

P-999/CI-93-684 ORDER INITIATING INVESTIGATION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Don Storm	Chair
Tom Burton	Commissioner
Cynthia A. Kitlinski	Commissioner
Dee Knaak	Commissioner

In the Matter of a Commission Initiated Investigation into the Availability of Information Regarding Long Distance Companies Operating in Minnesota	ISSUE DATE: July 30, 1993 DOCKET NO. P-999/CI-93-684 ORDER INITIATING INVESTIGATION
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PROCEDURAL HISTORY

On May 3, 1993, Visions Long Distance America, Inc. (Visions) filed a petition with the Commission requesting a Certificate of Authority to provide long distance services in Minnesota. The matter was assigned Docket No. P-3131/NA-93-386.

On July 20, 1993, the Commission met to consider Vision's petition. In the course of its deliberations, the potential effect of recently enacted amendments to Chapter 237 on long distance companies such as Visions was discussed.

On July 21, 1993, in a separate Order in Docket No. Docket No. P-3131/NA-93-386, the Commission granted Visions a Certificate of Authority to provide long distance service in Minnesota.

FINDINGS AND CONCLUSIONS

The Minnesota legislature has adopted certain amendments to Chapter 237 of the Minnesota Statutes that affect regulation of long distance companies in Minnesota. See 1993 Minnesota Sessions Laws, Chapter 268, effective August 1, 1993.

Among the impacts of these amendments, it appears that long distance companies operating in Minnesota will no longer be required by statute to file annual reports with the Department. In the absence of such a reporting tool, the Department and the Commission will not have ready access to certain information about the operations of long distance companies in Minnesota contained and updated annually in those reports. For example, without an annual report or a substantial equivalent, there would be no public record of where in Minnesota each long distance company is operating or, for any given exchange, what long distance companies are providing service.

The Commission would like to explore the ramifications of this change on its ability to regulate long distance companies in the public interest and ascertain the desirability and feasibility of securing this information in the absence of the statutory annual report provision.

Accordingly, the Commission will initiate an investigation into the establishment of alternatives to the previously existing annual report. The Commission will direct the Department to conduct the investigation and file a report and recommendations regarding the matter within 120 days of this Order. In its report, the Department shall identify and evaluate the various means by which this information can continue to be made readily available to the Department and the Commission. Among the methods that the Department should address are 1) reissuance of Certificates of Authority to all long distance companies with the condition that they continue to file annual reports or substantially equivalent information on a regular basis and 2) securing from Minnesota's local exchange companies and compiling in useful form information regarding long distance company operations in Minnesota.

ORDER

1. The Commission hereby initiates an investigation into alternative means to continue making information regarding the operation of long distance companies in Minnesota, previously available through the filing of annual reports pursuant to Minn. Stat. Chapter 237.
2. The Minnesota Department of Public Services (the Department) shall conduct the investigation and shall file its report and recommendations with the Commission within 120 days of this Order.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

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