

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

In the Matter of the Application of)
Infotecom, LLC, for a Certificate of)
Service Authority to Provide Resold and)
Facilities-based/UNE Basic Local)
Telecommunications Services and to)
Classify Such Services and the Company)
as Competitive.)

Case No. CA-2006-0033

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation states:

1. In the attached Memorandum, which is labeled Appendix A, the Staff recommends that the Missouri Public Service Commission grant Infotecom, LLC (Applicant), a certificate of service authority to provide basic local exchange telecommunications service in the service areas of Southwestern Bell Telephone L.P., d/b/a SBC Missouri, Sprint Missouri, Inc. d/b/a Sprint, CenturyTel of Missouri, LLC, and Spectra Communications Group, LLC, conditioned upon certain access rate provisions. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. (See §§ 392.430 and 392.440 RSMo 2000.)

2. Staff also recommends that the Commission classify the Applicant and its services as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is subject to sufficient competition to justify a lesser degree of regulation. (See §392.361.2 RSMo 2000.) All the services a competitive company provides must be classified as competitive. (See §392.361.3 RSMo 2000.)

3. Staff further recommends that the Commission approve the waivers listed in the Notice of Application. The Commission may waive the application of its rules and certain statutes if the Commission determines that waiver is consistent with the purposes of Chapter 392 RSMo. (See §§ 392.185, 392.361.3 and 392.420 RSMo 2000.) The Applicant exercised the option to not submit a tariff with its certificate application. However, before service can be provided, a tariff and any applicable interconnection agreements must be filed with the Commission and approved. See 4 CSR 240.3-510 (1)(C).

WHEREFORE, Staff recommends that the Commission grant Infotelecom, LLC, a certificate to provide basic local exchange telecommunications services in the service areas described above, conditioned upon the access rate provisions, grant Applicant competitive classification; and approve the waivers listed in the Notice of Application.

Respectfully submitted,

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/s/ William K. Haas
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13th day of September 2005.

/s/ William K. Haas
William K. Haas