# **BEFORE THE PUBLIC SERVICE COMMISSIO** STATE OF MISSOURI

)

)

)

In the Matter of the Application Of Chariton Valley Telecom ) Corporation's For a Certificate of Service Authority to Provide Interexchange ) Telecommunications Service within ) Missouri.

Case No.

## APPLICATION

Comes now Chariton Valley Telecom Corporation, (hereinafter "Applicant"), a Missouri corporation, and pursuant to § 392.410 RSMo 2003, § 392.420-.455 RSMo 2000, § 392.361 RSMo 2000, 4 CSR 240-2.060(1) and (4), and 4 CSR 240-3.510 files this verified application requesting that the Missouri Public Service Commission (hereinafter "Commission") issue an order that grants to Applicant a certificate of service authority to provide interexchange telecommunications services within the State of Missouri. In support of this Application, Applicant states as follows:

1. Applicant is a competitive local exchange telecommunications Missouri corporation with its principal office and place of business at 109 Butler Street, Macon, MO 63552. Applicant is authorized to do business in the State of Missouri. Attached hereto, marked Appendix A and incorporated herein by reference is a Certificate of Good Standing from the Missouri Secretary of State.

2. All communications, notices, orders and decisions respecting this Application and proceeding should be addressed to:

> Craig S. Johnson Attorney at Law

1648-A East Elm Jefferson City, MO 65101 (573) 632-1900 (573) 634-6018 (fax) craig@csjohnson.law

with a copy to:

James Simon General Manager Chariton Valley Telecom Corp. 109 Butler St. Macon, MO 63552 660-395-9600 660-395-4403 (fax)

3. Applicant is engaged in the provisioning of local telecommunications and exchange access services in Macon, Missouri. Applicant has received its existing certificates, and competitive classification, in Case No. TA-2002-238.

4. Applicant requests a certificate or certificates of service authority to provide both switched interLATA and intraLATA interexchange telecommunications services within the state of Missouri.

5. Applicant has been granted competitive classification in TA-2002-238 pursuant to 392.361 RSMo, 392.420 RSMo, and 4 CSR 240-3.510 for purposes of the authority requested herein. Applicant requests that the interexchange services provided pursuant to the authority requested herein be granted competitive status. Applicant requests continued waiver of the following statutes and rules:

## **Statutory Provisions**

§ 392.210.2	uniform system of accounts
§ 392.240.1	rates-rentals-service & physical connections
§ 392.270	valuation of property (ratemaking)
§ 392.280	depreciation accounts

§ 392.290	issuance of securities
§ 392.300.2	acquisition of stock
§ 392.310	stock and debt issuance
§ 392.320	stock dividend payment
§ 392.330	issuance of securities, debts and notes
§ 392.340	reorganization

#### **Commission Rules**

4 CSR 240-10.020	depreciation fund income
4 CSR 240-30.040	uniform system of accounts
4 CSR 240-3.550(5)(c)	exchange boundary maps

6. Upon issuance of the requested authority, Applicant will be providing interexchange services pursuant to tariffs. At this time Applicant has not developed these tariffs. Applicant requests a temporary waiver of the requirement of 4 CSR 240-3.510(1) that proposed tariffs accompany this Application. Applicant will not offer service pursuant to the certificate requested herein until its tariffs are effective.

7. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or courts which involve customer service or rates, which action, judgment or decision has occurred within three years of the date of this Application.

8. Applicant has no annual report or assessment fees which are overdue.

9. Applicant is in all respects fit, qualified, and capable of providing the services for which service authority is requested herein. Applicant possesses sufficient technical, managerial, and financial resources and abilities to provide the services for which service authority is requested herein, as demonstrated by its past operations as an alternative or competitive local exchange telecommunications company.

10. Granting of the Application is in the public interest in that it increases competition and increases the number of available interexchange carriers providing service in Macon, Missouri, as well as increasing the variety of telecommunications service available.

WHEREFORE, Applicant respectfully requests that the Commission grants it certificates of authority to provide interexchange telecommunications services within Missouri, along with the competitive classifications, waivers, and other relief set forth above.

Respectfully submitted,

LAW OFFICE OF CRAIG S. **JOHNSON** 

By:

Craig & Johnson, MO Bar #28179 1648-A East Elm Jefferson City, MO 65101 (573) 632-1900 (573) 634-6018 (fax) craig@csjohnson.law

# ATTORNEY FOR APPLICANT

# **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was sent by electronic mail this // day of October, 2005, to the following parties:

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

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

raig 9. Johnson

## VERIFICATION

I, James Simon, General Manager of Chariton Valley Telecom Corporation, hereby verify and affirm that I have read the foregoing Application and that the statements contained herein are true and correct to the best of my information and belief.

mer 'Simon James

STATE OF MISSOURI SS. COUNTY OF MACON

October, Subscribed and sworn to me, a Notary Public, on this  $\underline{b}^{\mathcal{H}}_{\mathcal{A}}$  day of \_ 2005.

) )

)

Aucha E. Smelaugh Notary Public

AUDRA E. LINEBAUGH Notary Public - Notary Seal STATE OF MISSOURI Chariton County My Commision Expires: May 27, 2006

Notary Public

My Commission expires <u>May 27</u>, 2006