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Case No. TA-98-412

AND ORDER APPROVING TARIFF

The Commission issued a Notice of Applications and Opportunity to Intervene on April 7, directing parties wishing to intervene to file their requests by April 22. 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 or

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

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

TRINetwork filed a proposed tariff in conjunction with its application and filed substitute sheets on April 22 and May 1. The tariff's effective date is May 15. TRINetwork's tariff describes the rates, rules, and regulations it intends to use, identifies TRINetwork as a competitive company, and lists the waivers requested. TRINetwork intends to provide interexchange telecommunications services including 1+ direct dial, 800/888/877, Directory Assistance, Debit card, and Travel card services.

In its Memorandum filed on May 6 the Staff of the Commission stated that TRINetwork's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant TRINetwork 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 May 15.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and TRINetwork should be granted a certificate of service authority. The Commission finds that the services TRINetwork proposes to offer are competitive and TRINetwork 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 TRINetwork'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 March 30 shall be approved as amended to become effective on May 15.

IT IS THEREFORE ORDERED:

1. That Telecom Resources, Inc., d/b/a TRINetwork, Inc. is granted a certificate of service authority to provide intrastate inter-exchange telecommunications services in the state of Missouri, subject to all applicable statutes and Commission rules except as specified in this order.

2. That Telecom Resources, Inc., d/b/a TRINetwork, 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 Telecom Resources, Inc. d/b/a TRINetwork, Inc. on March 30, 1998, is approved as amended to become effective on May 15, 1998. The tariff approved is:

P.S.C. MO. TARIFF NO. 1

4. That this order shall become effective on May 15, 1998.
5. That this case shall be closed on May 22, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Nancy Dippell, 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 11th day of May, 1998.