

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of the Application of Nationwide )  
Long Distance Service, Inc., for a Certificate )  
of Service Authority to Provide Interexchange ) **Case No. XA-2006-0409**  
Telecommunications Services and to Classify ) Tariff No. YX-2006-0803  
Such Services and the Company as )  
Competitive )

### **ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE** **AUTHORITY AND ORDER APPROVING TARIFF**

Issue Date: May 19, 2006

Effective Date: June 4, 2006

Syllabus: This order grants Nationwide Long Distance Service, Inc., a certificate of service authority to provide intrastate interexchange telecommunications services and approves the company's proposed tariff.

Nationwide applied to the Missouri Public Service Commission on April 20, 2006, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Sections 392.410, RSMo Supp. 2005, through 392.450, RSMo 2000.<sup>1</sup> Nationwide 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. Nationwide is a Nevada corporation with its principal office located at 2000 Town Center, Suite 1900, Southfield, Michigan 48075.

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri (RSMo), revision of 2000, unless otherwise indicated.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on April 25, 2006, directing parties wishing to intervene to file their requests by May 10, 2006. No requests for intervention were filed.

Nationwide filed a proposed tariff in conjunction with its application with an effective date of June 4, 2006. Nationwide's tariff describes the rates, rules, and regulations it intends to use, identifies Nationwide as a competitive company, and lists the waivers requested. Nationwide is a reseller of telecommunications services proposing to provide interexchange telecommunications services throughout Missouri including direct outbound dialing (1+ and 101xxxx), 800 and 888 (inbound Toll-Free), travel cards, and prepaid calling cards.

In its Memorandum filed on May 16, 2006, the Staff of the Commission recommended that the Commission grant Nationwide a certificate of interexchange service authority, competitive status, and waiver of the statutes and rules listed in the Notice of Applications. The Staff recommended that the Commission approve the proposed tariff, and substitute tariff sheet filed May 12, 2006, to become effective on June 4, 2006.

The Commission finds that competition in the intrastate interexchange market is in the public interest and Nationwide should be granted a certificate of service authority. The Commission finds that the services Nationwide proposes to offer are competitive and Nationwide should 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 finds that Nationwide's proposed tariff details the services, equipment, and pricing it proposes to offer. The Commission finds that the proposed tariff

filed on April 20, 2006, and revised on May 12, 2006, should be approved to become effective on June 4, 2006.

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 for 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, its officers 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. 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. Nationwide Long Distance Service, 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. Nationwide Long Distance Service, Inc., 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

3. The tariff filed by Nationwide Long Distance Service, Inc., on April 20, 2006, as revised May 12, 2006, tariff number YX-2006-0803, is approved to become effective on June 4, 2006. The tariff approved is PSC Mo. No. 1.

4. This order shall become effective on June 4, 2006.
5. This case may be closed on June 5, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Steven C. Reed, Regulatory Law Judge,  
by delegation of authority pursuant  
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 19th day of May, 2006.