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or requested a hearing in this case, the Commission may grant the relief requested based on the verified application.

Access Point filed a proposed tariff in conjunction with its application with an effective date of October 23. Access Point's tariff describes the rates, rules, and regulations it intends to use, identifies Access Point as a competitive company, and lists the waivers requested. Access Point intends to provide interexchange telecommunications services, including direct (1+) dialing, 800 number, directory assistance, travel card and debit card services throughout the state of Missouri.

In its Memorandum filed on October 7 the Staff of the Commission stated that Access Point's proposed services are similar to existing IXC offerings. Staff recommended that the Commission grant Access Point 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 to become effective on October 23.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Access Point should be granted a certificate of service authority. The Commission finds that the services Access Point proposes to offer are competitive and Access Point should be classified as a competitive company. The Commission is of the opinion that waiving the statutes and Commission rules set out in Ordered Paragraph 2 is reasonable and not detrimental to the public interest.

The Commission determines, by authority of Section 392.470, that Access Point should comply with the following regulatory requirements as reasonable and necessary conditions of certification:

- (1) Access Point must comply with reasonable requests by Staff for financial and operating data to allow Staff to monitor the intraLATA toll market. § 386.320.3.
- (2) Access Point must file tariffs containing rules and regulations applicable to customers, a description of the services provided, and a list of rates associated with those services in accordance with 4 CSR 240-30.010 and Section 392.220, RSMo Supp. 1996.
- (3) Access Point may not unjustly discriminate between its customers. §§ 392.200, RSMo Supp. 1996, 392.400.
- (4) Access Point must comply with all applicable rules of the Commission except those specifically waived by this order. §§ 386.570, 392.360.
- (5) Access Point must file a Missouri-specific annual report. §§ 392.210, 392.390.1.
- (6) Access Point must comply with jurisdictional reporting requirements as set out in each local exchange company's access services tariffs. § 392.390.3.
- (7) Access Point must submit to the Staff, on a confidential basis, a copy of the jurisdictional report it submits to local exchange companies. The report must be submitted within ten-days of the date on which it is submitted to the local exchange company.

The Commission finds that Access Point'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 filed on September 5 should be approved to become effective on October 23.

IT IS THEREFORE ORDERED:

1. That Access Point, Inc. is granted a certificate of service authority to provide intrastate interexchange telecommunications services in the state of Missouri, subject to the conditions of certification set out above.

2. That Access Point, Inc. is classified as a competitive telecommunications company. 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. 1996 - 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 Access Point, Inc. on September 5, 1997, is approved to become effective on October 23, 1997. The tariff approved is:

P.S.C. Mo. Tariff No. 1

4. That this order shall become effective on October 23, 1997.
5. That this case shall be closed on November 3, 1997.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Cecil I. Wright", with a stylized flourish at the end.

**Cecil I. Wright
Executive Secretary**

(S E A L)

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

Randles, Regulatory Law Judge