

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

In the Matter of the Application of Broadview)
Networks, Inc. for a Certificate of Service Authority)
to Provide Basic Local Telecommunications)
Services in Portions of the State of Missouri and to)
Classify Said Services and The Company as)
Competitive.)

Case No. CA-2010-0126

SUPPLEMENTAL RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its Supplemental Recommendation states the following:

1. On October 27, 2009, Broadview Networks, Inc. (Broadview or the Company) filed its Application for Certificate of Service Authority to Provide Basic Local Exchange Telecommunications Service and for Competitive Classification (Application) with the Missouri Public Service Commission (the Commission).

2. On December 23, 2009, the Commission issued its Order Granting Certificate to Provide Basic Local Telecommunications Services (Order), granting the Company a certificate of service authority to provide basic local telecommunications services in the State of Missouri, classifying those services and the Company as competitive, and waiving certain statutes and regulations.

3. On December 28, 2009, the Office of Public Counsel (OPC) filed an Application for Rehearing, requesting that the Commission grant rehearing of its Order, based upon the omission in that Order of a factual finding required by Section 392.455(1), RSMo (2000)¹.

¹ Unless otherwise noted, all references to statute refer to the Missouri Revised Statutes (2000), as currently supplemented.

4. On December 15, 2009, prior to the issuance of the Commission's Order, Staff filed a Staff Recommendation. The Staff Recommendation inadvertently omitted a discussion of Section 392.455(1).

5. Section 392.455(1) states that in granting a certificate of basic local telecommunications service, the Commission shall institute a process that contains the requirement that an applicant "possess sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service".

6. Staff herein states its opinion that Broadview possess sufficient technical, financial and managerial resources and abilities to provide basic local telecommunications service in the State of Missouri. This opinion is based upon the filings made by the Company in this matter and was inadvertently omitted in the Staff Recommendation filed on December 15, 2009.

7. As such, and for those reasons stated in the Staff Recommendation, Staff supports granting the requested waiver of Commission Rule 4 CSR 240-3.510(1)(D). Commission Rule 4 CSR 240-3.510(1)(D) currently requires the submission of certain pro forma financial information in conjunction with applications for certificates of service authority.

WHEREFORE, Staff recommends the Commission issue an order (1) finding that the Company possesses sufficient financial resources and abilities to provide basic local telecommunications service as required by Section 392.455(1); (2) granting a waiver of Commission Rule 4 CSR 240-3.510(1)(D); and (3) denying the Application for Rehearing filed by OPC.

Respectfully submitted,

/s/ Eric Dearmont

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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 29th day of December, 2009.

/s/ Eric Dearmont