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Case No. TA-99-29

**ORDER APPROVING INTEREXCHANGE AND NONSWITCHED LOCAL EXCHANGE**  
**CERTIFICATES OF SERVICE AUTHORITY AND ORDER APPROVING TARIFF**

Communications Billing, Inc. (Communications Billing) applied to the Public Service Commission on July 14, 1998, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Section 392.410-.450, RSMo 1994 and RSMo Supp. 1997.<sup>1</sup> Communications Billing 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. Communications Billing is an Ohio corporation, with its principal office located at River Square Plaza, 19645 Detroit Road, #295, Rocky River, Ohio 44116.

The Commission issued a Notice of Applications and Opportunity to Intervene on July 21, directing parties wishing to intervene to file their requests by August 5. 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,

<sup>1</sup> All further statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

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.

Communications Billing filed a proposed tariff in conjunction with its application and filed substitute sheets on August 14 and August 25. The tariff's original effective date was August 28. On August 3, Communications Billing notified the Commission by letter that it was extending its tariff effective date from August 28 to September 4. Communications Billing's tariff describes the rates, rules, and regulations it intends to use, identifies Communications Billing as a competitive company, and lists the waivers requested. Communications Billing intends to provide interexchange and nonswitched local exchange telecommunications services including 1+, 800/888/877 Services, Directory Assistance, Private Line, Travel Card, Dedicated Inward, and Dedicated Outbound services.

In its Memorandum filed on August 26, the Staff of the Commission stated that Communications Billing's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Communications Billing a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunications services on condition that this authority be restricted to providing dedicated, nonswitched local exchange private line services. Staff recommended that the Commission grant Communications Billing 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 September 4.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and Communications Billing should be granted certificates of service authority. The Commission finds that the services Communications Billing proposes to offer are competitive and Communications Billing 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 Communications Billing's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange and nonswitched local exchange carriers. The Commission finds that the proposed tariff filed on July 14 shall be approved as amended to become effective on September 4.

**IT IS THEREFORE ORDERED:**

1. That Communications Billing, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That Communications Billing, Inc. is granted a certificate of service authority to provide local exchange telecommunications services in the state of Missouri limited to providing dedicated, nonswitched local exchange private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. That Communications Billing, 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

4. That the tariff filed by Communications Billing, Inc. on July 14, 1998, is approved as amended to become effective on September 4, 1998. The tariff approved is:

**Missouri P.S.C. Tariff No. 1**

5. That this order shall become effective on September 4, 1998.
6. That this case shall be closed on September 14, 1998.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

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

(S E A L)

Vicky Ruth, 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 3rd day of September, 1998.