Matrix Telecom, Inc. : 
d/b/a Matrix Business Technologies : 
07-0058 : 

Application to expand its existing certificate: 
of local authority to include authority to : 
operate as a facilities based carrier of : 
telecommunications services in all the : 
State of Illinois. : 

ORDER

By the Commission:

On January 22, 2007, Matrix Telecom, Inc. d/b/a Matrix Business Technologies (“Applicant” or “Matrix”) filed a verified Application with the Illinois Commerce Commission (“Commission”) for Certificates of Service Authority to provide facilities based local telecommunications services within the State of Illinois, pursuant to Section 13-405 of the Illinois Public Utilities Act (“Act”). The Applicant already has the authority to operate as a reseller of local and long distance services in Illinois granted in Dockets 05-0213 and 90-0334.

Pursuant to notice given in accordance with the law and the rules and regulations of the Commission, this matter was set for a hearing before a duly authorized Administrative Law Judge of the Commission at its offices in Chicago, Illinois on February 8, 2007. Dana Hoyle, Manager of Regulatory Affairs for Matrix sponsored the Application for the Applicant. Karen Chang appeared on behalf of the Staff of the Commission. On February 8, 2007, the record was marked “Heard and Taken.”

Applicant is a Texas corporation, authorized to do business in Illinois. Applicant intends to provide facilities based local telecommunications services. Ms. Hoyle presented evidence that the Applicant has the managerial, technical and financial resources to provide telecommunication services in Illinois. She also sponsored financial statements which demonstrate that Applicant has the financial ability to provide the proposed services.

Applicant has also indicated that it will abide by all federal and state “slamming” and “cramming” laws. (Section 258 of the Telecommunications Act of 1996 and Sections 13-902 and 13-903 of the Public Utilities Act). Applicant also indicated that it will have procedures in
place to prevent slamming and cramming prior to the commencement of the requested telecommunications services.

Applicant has requested that the Commission make certain declarations and grant certain waivers of the requirements of the Act and from the rules and regulations of the Commission. The services Applicant proposes to provide will be competitive telecommunications services as described in Section 13-502(b) of the Act. Applicant is required to file a tariff with the Commission under Section 13-501 of the Act describing the nature of its service, the applicable rates and charges and the terms and conditions of the service provided. If Applicant files the required tariff in compliance with Section 13-502(e) and the rules adopted there under in 83 Ill. Adm. Code 745, many of the provisions of the Act as well as regulations adopted by the Commission in Title 83 Illinois Administrative Code will be inapplicable to Applicant.

Specifically, Applicant seeks an exemption from 83 Ill. Adm. Code 710. A waiver of Part 710, governing the Uniform System of Accounts, should be granted pursuant to Section 13-402 of the Act and the Orders entered in Dockets 84-0538 and 84-0539, in order to reduce the economic burdens of regulation on a telecommunications carrier which only provides competitive services.

Matrix is requesting under Part 250, a Section 250.40 waiver to keep its books, accounts, papers and records at its corporate headquarters in Dallas, Texas. Applicant does not maintain a physical presence in Illinois and to do so would create an unnecessary economic burden.

Further, Applicant should be granted a variance of Part 735.180, governing telephone directory services based upon its testimony that it will contract with the local exchange carrier (“LEC”) to provide these services for Applicant’s customers.

At the hearing, Staff indicated that it had no objection to the Application being granted.

Based on the foregoing, the Commission concludes that granting Matrix’s Application is consistent with Section 13-405 of the Act and that Applicant possesses the requisite technical, financial, and managerial resources to provide the proposed telecommunications services.

The Commission, having reviewed the entire record and being fully advised in the premises, is of the opinion and finds that:

1) Applicant, Matrix Telecom, Inc d/b/a Matrix Business Technologies, Inc. a Texas Corporation authorized to do business in Illinois, is a telecommunications carrier within the meaning of Section 13-202 of the Public
Utilities Act;

2) the Commission has jurisdiction over the Applicant and subject matter herein;

3) as required by Section 13-405 of the Act, Applicant possesses sufficient technical, financial and managerial resources and abilities to provide the requested telecommunications services within the State of Illinois;

4) Applicant should file with the Commission a tariff consisting of its rates, rules and regulations, in accordance with Sections 13-501 and 13-502 of the Act to be effective upon proper filing, before commencing service;

5) pursuant to Section 13-402 of the Act, a waiver should be granted, for all of Applicant’s proposed services, of Part 710 of 83 Ill. Adm. Code and for its interexchange services, a waiver of Part 735 of 83 Ill. Adm. Code should be granted; such waivers will reduce the economic burden of regulation and are not inconsistent with the Act or purposes of Article XIII;

6) for its local exchange services, Applicant is granted a variance of 83 Ill. Adm. Code 735.180, the requirement to publish a directory, with the understanding that Applicant will meet an obligation to list its customers in a directory by making arrangements with the incumbent LEC to list Applicant’s customers in the directories published by the local exchange carrier.

7) pursuant to 83 Ill. Adm. Code 250, Applicant is granted a waiver to maintain its books and records in the State of Texas in accordance with Section 5-106 of the Act;

8) Applicant should establish books of account such that revenues from its telecommunications services, subject to the public utility revenue tax, are segregated from the revenues derived from other business activities not regulated by the Commission;

9) as a condition to the granting of this application, Applicant shall comply with the requirements of Section 13-901 of the Act and any rules the Commission promulgates for companies providing alternative operator services.
IT IS THEREFORE ORDERED by the Illinois Commerce Commission that Matrix Telecom, Inc. d/b/a Matrix Business Technologies, be, and is hereby, granted Certificates of Service Authority pursuant to Section 13-405 of the Act.

IT IS FURTHER ORDERED that the Certificates of Service Authority hereinabove granted shall be the following:
CERTIFICATE OF EXCHANGE SERVICE AUTHORITY

IT IS HEREBY CERTIFIED that Matrix Telecom, Inc. d/b/a Matrix Business Technologies, is authorized, pursuant to Section 13-405 of the Public Utilities Act to provide facilities-based local telecommunications services within the State of Illinois.

IT IS FURTHER ORDERED that Matrix Telecom, Inc. d/b/a Matrix Business Technologies file with this Commission a tariff consisting of its rates, rules and regulations, to be effective upon proper filing before commencing service.

IT IS FURTHER ORDERED that 83 Ill. Adm. Code 710, 735 and 735.180 be, and are hereby waived as set out in Findings (5) and (6) hereinabove.

IT IS FURTHER ORDERED that as a condition of this Certificate, Applicant be, and is hereby, directed to establish books of account such that revenues from its telecommunications services, subject to the public utility revenue tax, are segregated from the revenues derived from other business activities not regulated by the Commission.

IT IS FURTHER ORDERED that Applicant shall comply with the requirements of Section 13-901 of the Public Utilities Act and any rules promulgated by the Commission pursuant thereto.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

By Order of the Commission this 6th day of March, 2007.

(SIGNED) CHARLES E. BOX

Chairman