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February 23, 2000

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

FILED²

FEB 23 2000

Missouri Public
Service Commission

RE: Case No. TA-2000-456

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) 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,

David J. Stueven
Assistant General Counsel
(573) 751-6726
(573) 751-9285 (Fax)

DS/dkf
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

FEB 23 2000

Missouri Public
Service Commission

In the Matter of the Application of)
Custom Network Solutions, Inc. for a)
Certificate of Service Authority to provide)
Competitive Intrastate)
Telecommunications Services in Missouri)

Case No. TA-2000-456

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) 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 Custom Network Solutions, Inc. (Applicant) a certificate to provide interexchange telecommunications 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

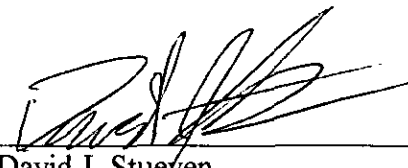
4

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).

WHEREFORE, the Staff recommends that the Commission grant Custom Network Solutions, Inc. a certificate to provide interexchange telecommunications services, grant Applicant competitive classification, approve Applicant's proposed tariff, PSC MO No. 1 with a proposed effective date of March 6, 2000, and approve waivers listed in the Notice of Application.

Respectfully submitted,

DANA K. JOYCE
General Counsel

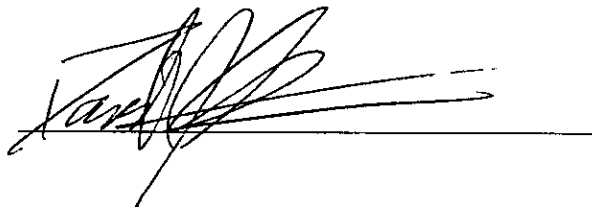


David J. Stueven
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Missouri Bar No. 51274

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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 February 2000.

A handwritten signature in black ink, appearing to be "Vandenberg", is written over a horizontal line.

(7

Case No. <u>TA-2000-456</u>		Company: <u>Custom Network Solutions</u>	
Assigned: <u>01-20-00</u>	File Number: <u>200000649</u>	Revised	
From: <u>Initial</u>	Date		
Mr. Gaveia	<u>pg</u>	<u>2-17-00</u>	
Mr. Voight	<u>BL</u>	<u>2-18</u>	
Mr. Van Eschen	<u>g</u>	<u>2/22</u>	
Mr. Henderson	<u>WJ</u>	<u>2-23</u>	
Legal			
Staff Deadline:	<u>2-24-00</u>		

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No: TA-2000-456 File No: 200000649
Applicant: Custom Network Solutions, Inc.

From: Philip M. Garcia P 9
Telecommunications Department

Wes Henderson 2-23-00 Man P 12:00 2-23-00 P 2-23-00
Utility Operations Division/Date General Counsel's Office/Date

Subject: Staff Recommendation for Approval of Certificate

Date: February 16, 2000

Date Assigned: January 20, 2000

Staff Deadline: Feb 24, 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 March 6, 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

RECEIVED
FEB 23 2000
2:00 PM
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION

Appendix A

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.

See attachment A

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



1+



Private Line



800/888/877 Services



Debit Card



Directory Assistance



Travel Card



Operator Assistance



Other:

Has proposed effective date been extended? ☐ Yes ☒ No

New effective date:

Have substitute tariff sheets been filed: ☐ Yes ☒ No

Date of substitute sheets:

Official Case File TA-2000-456
Tariff File No. 200000649
Page 1 of 1

Attachment A

Applicant is requesting waiver of Sections 392.210.2 and 392.300.2. The first applies to System of Accounts and the latter to Stock Ownership and Sale.

Telecommunications Staff has no objection to these additional waiver being granted as they have been granted in the past to other applicants for interexchange certificate.

Service List for
Case No. TA-2000-456
February 23, 2000

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