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March 27, 2000

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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

FILED³

MAR 27 2000

Missouri Public
Service Commission

RE: Case No. TA-2000-515

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,

Nathan Williams
Assistant General Counsel
(573) 751-8702
(573) 751-9285 (Fax)

NW/lb
Enclosure
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

MAR 27 2000

In the Matter of the Application of)
FairPoint Communications Corp. for a)
Certificate of Service Authority to provide)
Interexchange Telecommunications)
Services in the State of Missouri and to)
Classify Said Services and the Company)
as Competitive)
)

Missouri Public
Service Commission

Case No. TA-2000-515

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 FairPoint Communications Corp. (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).

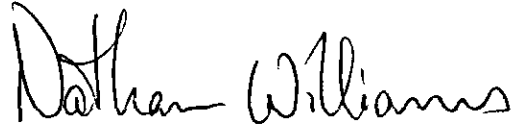
3. Staff further recommends that the Commission approve the waivers listed in the Notice of Application. The Staff notes that 4 CSR 240-32.030(1)(B) and 4 CSR 240-32.030(1)(C) are now found at 4 CSR 240-32.030(4)(C) and 4 CSR 240-32.030(4)(A)2, respectively. These waivers have been granted to other carriers in the past. 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. Applicant filed a supplement to its application on March 16, 2000, adding an express request the Commission grant competitive status for its services. At Staff's request, the Applicant filed substitute tariff sheets on March 16, 2000 and March 23, 2000, revising tariff language.

WHEREFORE, the Staff recommends that the Commission grant FairPoint Communications Corp. a certificate to provide interexchange and dedicated, private line local exchange telecommunications services, grant Applicant and its services competitive classification, approve Applicant's proposed tariff, PSC MO No. 1 with a proposed effective date of April 7, 2000, and approve the waivers listed in the Notice of Applications with the modification of the references to 4 CSR 240-32.030(1)(B) and 4 CSR 240-32.030(1)(C) to 4 CSR 240-32.030(4)(C) and 4 CSR 240-32.030(4)(A)2, respectively.

Respectfully submitted,

DANA K. JOYCE
General Counsel

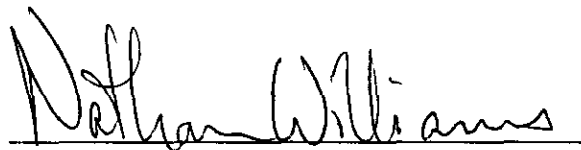


Nathan Williams
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Certificate of Service

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 27th day of March, 2000.



MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No: TA-2000-515 File No: 200000754
Applicant: FairPoint Communications Corp.

From: Walt Cecil *WCBV*
Telecommunications Department

[Signature] 3/24/00 *Wm K Haas* 3/27/00 *NW* 3/24/00
Utility Operations Division/Date General Counsel's Office/Date

Subject: Staff Recommendation for Approval of Certificate

Date: 03/23/00

Date Assigned: 02/22/00

Staff Deadline: 03/29/00

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: April 7, 2000.

- ☒ 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 04/07/00. 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
MAR 24 2000
DH 3:40PM
COMMUNICATIONS
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 checked="" type="checkbox"/> Operator Assistance | <input type="checkbox"/> Other: |

Has proposed effective date been extended? ☐ Yes ☒ No

New effective date:

Have substitute tariff sheets been filed? ☒ Yes ☐ No

Date of substitute sheets: March 23, 2000; March 16, 2000.

From	Initials	Date	Revised
Walt Cecil	WC	03/23/00	
Wm. Voight	BV	3-23	
Mr. VanEschen			
Legal	wkf	3/27/00	

Service List for
Case No. TA-2000-515
March 27, 2000

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