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**BEFORE THE PUBLIC SERVICE COMMISSION**

**OF THE STATE OF MISSOURI**

In the Matter of the Application of Buyers )  
International, Inc. for a Certificate of Service ) **Case No. TA-99-72**  
Authority to Provide Competitive Intrastate ) (Tariff File #9900145)  
Interexchange Telecommunications Services Within )  
the State of Missouri. )  
)

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

Buyers United International, Inc. (Buyers) applied to the Public Service Commission on August 20, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994.<sup>1</sup> Buyers 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. Buyers is a Utah corporation, with its principal office located at 635 West 5300 South, Suite 202, Murray, Utah 84123.

The Commission issued a Notice of Applications and Opportunity to Intervene on September 1, directing parties wishing to intervene to file their requests by September 16. 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

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

to intervene or requested a hearing, the Commission may grant the relief requested based on the verified application.

Buyers filed a proposed tariff in conjunction with its application and filed substitute sheets on September 24. The tariff's original effective date was October 5; the tariff effective date was extended to October 12. Buyers's tariff describes the rates, rules, and regulations it intends to use, identifies Buyers as a competitive company, and lists the waivers requested. Buyers intends to provide interexchange telecommunications services including 1+, 800/888/877, Directory Assistance, Debit Card, and Travel Card services.

In its Memorandum filed on October 1, the Staff of the Commission stated that Buyers's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Buyers 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 October 12.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Buyers should be granted a certificate of service authority. The Commission finds that the services Buyers proposes to offer are competitive and Buyers 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 Buyers'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 August 20 shall be approved as amended to become effective on October 12.

**IT IS THEREFORE ORDERED:**

1. That Buyers United International, 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 Buyers United International, 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 Buyers United International, Inc. on August 20, 1998, is approved as amended to become effective on October 12, 1998. The tariff approved is:

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

4. That this order shall become effective on October 12, 1998.
5. That this case shall be closed on October 19, 1998.

**BY THE COMMISSION**



**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 8th day of October, 1998.

