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**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Application of	)	
United States Advanced Network, Inc.,	)	
for a Certificate of Service Authority	)	<u>Case No. TA-99-414</u>
to Provide Competitive Intrastate	)	Tariff No. 9900743
Interexchange Telecommunications	)	
Service in Missouri.	)	

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

United States Advanced Network, Inc. (USAN or Applicant), applied to the Public Service Commission on March 29, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994<sup>1</sup>. USAN 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. Applicant is a Georgia corporation, with its principal office located at 3000 Northwoods Parkway, Suite 140, Norcross, Georgia 30071.

The Commission issued a Notice of Applications and Opportunity to Intervene on March 30, 1999, directing parties wishing to intervene to file their requests by April 14, 1999. No requests to intervene were received. 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

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

Enterprises, Inc. v. Public Service Commission, 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.

USAN filed a proposed tariff in conjunction with its application and filed substitute sheets on April 28, 1999, with an effective date of May 14, 1999. USAN's tariff describes the rates, rules, and regulations it intends to use, identifies USAN as a competitive company, and lists the waivers requested. USAN intends to provide interexchange telecommunications services including only a Debit Card service.

In its Memorandum filed on May 4, 1999, the Staff of the Commission stated that Applicant's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Applicant 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 14, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and USAN should be granted a certificate of service authority. The Commission finds that the service USAN proposes to offer is competitive and USAN 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 USAN'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, as amended on April 28, 1999, shall be approved to become effective on May 14, 1999.

**IT IS THEREFORE ORDERED:**

1. That United States Advanced Network, 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 United States Advanced Network, Inc., is classified as a competitive telecommunications company. Application of the following statutes and regulations 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 United States Advanced Network, Inc., on March 29, 1999, tariff no. 9900743, is approved as amended on April 28, 1999, to become effective on May 14, 1999. The tariff approved is:

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4. That this order shall become effective on May 14, 1999.
5. That this case shall be closed on May 15, 1999.

BY THE COMMISSION

*Dale Hardy Roberts*

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

Kevin A. Thompson, Deputy Chief  
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 6th of May, 1999.

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION