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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held at its office  
in Jefferson City on the 27th  
day of August, 1998.

In the Matter of the Application of Metracom )  
Corporation for a Certificate of Service Authority )  
to Provide Competitive Intrastate Interexchange ) Case No. TA-98-543  
Telecommunications Services Within the State of )  
Missouri. )  
)

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY

Metracom Corporation (Metracom) applied to the Public Service Commission on June 1, 1998, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo1994.<sup>1</sup> Metracom 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. Metracom is a Massachusetts corporation, with its principal office located at 210 South Street, 9th floor, Boston, Massachusetts 02111.

The Commission issued a Notice of Applications and Opportunity to Intervene on June 9, directing parties wishing to intervene to file their requests by June 24. 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,

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

776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked permission to intervene or requested a hearing on the issue of whether Metracom should receive a Certificate of Service Authority, the Commission may grant the relief requested based on the verified application.

Metracom filed a proposed tariff in conjunction with its application with an effective date of August 29.

In its Memorandum filed on August 20, the Staff of the Commission (Staff) stated that Metracom's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Metracom a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff also recommended approval of Metracom's tariff. However, the Commission is not prepared to approve the tariff and will address it in a separate order.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Metracom should be granted a certificate of service authority. The Commission finds that the services Metracom proposes to offer are competitive and Metracom 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 shall issue concurrently a separate order addressing Metracom's proposed tariff. The Commission reminds Metracom that it is not authorized to conduct business with only a Certificate of Service Authority. Metracom must also receive Commission approval for a tariff under which to operate.

**IT IS THEREFORE ORDERED:**

1. That Metracom Corporation 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 Metracom Corporation 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 Metracom's Certificate of Service Authority shall become effective when the company's tariff becomes effective. Metracom may not offer services until that date.

4. That this order shall become effective on August 29, 1998.

BY THE COMMISSION

*Dale Hardy Roberts*

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Harper, Regulatory Law Judge

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION