Commission grant K-Powernet, L.L.C. certificates to provide interexchange telecommunications services and local exchange telecommunications services restricted to dedicated, private line services, grant Applicant competitive classification, approve Applicant's proposed tariff, PSC MO NO. 1, and approve the waivers listed in the Notice of Applications.

Respectfully submitted,

DANA K. JOYCE
General Counsel



Julie A. Kardis
Assistant General Counsel
Missouri Bar No. 44450

Attorney for the Staff of the
Missouri Public Service Commission
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 20th day of September, 2000.

Julie A. Kardis

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No: TA-2001-130 File No: 200100244
Applicant: K-Powernet L.L.C.

From: Amonia Moore *AM*
Telecommunications Department

Budgett 9-18-00
Utility Operations Division/Date

Wm K Haas 9/20/00
General Counsel's Office/Date

AK 9-20-00

Subject: Staff Recommendation for Approval of Certificate

Date: September 18, 2000

Date Assigned: 9/13/2000

Staff Deadline: 10/5/2000

The Telecommunications Department Staff (Staff) recommends the applicant be granted the following certificate(s), as indicated below, to be effective on the same date the tariff becomes effective:

- ☒ certificate to provide interexchange telecommunications services.
☒ certificate to provide local exchange telecommunications services.*
*local exchange authority should be restricted to dedicated, private line services.

Staff recommends the applicant and its services receive competitive classification. Furthermore, Staff recommends approval of the applicant's proposed tariff, PSC MO NO. 1, with a proposed effective date of 10/16/2000. In addition, Staff recommends approval of the waivers listed in the Notice.

Is there an attachment to this recommendation indicating any additional recommendations or special considerations? ☐ Yes ☒ No

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09-18-00P04:15 RCVD

Application/Tariff Review Items



No applications to intervene filed.

Application contains the following:



Proper Secretary of State authorization



Request for classification as a competitive telecommunications company.



All requested waivers are listed in the Notice and all requested waivers have previously been granted to other competitive companies.

Proposed tariff:



Complies with PSC rules and statutes applicable to applicant.



If operator services offered, such services are not inconsistent with 4 CSR 240-33.130.



Includes "interexchange" tariff text if offers private line service w/o requesting a local certificate.



If ICB pricing proposed, only for private line.



If ICB pricing is offered, tariff includes standardized ICB text.



Rate structures or service offerings are similar to existing IXC offerings. (In addition, tariff does not geographically de-average).



If promotional offering text is included, it is standardized promotion text.



Waivers listed in tariff match those listed in application and Notice.

Services Offered in Initial Tariff



1+



800/888/877 Services



Directory Assistance



Operator Assistance



Private Line



Debit Card



Travel Card



Other:

Has proposed effective date been extended? ☐ Yes ☒ No

New effective date:

Have substitute tariff sheets been filed? ☒ Yes ☐ No

Date of substitute sheets: 9/13/00 and 9/15/00

From	Initials	Date	Revised
Amonia Moore	ALM	9/18/00	
Wm. Voight			
Mr. VanEschen			
Legal			

**Service List for
Case No. TA-2001-130
September 20, 2000**

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