

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of XO Communications)
Services, Inc., to Expand its Certificate of Basic Local)
Service Authority to include provision of Basic Local)
Exchange Telecommunications Service throughout)
the State of Missouri and to Continue to Classify the)
Company and its Services as Competitive.)

Case No. TA-2009-0108

NOTICE OF APPLICATION FOR EXPANSION OF CERTIFICATE OF SERVICE
AUTHORITY AND ORDER DIRECTING FILING

Issue Date: September 24, 2008

Effective Date: September 24, 2008

On September 19, 2008, XO Communications Services, Inc., filed an application to expand its basic local exchange telecommunications service to include the provision of basic local exchange telecommunications service in all exchanges throughout the state of Missouri. XO has previously been issued a certificate to provide basic local exchange telecommunications service in the service territories of Southwestern Bell Telephone Company, n/k/a AT&T, CenturyTel of Missouri, LLC, and Sprint Missouri, Inc. XO also has been granted certificates of service authority to provide interexchange telecommunications services and non-switched local exchange telecommunications services (limited to providing dedicated, non-switched local exchange private line services) throughout the state of Missouri.

XO requests that the company and its services remain classified as competitive.

XO has also requested that the Commission grant it a waiver of the following:

Statutes

- 392.210.2 - uniform system of accounts
- 392.240(1) - just and reasonable rates
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities
- 392.300 - transfer of property and acquisition of stock
- 392.310 - stock and debt issuance
- 392.320 - stock dividend payment
- 392.330 - issuance of securities, debts and notes
- 392.340 - reorganization(s)

Commission Rules

- 4 CSR 240-3.550(4) - records of applications
- 4 CSR 240-3.550(5)(A) - quality of service quarterly report
- 4 CSR 240-3.550(5)(C) - exchange boundary maps
- 4 CSR 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts
- 4 CSR 240-32.060 - engineering and maintenance
- 4 CSR 240-32.070 - quality of service
- 4 CSR 240-32.080 - service objectives and surveillance levels
- 4 CSR 240-33.040(1)-(3)
and (5)-(10) - billing and payment standards
- 4 CSR 240-33.045 - customer bills
- 4 CSR 240-33.080(1) - company name for billing disputes
- 4 CSR 240-33.130(1),
(4), and (5) - operator service

The Commission shall grant the application to expand a certificate to provide basic local telecommunications service of an alternative local exchange carrier (ALEC) certificated prior to August 28, 2008, within 30 days of the request so long as the ALEC is in good standing with the Commission in all respects.¹ Therefore, if XO meets the criteria, the Commission must act no later than October 19, 2008.

¹ Subsection 392.450.3, RSMo (amended by H.B. 1779 effective Aug. 28, 2008).

The Commission shall direct its Data Center to send notice of this application to each certificated telecommunications company. Any proper person who wishes to request a hearing on this matter shall do so as directed below. If no proper person requests a hearing, the Commission may make its decision based on the verified application and other filings in the case.²

In addition, the Commission would be aided by a recommendation from its Staff. Therefore, the Commission shall direct its Staff to file a recommendation as directed below.

IT IS ORDERED THAT:

1. The Data Center of the Commission shall send a copy of this notice to each certificated telecommunications company in the state of Missouri.
2. Any request for hearing shall be filed no later than October 3, 2008.
3. The Staff of the Missouri Public Service Commission shall file its recommendation no later than October 3, 2008.
4. This order is effective upon issuance.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 24th day of September, 2008.

² *State ex rel. Deffenderfer Enterprises, Inc. v. Public Service Comm'n*, 776 S.W.2d 494, 495-496 (Mo. App. 1989).