



Missouri Public Service Commission

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May 23, 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

FILED³

MAY 23 2000

Missouri Public
Service Commission

RE: Case No. TA-2000-581

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,

William K. Haas
Deputy General Counsel
(573) 751-7510
(573) 751-9285 (Fax)

WKH/df
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

MAY 23 2000

Missouri Public
Service Commission

In the Matter of the Application of)
Teligent Services, Inc. for a Certificate of)
Service Authority to Provide)
Interexchange and Local Exchange)
Telecommunications Services in the State)
of Missouri and for Competitive)
Classification)

Case No. TA-2000-581

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) by and through one of its attorneys, and for its Recommendation states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission (Commission) grant Teligent Services, Inc. (Company) a certificate to provide interexchange telecommunications services and a certificate to provide local exchange telecommunications services restricted to dedicated private line services. Under current law, the Commission can 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 Company 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 with the exception of the request to waive 4 CSR 240-32.030(4)(A)(2) due to the fact that this rule does not apply to interexchange carriers. The Commission may waive the application of its rules and certain 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. Staff lastly recommends that the Commission approve the applicant's proposed tariff, PSC MO NO. 1, with a proposed effective date of 5/31/2000.

WHEREFORE, the Staff recommends that the Commission grant the Company a certificate to provide interexchange telecommunications services and a certificate to provide local exchange telecommunications services restricted to dedicated, private line service, grant the Company and its services a competitive classification, approve the Company's proposed tariff, PSC MO NO. 1 with a proposed effective date of May 31, 2000, and approve the waivers listed in the Notice of Application with the exception of the waiver requested in connection with 4 CSR 240-32.030(4)(A)(2).

Respectfully submitted,

DANA K. JOYCE
General Counsel

William K Haas
William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

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 23rd day of May, 2000.

William K Haas

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No: TA-2000-581 File No: 20000850
Applicant: Teligent Services, Inc.

From: Lisa Mahaney *lm*
Telecommunications Department

0ES 5-12-2000
R. V. Kraft 05-11-00 *W. K. Hagan 5/12/00*
Utility Operations Division/Date General Counsel's Office/Date

Subject: Staff Recommendation for Approval of Certificate

Date: May 11, 2000

Date Assigned: 3/20/00

Staff Deadline: 5/19/00

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 5/31/00. 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

RECEIVED
MAY 12 2000
MS 8:29
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

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, operator services requirements are included.
- 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

- | | |
|--|--|
| <input checked="" type="checkbox"/> 1+ | <input checked="" type="checkbox"/> Private Line |
| <input checked="" type="checkbox"/> 800/888/877 Services | <input type="checkbox"/> Debit Card |
| <input checked="" type="checkbox"/> Directory Assistance | <input checked="" type="checkbox"/> Travel Card |
| <input type="checkbox"/> Operator Assistance | <input type="checkbox"/> Other: |

Has proposed effective date been extended? Yes No
 New effective date: 5/31/00

Have substitute tariff sheets been filed? Yes No
 Date of substitute sheets: 5/4/00, 5/5/00, 5/10/00

From	Initials	Date	Revised
Lisa Mahaney	LM	5/11/00	
Wm. Voight	<i>BV</i>	<i>5-11</i>	
Mr. VanEschen	<i>Absent</i>		
Mr. Henderson	<i>-</i>		
Legal			

Attachment to Case No. TA-2000-581
May 11, 2000

Staff notes that in the Amendment by Interlineation filed April 14, 2000, Applicant requests a waiver of 4 CSR 240-32.030(4)(A)(2). This rule does not apply to IXCs. Thus, Staff recommends it not be waived. Applicant submitted a substitute sheet to remove this rule from the tariff.

**Service List for
Case No. TA-2000-581
May 23, 2000**

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