

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Name Change of Opex)
Communications, Inc. d/b/a TCI Long Distance)

File No. XN-2011-0074
Tracking No. YX-2011-0125

ORDER SUSPENDING TARIFF AND EXTENDING TIME

Issue Date: October 6, 2010

Effective Date: October 6, 2010

The Commission is granting Staff's *Request for Extension of Time* ("motion").

Opex Communications, Inc. filed¹ tariff sheets ("tariff") to do business under the fictitious name "TCI Long Distance." The Commission issued an order² directing Staff to file a recommendation no later than October 7, 2010. On October 5, 2010, Staff filed the motion seeking an extension of that deadline.

Staff states that, when a telecommunications company does business under a second name, the Commission's practice has been to require a second certificate of service authority. The reasons, legal or practical, for that practice are unknown to Staff. Staff therefore asks for time to research such reasons before extending or abandoning the practice, which may or may not have sound legal or practical grounds.

But the tariff bears an effective date of October 14, 2010, on which it will take effect by operation of law unless suspended. Staff asks the Commission to extend the time for filing Staff's recommendation to November 7, 2010. Therefore, Staff also asks the Commission to suspend the tariff until November 14, 2010.

¹ On September 14, 2010.

² On September 15, 2010.

The Commission may suspend the tariff as follows:

Whenever there shall be filed with the commission by any telecommunications company . . . any [tariff], the commission . . . at once, and if it so orders without answer or other formal pleading by the interested telecommunications company or companies, but upon reasonable notice, [and] upon filing with such [tariff] and delivering to the telecommunications company affected thereby a statement in writing of its reasons for such suspension, may suspend the operation of such [tariff] and defer the use of such [tariff], but not for a longer period than sixty days beyond the time when such [tariff] would otherwise go into effect [³]

The research that Staff suggests is likely to benefit the Commission, in this action, and in similar actions. For that reason, the Commission will grant the motion, suspend the tariff, and extend the time for filing Staff's recommendation.⁴

THE COMMISSION ORDERS THAT:

1. The *Request for Extension of Time* is granted and Staff's recommendation is due on November 7, 2010.

2. The tariff sheets assigned tracking no. YX-2011-0125 are suspended until November 14, 2010. The specific tariff sheets suspended are:

Missouri P.S.C. Tariff No. 1
Original Adoption Notice No. 1
First Revised Page No. 1, canceling Original Page No. 1

³ Section 392.390.3, RSMo Supp. 2009.

⁴ 4 CSR 240-2.050(3)(A).

3. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)

A handwritten signature in black ink, appearing to read 'S. C. Reed', written in a cursive style.

Steven C. Reed
Secretary

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 13th day of October, 2010.