

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
June 25, 1999**

CASE NO: TA-99-468

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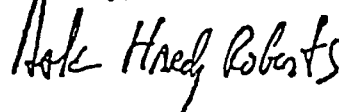
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**John Colbert
Fidelity Long Distance, Inc.
64 North Clark
Sullivan, MO 63080**

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

Sincerely,



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

Uncertified Copy:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Fidelity)	
Long Distance, Inc. for a Certificate of)	<u>Case No. TA-99-468</u>
Service Authority to Provide Competitive)	Tariff No. 9900803
Intrastate Interexchange Telecommunications)	
Service in the State of Missouri.)	

ORDER APPROVING INTEREXCHANGE CERTIFICATE OF SERVICE AUTHORITY
AND ORDER APPROVING TARIFF

Fidelity Long Distance, Inc. (Fidelity) applied to the Public Service Commission on April 16, 1999, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 1994¹. Fidelity asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. Fidelity is a Missouri corporation, with its principal office located at 64 North Clark, Sullivan, Missouri 63080.

The Commission issued a Notice of Applications for Intrastate Certificates of Service Authority and Opportunity to Intervene on April 27, 1999, directing parties wishing to intervene to file their requests by May 12, 1999. 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 on the verified application.

Fidelity filed a proposed tariff in conjunction with its application with an effective date of June 4, 1999. Substitute sheets were filed on June 8, June 16, June 17, and June 24, 1999. Fidelity's tariff describes the rates, rules, and regulations it intends to use, identifies Fidelity as a competitive company, and lists the waivers requested. Fidelity intends to provide interexchange telecommunications services, including 1+, 800/888/877, debit card and travel card.

In its Memorandum filed on June 24, 1999, the Staff of the Commission (Staff) stated that Fidelity's proposed services are similar to existing interexchange telecommunications offerings. Staff recommended that the Commission grant Fidelity a certificate of service authority, competitive status, and waiver of the statutes and rules listed in the Notice. Staff recommended that the Commission approve the proposed tariff to become effective on July 2, 1999.

The Commission finds that competition in the intrastate interexchange telecommunications market is in the public interest and Fidelity should be granted a certificate of service authority. The Commission finds that the services Fidelity proposes to offer are competitive and Fidelity should be classified as a competitive company. The Commission finds that waiving the statutes and

¹ All statutory references are to the Revised Statutes of Missouri 1994 unless otherwise indicated.

Commission rules set out in the ordered paragraph below is reasonable and not detrimental to the public interest.

The Commission also finds that Fidelity's proposed tariff details the services, equipment, and pricing it proposes to offer, and is similar to tariffs approved for other Missouri certificated interexchange carriers. The Commission further finds that the proposed tariff filed on April 16, 1999, with substitute sheets filed June 8, June 16, June 17, and June 24, 1999, should be approved to become effective on July 2, 1999.

IT IS THEREFORE ORDERED:

1. That Fidelity Long Distance, 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. That Fidelity Long Distance, Inc. is classified as a competitive telecommunications company. Application of the following statutes and regulatory rules shall be waived:

Statutes

392.240(1) - ratemaking
392.270 - valuation of property (ratemaking)
392.280 - depreciation accounts
392.290 - issuance of securities
392.310 - stock and debt issuance
392.320 - stock dividend payment
392.340 - reorganization(s)
392.330, RSMo Supp. 1998 - issuance of securities,
debts and notes

Commission Rules

- | | |
|-------------------------|-------------------------------|
| 4 CSR 240-10.020 | - depreciation fund income |
| 4 CSR 240-30.010(2) (C) | - rate schedules |
| 4 CSR 240-30.040 | - Uniform System of Accounts |
| 4 CSR 240-32.030(1) (B) | - exchange boundary maps |
| 4 CSR 240-32.030(1) (C) | - record-keeping |
| 4 CSR 240-32.030(2) | - in-state record-keeping |
| 4 CSR 240-32.050(3) | - local office record-keeping |
| 4 CSR 240-32.050(4) | - telephone directories |
| 4 CSR 240-32.050(5) | - call intercept |
| 4 CSR 240-32.050(6) | - telephone number changes |
| 4 CSR 240-32.070(4) | - public coin telephone |
| 4 CSR 240-33.030 | - minimum charges rule |
| 4 CSR 240-33.040(5) | - financing fees |

3. That the tariff filed by Fidelity Long Distance, Inc. on April 16, 1999, with substitute sheets filed on June 8, June 16, June 17, and June 24, 1999, and assigned Tariff File No. 9900803, is approved to become effective on July 2, 1999. The tariff approved is:

P.S.C. Mo. No. 1

4. That this order shall become effective on July 2, 1999.
5. That this case may be closed on July 6, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 25th day of June, 1999.

**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 25TH day of JUNE, 1999.

Dale Hardy Roberts

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