

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of Alliance Global)	
Networks LLC for a Certification of Service Authority)	
to Provide Intrastate Interexchange and Nonswitched)	
Local Exchange Telecommunications Services to the)	<u>File No. XA-2009-0410</u>
Public within the State of Missouri and for Competitive)	
Classification)	

**ORDER APPROVING INTEREXCHANGE AND NONSWITCHED
LOCAL EXCHANGE CERTIFICATES OF SERVICE AUTHORITY**

Issue Date: June 9, 2009

Effective Date: June 19, 2009

This order grants Alliance Global Networks LLC a certificate of service authority to provide interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services.

Alliance applied to the Missouri Public Service Commission on May 14, 2009, for certificates of service authority to provide intrastate interexchange and nonswitched local exchange telecommunications services in Missouri under Sections 392.410, RSMo Supp. 2008, through 392.450, RSMo 2000.¹ Alliance asked the Commission to classify it as a competitive company and to waive certain statutes and rules as authorized by Sections 392.361 and 392.420. Alliance is a Delaware corporation with its principal office located at 1221 Post Rd. E., Westport, CT 06880.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on May 18, directing parties wishing to intervene to file their requests by June 2. No requests for intervention were filed.

¹ All statutory references are to the Revised Statutes of Missouri (RSMo), revision of 2001, unless otherwise indicated.

Alliance acknowledges 4 CSR 240-3.510(1)(C), which requires that tariff be filed with, and approved by, the Commission prior to the company providing service. Alliance states that it will soon file a tariff with a 45-day effective date.

Alliance's application identifies Alliance as a competitive company, and lists the waivers requested. Alliance intends to provide interexchange and nonswitched local exchange telecommunications services including a full range of "1+" interexchange services, MTS, out WATS Services, and where appropriate, non-switched local exchange/private line services.

In its memorandum filed on June 8, the Staff of the Commission recommended that the Commission grant Alliance a certificate of interexchange service authority, and a certificate of service authority for local exchange telecommunications services on condition that this authority is restricted to providing dedicated private line services. Staff recommended that the Commission grant Alliance competitive status and waiver of the statutes and rules listed in the Notice.

Staff advises that the company's authority be subject to the following conditions: (1) that the company's originating and terminating access rates shall not exceed the access rates of the incumbent local exchange company against whom the company is competing and (2) If the directly-competing ILEC, in whose service area the company is operating, decreases its originating or terminating access service rates, the company shall file an appropriate tariff amendment to reduce its originating or terminating access rates in the directly-competing ILEC's service area within 30 days of the directly-competing ILEC's reduction of its originating or terminating access rates in order to maintain the cap.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and

Alliance shall be granted certificates of service authority. The Commission finds that the services Alliance proposes to offer are competitive and Alliance shall 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 reminds the company that failure to comply with its regulatory obligations may result in the assessment of penalties against it. These regulatory obligations include, but are not limited to, the following:

A) The obligation to file an annual report, as established by Section 392.210, RSMo 2000. Failure to comply with this obligation will make the utility liable to a penalty of \$100 per day for each day that the violation continues. 4 CSR 240-3.540 requires telecommunications utilities to file their annual report on or before April 15 of each year.

B) The obligation to pay an annual assessment fee established by the Commission, as required by Section 386.370, RSMo 2000.

C) The obligation to comply with all relevant laws and regulations, as well as orders issued by the Commission. If the company fails to comply, it is subject to penalties for noncompliance ranging from \$100 to \$2,000 per day of noncompliance, pursuant to Section 386.570, RSMo 2000.

D) The obligation to keep the Commission informed of its current address and telephone number.

Furthermore, the company is reminded that, if it is a corporation, non-attorneys may not represent the company before the Commission. Instead, the corporation must be represented by an attorney licensed to practice law in Missouri.

In addition, the company is reminded that Section 392.410.5, RSMo Supp. 2008, renders the company's certificate of service authority null and void one year from the date of this order unless it has exercised its authority under that certificate. Finally, the company is reminded that it cannot lawfully provide service until it has a tariff approved by the Commission.

THE COMMISSION ORDERS THAT:

1. Alliance Global Networks LLC 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. Alliance Global Networks LLC is granted a certificate of service authority to provide nonswitched local exchange telecommunications services in the state of Missouri limited to providing dedicated private line services, subject to all applicable statutes and Commission rules except as specified in this order.

3. The certification granted herein is conditioned upon the company's compliance with the regulatory obligations in this order.

4. The certification is further conditioned on those condition suggested by the Staff of the Commission as set out in the body of this order.

5. Alliance Global Networks LLC is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

- 392.210.2 - uniform system of accounts
- 392.240.1 - rates-rentals-service & physical connections
- 392.270 - valuation of property (ratemaking)
- 392.280 - depreciation accounts
- 392.290 - issuance of securities

- 392.300.2 - 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 240-10.020 - depreciation fund income
- 4 CSR 240-30.040 - uniform system of accounts

6. Alliance Global Networks LLC cannot lawfully provide service until it has a tariff on file with and approved by the Missouri Public Service Commission. When Alliance submits such a tariff, it shall do so by filing a non-case tariff submission. The tariff submission shall not be filed in this case.

7. This order shall become effective on June 19, 2009.

8. This case may be closed on June 20, 2009.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of June, 2009.