

**GATEWAY
LONG DISTANCE
SERVICES, INC.**

PSC MO #1

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 12th
day of January, 1993.

In the matter of the cancellation of the)
certificate of authority and tariffs of) CASE NO. TD-93-49
Gateway Long Distance Services, Inc.)

ORDER CANCELING SERVICE AUTHORITY

On June 5, 1990, the Commission granted a certificate of service authority to provide intrastate interexchange telecommunications services to Gateway Long Distance Services, Inc. (Gateway). On August 21, 1992, the Staff of the Commission (Staff) filed a memorandum recommending that the Commission cancel Gateway's certificate of service authority and tariffs. Although no formal request has been filed by Gateway, Staff based its recommendation on its belief that Gateway violated the terms of its certificate.

In its memorandum, Staff stated that Gateway has never filed an annual report or a Statement of Revenue with the Commission. On April 28, 1992, the 1991 Statement of Revenue form which the Commission mailed to Gateway was returned by the post office and stamped "Authorized Forwarding Order Expired". Staff attempted to contact Janice Posl, President of Gateway, but discovered that the telephone number listed on Gateway's application had been disconnected and directory assistance did not have a new number for Janice Posl or Gateway. Staff then tried unsuccessfully to contact Gateway's vice president, manager and secretary/treasurer. The attorney who filed Gateway's application, Donald C. Otto, advised the Staff that he had also been trying to contact Gateway but had discovered that the operation was no longer in business and the officers had moved out of state. Staff contacted the Missouri Secretary of the State's office and was advised that, as a result of Gateway's failure to file an annual report, the Secretary of State's office had begun proceedings on May 18, 1992 to

administratively dissolve Gateway. Staff recommended that the Commission cancel Gateway's certificate of service authority and tariffs based on Staff's belief that Gateway has violated the terms of its certificate by its failure to keep the Commission informed of its current address and telephone number and its failure to file annual reports and Statement of Revenue forms.

Based upon all of the foregoing considerations, Staff has recommended that the Commission cancel Gateway's certificate and tariffs. Upon review of Staff's recommendation, the Commission has determined that Gateway's certificate of service authority and tariffs should be canceled.

IT IS THEREFORE ORDERED:

1. That the certificate of service authority and tariffs of Gateway Long Distance Services, Inc. are hereby canceled.
2. That this Order shall become effective on the date hereof.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Executive Secretary

(S E A L)

McClure, Chm., Mueller, Rauch,
Perkins and Kincheloe, CC., Concur.

Gateway Long Distance Services, Inc.
Name of Issuing Corporation

For Missouri
Community, Town or City

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NEVER
FILED AN
ANNUAL
REPORT

Janice Post
NO # listed

Still in good standing

w/Sec. of States office
05-29-92

FILED

JUL 8 1990
90 - 235

Public Service Commission

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DATE OF ISSUE June 8, 1990 DATE EFFECTIVE July 8, 1990
month day year month day year

ISSUED BY Janice S. Post, President, 526 Wharf Street, Lake St. Louis, Mo.
name of officer title address

FORM NO. 13 P.S.C.MO. No. 1 { Original } SHEET No. Title
{ Revised }
Cancelling P.S.C.MO. No. _____ { Original } SHEET No. _____
{ Revised }

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SCHEDULE OF RATES, RULES, & REGULATIONS
GOVERNING THE INTRASTATE TELECOMMUNICATIONS SERVICES PROVIDED BY:
MISSOURI Public Service Commission

Gateway Long Distance Services, Inc.
526 Wharf St.
Lake St. Louis, Mo. 63367

Telephone number 314 625 4057 - # disconnected

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GENERAL RULES AND REGULATIONS

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A. APPLICATIONS

1. General

- a. Gateway is a certified Missouri telecommunication company that has been classified as a "competitive telecommunication company" by the Missouri Public Service Commission in Case Number TA-90-235. All of these services described hereinafter in this Tariff are "competitive" telecommunication services pursuant to Case Number TA-90-235.
- b. The regulations set forth herein apply to intrastate services furnished within the State of Missouri by Gateway Long Distance, Inc., hereinafter referred to as the Company, subject to the jurisdiction of the Missouri Public Service Commission.
- c. These tariffs cancel and supersede all other tariffs of the Company issued and effective prior to the effective dates shown on individual sheets of this Tariff.
- d. When services and facilities are provided in part by the Company and in part by other companies, the regulations apply to that portion of the service or facilities furnished by it.

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JUL 8 1990

90-235
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B. OBLIGATION AND LIABILITY OF THE COMPANY

1. Furnishing of Service

a. The Company's obligations to furnish service is dependent upon its ability to secure and retain, without unreasonable expense, suitable facilities and rights for the provision of the services.

2. Transmitting Messages

a. The Company does not undertake to transmit messages but offers the use of the facilities, where available, for communication between parties subject to the terms and conditions specified in these Tariffs.

3. Maintenance and Repair

a. All costs associated with the maintenance and repair of services furnished by the Company will be borne by the Company, except as specified elsewhere in this Tariff.

4. Liability

a. The liability of the Company for damages arising out of mistakes, omissions, interruptions, delays or error or defects in transmission occurring in the course of furnishing service and not caused by negligence of the customer shall in no event exceed an amount equivalent to the proportionate charge to the customer for the period of service during which such mistakes, omissions, interruptions, delays or error or defects in transmission occur in excess of 48 hours after notification has been made.

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B. OBLIGATION AND LIABILITY OF THE COMPANY (Continued) **Public Service Commission**

4. Liability (Continued)

- b. The customer indemnifies and saves the Company harmless against the following:
- 1) Acts or omissions of other companies when their facilities are used in connection with the Company's facilities to provide service.
 - 2) Claims for libel, slander or infringement of copyright arising from material transmitted or recorded over its facilities; claims for infringement of patents arising from combining with, or using in connection with, facilities of the Company, apparatus and systems of the customer; and all other claims arising out of omission of the customer in connection with facilities provided by the Company.

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C. USE OF SERVICE AND FACILITIES

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1. Use of Customer Service

Customer telephone service is furnished only for use by the customer, his family, employees or business associates, or persons residing in the customer's household, except as the use of the service may be extended to joint users or to persons temporarily subleasing a customer's premises.

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2. Abuse or Fraudulent Use of Service

The service is furnished subject to the condition that there will be no abuse or fraudulent use of the service. Abuse or fraudulent use of the service includes:

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- a. The use of service or facilities of the Company to transmit a message or to locate a person or otherwise to give or obtain information without payment of the charge applicable for service.
- b. The obtaining, or attempting to obtain, or assisting another to obtain or to attempt to obtain service by rearranging, tampering with or make connection with any facilities of the Company, or by any trick, scheme, false representation or false credit device, or by or through any other fraudulent means or device whatsoever with intent to avoid the payment, in whole, or in part, of the regular charge for such service.
- c. The use of service or facilities of the Company for a call or calls, anonymous or otherwise, if in a manner reasonably to be expected to frighten, abuse, torment or harass another.

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C. USE OF SERVICE AND FACILITIES (Continued)

2. Abuse or Fraudulent Use of Service (Continued)

- d. The use of profane or obscene language.
- e. The use of the service in such manner as to interfere unreasonably with the use of the service by one or more other customers.
- f. The impersonation of another.

3. Use of Service for Unlawful Purposes

The service is furnished subject to the condition that it shall not be used for the purpose of furnishing information in connection with any unlawful gambling scheme, business or device or for any similar unlawful purpose.

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D. ESTABLISHMENT AND FURNISHING OF SERVICE **Public Service Commission**
BUSINESS ONLY

1. Application for Service

- a. Applications for service may be made orally or in writing. These applications become contracts upon the establishment of service.
- b. Any change in rates or regulations prescribed by the Missouri Public Service Commission modifies the terms and regulations of contracts to the extent of such change.

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2. Advance Payments

- a. At the time an application for service is made, an applicant may be required to pay an amount equal to at least one month's service and/or service connection charges, which may be applicable. The amount of the first month's service is credited to the customer's account on the first bill rendered.

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3. Deposits and Guarantees of Payment

- a. The Company may require a deposit or guarantee as a condition of service.
- b. No deposit or guarantee will be required by the Company because of race, sex, creed, national origin, marital status, age, number of dependents, condition of physical handicap, source of income, or geographical area of business.

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JUL 8 1990

90-235

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D. ESTABLISHMENT AND FURNISHING OF SERVICE - MISSOURI
 BUSINESS ONLY Public Service Commission

3. Deposits and Guarantees of Payment (Continued)

c. A deposit is subject to the following terms:

- 1) It will not exceed estimated charges for two months service based on the customer's average bill during the preceding twelve months or estimated for the next twelve months by the customer and the Company.
- 2) It will bear interest of 9 percent per annum which will be credited annually upon the account of the customer or paid upon the return if the deposit whichever occurs first. Interest will not accrue on any deposit after the date on which a reasonable effort has been made to return it to the customer.
- 3) Upon discontinuance or termination will be credited, with accrued interest, to the charge stated on the final bill and the balance, if any, will be returned to the customer within 21 days of rendition of such final bill.
- 4) Upon satisfactory payment of all undisputed charges during the last twelve billing periods, it will, with accrued interest, be promptly refunded or credited against charges stated on subsequent bills. Payment of a charge is satisfactory if received prior to the date upon which the charge becomes delinquent provided it is not in dispute. The Company may withhold refund of a deposit pending the resolution of a dispute with respect to charges secured by such deposit.

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Public Service Commission

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MISSOURI	
D.	ESTABLISHMENT AND FURNISHING OF SERVICE Public Service Commission BUSINESS ONLY
3.	Deposits and Guarantees of Payment (Continued)
c.	A deposit is subject to the following terms (Continued):
5)	Each customer posting a deposit will receive a receipt in writing at that time or within ten days.
6)	The Company will provide means whereby a person entitled to a refund of a deposit is not deprived of the refund even though he may be unable to produce the receipt for the deposit provided he can produce identification to ensure that he is the person entitled to the refund.
d.	In lieu of a deposit the Company may accept a written guarantee. The limit of the guarantee will not exceed the amount of a cash deposit.
e.	A guarantor will be released upon satisfactory payment of all undisputed charges during the last twelve billing periods. Payment of charges is satisfactory if received prior to the date upon which the charge becomes delinquent provided it is not in dispute.
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<p>E. ESTABLISHMENT AND FURNISHING OF SERVICE RESIDENTIAL ONLY</p> <p>1. Application for Service</p> <p>a. The Company does not provide service to residential subscribers at this time. The service can be provided from a residence if the subscriber uses it for business purposes. All of the same conditions apply as in the case of commercial subscribers.</p>	<p>CANCELLED</p>
JAN 12 1993	
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Public Service Commission	
<p>F. BILLING AND PAYMENT</p> <p>1. The Company will render a bill during each billing period for monthly recurring charges and usage charges in arrears.</p> <p>2. The customer is responsible for all charges in conjunction with the services furnished him.</p> <p>3. The Company will render bills on a cyclical basis whereby the customer receives his bill on or about the same day of the month. Billing cycles may be altered by sending an insert or other written notice explaining the alteration not less than 30 days prior to the effective date of the alteration. This notification is not required when the customer disconnects and reconnects service or transfers service from one premise to another, which may effect the customer's billing cycle.</p> <p>4. Bills are due as specified on the bill and may be paid at any business office of the Company or at any agency authorized to receive such payments.</p>	
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90-235	
Public Service Commission	

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F. BILLING AND PAYMENT (Continued)

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- 5. The customer shall have at least 21 days from the rendition of a bill to pay the charges stated. However, when the customer has had services discontinued within the last 12 months or where the customer incurs usage charges at any time during the billing period which are equal to at least 400% of the amount of the deposit or guarantee previously required from the customer, payment may be demanded for the usage charges by a telephone call to the customer followed by written notification of such demand sent by first class mail. If the usage charges remain unpaid for 10 days from rendition of written notification or a mutually established late payment arrangement date or 21 days from rendition of the bill, such charges will be deemed delinquent.
- 6. For billing purposes, each month is presumed to have 30 days.
- 7. Retroactive billing adjustments may be made for a period not to exceed three years.

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G. DISCONTINUANCE OF SERVICE

- 1. The Company will discontinue the service under the following circumstances, provided service notice has been given to the customer, as required:
 - a. Nonpayment of an undisputed delinquent charge.
 - b. Failure to post a required deposit or gaurantee.

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FILED

JUL 8 1990

90 - 235

Public Service Commission

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DATE OF ISSUE June 8, 1990
month day year

DATE EFFECTIVE July 7, 1990
month day year

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G. DISCONTINUANCE OF SERVICE (Continued)

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- c. Failure to substantially comply with the terms of a settlement agreement.
 - d. Material misrepresentation of identity in obtaining telephone utility service, and use of the service in such a manner that, in the opinion of the Company, constitutes abuse of fraud.
 - e. As provided by state or federal laws.
2. Service shall not be disconnected under G. 1. unless written notice by first class mail or delivered to the customer at least 5 days prior to the date of proposed discontinuance.
 3. At least 24 hours preceding a discontinuance, the Company will make reasonable efforts to contact the customer to advise of the proposed discontinuance and what steps must be taken to avoid discontinuance.
 4. Service may be discontinued during normal business hours on or after the date specified in the notice of discontinuance. Service will not be discontinued on a day when the offices of the Company are not available to facilitate reconnection of service, or on a day immediately preceding such a day. Service will not be discontinued for non-payment of delinquent charges within five days after a charge has become delinquent, except as provided under G. 7. of this section.

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FILED

JUL 8 1990

90 - 235

Public Service Commission

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DATE OF ISSUE June 8, 1990
month day year

DATE EFFECTIVE July 9, 1990
month day year

ISSUED BY Janice S. Post, President, 526 Wharf Street, Lake St. Louis, Mo.
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Gateway Long Distance Services, Inc. For Missouri
 Name of Issuing Corporation Community, Town or City

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G. DISCONTINUANCE OF SERVICE (Continued)

- 5. The Company will postpone a discontinuance for a time not in excess of 21 days if the telephone is necessary to obtain emergency medical assistance for a person who is a member of the household where the telephone service is provided and where such person is under care of a physician. Any person who alleges such emergency shall, if requested, provide the Company with reasonable evidence of such necessity.
- 6. The Company will restore service upon the customer's request when the cause for discontinuance has been eliminated.
- 7. Notwithstanding any of the preceding provisions in this section, service to a customer may be discontinued at any time after written notice has been sent, certified mail, to such customer at his last known address and at the address where the service to be discontinued is provided if such a customer:
 - a. Incurs charges not covered by a deposit or guarantee and evidences an intent not to pay such charges when due.
 - b. Upon written objection to the furnishing of a service made in writing by or on behalf of any governmental law enforcement agency acting within its jurisdiction on the grounds that such service is, or will be, used for an illegal purpose.
 - c. The notice required in 7. a. will state how the customer has evidenced his intent not to pay such charges when due.

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JUL 8 1990

90-235

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FORM NO. 13 P.S.C.MO. No. 1 { Original } SHEET No. 13
 { Revised }
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<p>G. DISCONTINUANCE OF SERVICE (Continued)</p> <p>8. Payment may be made by the customer for restoration of service in any reasonable manner including personal check. A personal check may be refused if a customer check for payment of service has been dishonored, excepting bank error, within the last twelve months.</p>	
CANCELLED	
JAN 12 1993	
<p>H. MINIMUM CONTRACT PERIODS</p> <p>1. Except as specified elsewhere in this Tariff, BY <u>93-49</u> the minimum contract period is one month from the date service or additions to service are established and the minimum charge is the authorized rate for one month. For purposes of rate administration, each month is considered to have 30 days.</p> <p>2. The Company may require a contract period longer than one month at the same location in connection with special types or arrangements of service.</p>	
<p>I. TERMINATION OF SERVICE</p> <p>1. Contracts for service may be terminated prior to the expiration of the contract period provided advance notice is given to the Company and upon agreement to pay all charges due for the service furnished, plus any termination charges which might be applicable.</p>	
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I. TERMINATION OF SERVICE (Continued)

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- 2. No minimum or termination charge will apply (unless otherwise stated specifically in this Tariff) where a new customer takes over the service of the former customer, provided the service is to be furnished at the same location without interruption and that the new customer assumes all unpaid charges on the original contract. Minimum and termination charges will apply for any service furnished under the original contract which is not retained by the new customer.
- 3. Where a contract for service with a one-month minimum period is canceled before establishment of the service is completed, a charge not to exceed the service charge specified is applied if all or a portion of the service has been installed.
- 4. No minimum or termination charge will apply in the event the service is terminated because of condemnation, destruction or damage to property by fire or other cause beyond the control of the customer.

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J. TAX ADJUSTMENTS

Public Service Commission

- 1. When any municipality imposes upon the Company any license, occupation, or other similar charge or tax applicable to service by the Company to the customer, or imposes a charge or tax based upon a percentage of gross receipts, net receipts, or revenues from sale of service by the Company, the charges for service to customers within such municipality shall be increased by an amount equal to each such customer's proportionate part of any charge or tax, and such amount shall be shown separately on the customer's bill.

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JUL 8 1990
90 - 235

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MISSOURI Public Service Commission			
LONG DISTANCE SERVICES			
A. DISCRIPTION OF SERVICES			
1. The Company will provide the customer with 1 + long distance service at a savings over other long distance services presently serving the area.			
2. The Company will provide the following network features for each customer:			
a) Easy access to the network services.			
b) Excellent quality connections.			
c) Low pricing to each LATA in Missouri.			
d) Cost control through caller authorization and project codes.			
B. RATES FOR SERVICE/PER MINUTE			
MISSOURI LATA	DAY	EVENING	NIGHT
-----	-----	-----	-----
520	.21481	.19332	.17184
521	.21481	.19332	.17184
522	.21481	.19332	.17184
524	.21481	.19332	.17184
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FILED JUL 8 1990 90 - 235 Public Service Commission			
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ISSUED BY Janice S. Post, President, 526 Wharf Street, Lake St. Louis, Mo.
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FORM NO. 13 P.S.C.MO. No. 1 { Original } SHEET No. 16
 { Revised }
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 { Revised }

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C. DESCRIPTION OF RATE BASE

1. All calls will be timed from Central Time
2. There will be a monthly charge of \$5.00 for project codes up to 25 codes. Additional project codes in excess of 25 will be billed at \$5.00 per month for up to 50 codes
3. There will be a \$10.00 one time installation charge for the first 25 codes. A \$10.00 installation will apply for the next 25 project codes
4. There will be an installation charge of \$50.00 when the customer requests a change of authorization code following the initial installation of service date.
5. All calls are billed in 6 second increments with no minimum call duration charge.
6. The Company's network will provide 100% answer supervision on all calls

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C. DESCRIPTION OF RATE BASE (continued) Public Service Commission

7. Time of Day Periods:

	Mon.	Tue.	Wed.	Thurs.	Fri.	Sat.	Sun.	
8:00 AM	Day Rate Period							
to								
5:00 PM	Evening Rate Period							
to							Eve.	
11:00 PM	Night Rate & Weekend Rate Period							Rate
to								
8:00 AM								

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*Indicates new rate or text
+Indicates change

DATE OF ISSUE June 8, 1990
month day year

DATE EFFECTIVE July 8, 1990
month day year

ISSUED BY Janice S. Post, President, 526 Wharf Street, Lake St. Louis, Mo.
name of officer title address