

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of United American)
Technology, Inc., for Certificate of Service Authority)
to Provide Switched Interexchange and)
Non-Switched Local Exchange Service in the State) **Case No. XA-2007-0337**
of Missouri and to Classify Said Services and the)
Company as Competitive)

ORDER APPROVING INTEREXCHANGE AND
NONSWITCHED LOCAL EXCHANGE CERTIFICATES OF SERVICE
AUTHORITY

Issue Date: April 16, 2007

Effective Date: April 26, 2007

Syllabus: This order grants United American Technology, Inc. ("UAT") certificates of service authority to provide interexchange and nonswitched local exchange telecommunications services, restricted to providing dedicated private line services.

On March 15, 2007, United American Technology, Inc. ("UAT") applied to the Missouri Public Service Commission for certificates of service authority to provide switched interexchange and nonswitched local exchange telecommunications services in Missouri. UAT's application, which was filed pursuant to section 392.410, RSMo Cum. Supp. 2005 and sections 392.420 through 392.450, RSMo 2000,¹ as well as the pertinent administrative

¹ Unless otherwise indicated, all statutory references are to RSMo 2000.

regulations, did not (and was not required to) contain a proposed tariff.² UAT asked the Commission to classify it and its services as competitive and to waive certain statutes and Commission rules as authorized by sections 392.361 and 392.420. UAT, whose principal office is located at 1362 East 15th Street, Edmond, Oklahoma 73103, is an Oklahoma corporation registered and duly authorized to do business in Missouri as a foreign corporation.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on March 20, 2007, directing parties wishing to intervene to file their requests by April 4, 2007. No requests for intervention were filed.

UAT intends to provide switched interexchange and nonswitched local exchange telecommunications services limited to providing dedicated private line services on a resold basis throughout Missouri.

In its Memorandum filed on April 12, 2007, the Staff of the Commission recommended that the Commission grant UAT a certificate of intrastate, interexchange service authority and a certificate of service authority for local exchange telecommunications service on condition that this authority be restricted to providing dedicated private line services. Staff recommended that the Commission classify UAT and its services as competitive, and that the Commission waive the statutes and rules listed in the Notice.

² See Commission Rule 4 CSR 240-3.510(1)(C), which provides that a proposed tariff may, but need not be, filed simultaneously with an application for a certificate of service authority to provide interexchange, local exchange, or basic local exchange telecommunications services. Although UAT did file an illustrative draft tariff lacking an issue or effective date in conjunction with its application, the tariff was not formally submitted for Commission approval. UAT has advised the Commission that it plans to file a tariff after it has been granted the requested certificates of service authority.

The Commission finds that competition in the intrastate interexchange and nonswitched local exchange telecommunications markets is in the public interest and that UAT shall be granted certificates of service authority. The Commission finds that the services UAT proposes to offer are competitive and that UAT 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. 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. Commission Rule 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.

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.

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

Furthermore, the company is reminded that, as 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.

Furthermore, as noted above, no proposed tariff was submitted with the application. While no tariff filing is required at this time, the Commission advises UAT that “[b]efore service can be provided, a tariff and any applicable interconnection agreements must be filed with the commission and approved.”³ Finally, the company is reminded that Section 392.410.5, RSMo Cum. Supp. 2005, 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.

IT IS ORDERED THAT:

1. United American Technology, Inc. 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. United American Technology, Inc. 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 certifications granted herein are conditioned upon United American Technology, Inc.’s compliance with the regulatory obligations in this order.

³ 4 CSR 240-3.510(1)(C). The tariff filed with the Commission must have “an effective date which is not fewer than forty-five (45) days after the tariff’s issue date.” *Id.*

4. United American Technology, Inc. is classified as a competitive telecommunications company. Application of the following statutes and administrative regulations 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

- 5. This order shall become effective on April 26, 2007.
- 6. This case may be closed on April 27, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory
Law Judge, by delegation of authority
under section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 16th day of April, 2007.