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January 7, 2004

FILED

JAN 07 2004

**Missouri Public
Service Commission**

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: FamilyTel of Missouri, LLC

Dear Judge Roberts:

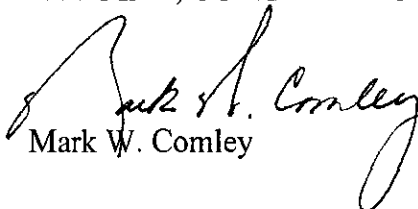
Enclosed for filing in the above-referenced matter please find the original and five copies of a Motion for Leave to File Annual Report Out of Time.

Please call me if there are any questions. Thank you very much.

Sincerely,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley

MWC:ab

Enclosure

cc: Office of Public Counsel
General Counsel's Office
Mark Hendricks

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

JAN 07 2004

Missouri Public
Service Commission

In the Matter of **FamilyTel of Missouri,**)
L.L.C.'s 2002 Annual Report)
to the Commission as a Competitive) Case No.
Local Exchange Carrier)

**MOTION FOR LEAVE TO FILE
ANNUAL REPORT OUT OF TIME**

Comes now **FamilyTel of Missouri, L.L.C.** ("FamilyTel" or "the Company"), by and through counsel, and pursuant to 4 CSR 240-3.540(4) respectfully requests the Commission and its Secretary for leave to file its 2002 Annual Report to the Commission as a Competitive Local Exchange Carrier (the Annual Report) out of time. In support thereof, FamilyTel states the following to the Commission:

1. FamilyTel was certificated by this Commission in August, 2002 in Case No. TA-2002-357. FamilyTel was uncertain whether it was obligated to file an annual report during the year of its certification since its operations in Missouri during the year were minimal, and in fact, it had no customers in Missouri during that year. FamilyTel has been advised however, to submit an annual report for the year in which it was authorized to offer and provide service.

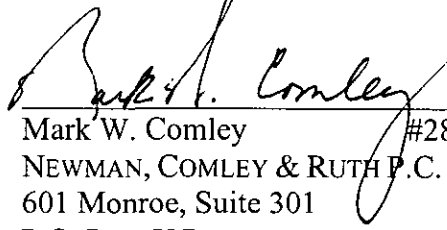
2. Attached to this motion is the original of FamilyTel's 2002 CLEC annual report.

3. Permitting FamilyTel to late file its annual report out of time would not be detrimental to the public interest. Its delay in filing was not the result of wilful disobedience to a Commission rule, but rather an honest misunderstanding as to its obligations. Granting leave to late file the annual report would be just and proper under the circumstances.

WHEREFORE, FamilyTel respectfully requests the Commission to allow it to file its 2002 CLEC annual report out of time and for such other orders that the Commission deems meet and just

under the circumstances.

Respectfully submitted,



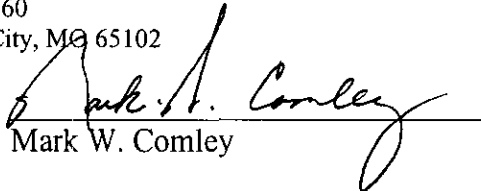
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Attorneys for **FamilyTel of Missouri, L.L.C.**
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573/636-3306 (FAX)

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand delivered, on this 7th day of January, 2004, to:

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

General Counsel
P.O. Box 360
Jefferson City, MO 65102



Mark W. Comley