

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

June 18, 2001

CASE NO: TA-2001-645

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

**Toni M. Tolley d/b/a Payphones of
America North**
420 Barons Road
Springfield, IL 62704

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

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

In the Matter of the Application of Payphones of)
America North for Certificate of Service Authority) **Case No. TA-2001-645**
to Provide Private Pay Telephone Service within)
the State of Missouri)

**ORDER GRANTING CERTIFICATE OF SERVICE AUTHORITY
TO PROVIDE PRIVATE PAYPHONE SERVICES**

Toni M. Tolley filed an application on behalf of Payphones of America North on May 22, 2001, pursuant to Section 392.440, RSMo 2000, for a certificate of service authority to provide private pay telephone service in Missouri, via customer-owned coin telephone (COCT) equipment. Payphones of America North is a fictitious business name registered with the Secretary of State of Missouri by Toni M. Tolley, an individual with a business address of 420 Barons Road, Springfield, Illinois 62704.

The Commission issued a Notice of Applications for Authority to Provide Payphone Service on May 31, 2001, which set an intervention deadline of June 15, 2001. No applications to intervene were filed. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has asked permission to intervene or requested a hearing, the Commission may grant the relief requested based upon the application.

The Commission finds that competition in the private pay telephone service market is in the public interest and that Payphones of America North should be granted a certificate of service authority. Because Payphones of America North is a fictitious name under which an individual is doing business, the certificate will be issued in the name of Toni M. Tolley, d/b/a Payphones of America North. The provision of private pay telephone service is classified as competitive and subject to minimum regulation pursuant to Section 392.520. That section specifically exempts COCT providers from the tariff filing requirements of Sections 392.220, 392.230, 392.370.4, 392.370.5, and 392.500. Toni M. Tolley, d/b/a Payphones of America North, shall notify the Commission if it ceases to provide private pay telephone services in Missouri, or if the address or phone number of its principal place of business changes. The Commission finds that the service provided by Toni M. Tolley, d/b/a Payphones of America North, shall be in accordance with the following requirements:

- A. The equipment shall provide users access to the following without charge and without the use of a coin: (i) dial tone; (ii) an operator; and (iii) local 911 or E-911 emergency service, or, where unavailable, prominently displayed instructions on how to reach local emergency service;
- B. The equipment shall be mounted in accordance with all applicable federal, state, and local laws for the disabled, and shall provide access to telecommunications relay service calls for the hearing disabled at no charge to the caller;
- C. The equipment shall allow completion of local and long distance calls;
- D. The equipment shall permit access to directory assistance;
- E. There shall be displayed in close proximity to the equipment, in 12 Point Times Bold print, the name, address, and telephone number of the COCT provider, the procedures for reporting service difficulties,

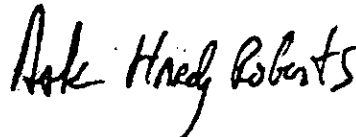
the method of obtaining customer refunds, and the method of obtaining long distance access. If applicable, the notice shall state that only one-way calling is permitted. If an alternative operator services (AOS) provider is employed, the COCT provider shall display such notice as is required by the Commission; and

- F. The equipment shall not block access to any local or interexchange telecommunications carrier.

IT IS THEREFORE ORDERED:

1. That Toni M. Tolley, d/b/a Payphones of America North, is granted a certificate of service authority to provide private pay telephone service in the state of Missouri via customer-owned pay telephone equipment, subject to the requirements of certification set out in this order.
2. That this order shall become effective on June 28, 2001.
3. That this case may be closed on June 29, 2001.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Morris L. Woodruff, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of June, 2001.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 18th day of June 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge