

PK
BB

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of November, 1998.

In the Matter of the Application of)	
MAXCOM, Inc. for a Certificate of)	
Service Authority to Provide Basic Local)	<u>Case No. TA-98-339</u>
Telecommunications Services in Portions of)	(Tariff File 9900061)
the State of Missouri and for Competitive)	
Classification.)	

ORDER APPROVING TARIFF

The Commission granted to MAXCOM, Inc. (MAXCOM) a certificate of service authority to provide basic local telecommunications services in Missouri by Order issued on July 15, 1998. The Order waived the filing of a 45-day tariff as required by 4 CSR 240-2.060(4)(H) until 30 days after MAXCOM has entered into a Commission-approved interconnection agreement that will enable it to provide basic local exchange services. MAXCOM's certificates of service authority will become effective upon the effective date of its approved tariffs.

MAXCOM filed a Certification and Notice of Tariff Filing on July 28. The certification and notice indicated that the proposed tariff permits MAXCOM to resell certain services of Brooks Fiber Communications of Missouri, Inc., a certificated competitive local exchange telecommunications company. MAXCOM has not executed nor received approval of any resale agreement with Southwestern Bell Telephone Company or any other incumbent LEC who serves in MAXCOM's service area. MAXCOM represented that because it is not seeking to resell the services of any incumbent LEC no resale or interconnection agreement with the incumbent

LEC is necessary for purposes of this tariff filing. Staff concurred with that representation.

MAXCOM filed tariff sheets on July 28, with an effective date of September 11. The tariff sheets reflect the rates, rules, and regulations MAXCOM will use and the services it will offer. The effective date was extended to September 25, October 9, October 31, and finally to November 13. MAXCOM filed substitute tariff sheets on October 14, 23, and 27 in order to make clarifications and bring its tariff into compliance with Commission rules and regulations.

The Commission's Staff reviewed the tariff sheets and filed a memorandum on November 4 recommending that the Commission approve them as amended by the substitute sheets. Staff stated that MAXCOM proposes to offer basic local service to non-residential business customers on a resale basis. MAXCOM also proposes to offer Custom Calling Features such as Call Forwarding, Caller I.D., Call Trace, and Three Way Calling. Additionally, MAXCOM's proposed tariff offers directory listings service, directory assistance, and operator services. Staff stated that MAXCOM's proposed rates are comparable to the rates of other companies offering similar services. Staff recommended that the tariff be approved as amended to become effective on November 13.

The Commission has reviewed the tariff sheets and Staff's recommendation and finds that the tariff sheets, as amended, conform to the Commission's Order of July 15 and should be approved to become effective on November 13. The Commission concludes that the conditions stated in the July 13 Order for MAXCOM's certificate of service authority to provide basic local telecommunications service have been satisfied and the certificate will take effect on November 13.

IT IS THEREFORE ORDERED:

1. That the tariff filed by MAXCOM, Inc. on July 28, 1998, is approved as amended to become effective on November 13, 1998. The tariff approved is:

MAXCOM, Inc. P.S.C. Mo Tariff No. 2
Original Pages 1 through 47

2. That the certificate of service authority granted to MAXCOM, Inc. on July 15, 1998, to provide basic local telecommunications services shall become effective on November 13, 1998.

3. That this order shall become effective on November 13, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Drainer and
Murray, CC., concur.
Crumpton and Schemenauer,
CC., absent.

Woodruff, Regulatory Law Judge .

RECEIVED

NOV 13 1993

COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION