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May 25, 2005

**FILED**

MAY 25 2005

OF COUNSEL

MARVIN J. SHARP

PATRICK A. BAUMHOER

GREGORY C. STOCKARD (1904-1993)

PHIL HAUCK (1924-1991)

Secretary/Chief Administrative Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

Missouri Public  
Service Commission

**Re: In the Matter of the Application of Howell-Oregon Technologies, LLC to  
withdraw and have cancelled all Certificates of Service Authority.**

Dear Secretary:

Enclosed for filing please find an original and eight (8) copies of the Application for the  
Withdrawal and Cancellation of Service Authority.

Thank you for seeing this filed.

Sincerely,



Jason Paulsmeyer

JP:sjo

Enclosure

CC: PSC General Counsel  
OPC General Counsel  
Dan Singletary

**FILED**

MAY 25 2005

Missouri Public  
Service Commission

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of )  
Howell-Oregon Technologies, LLC to )  
withdraw and have cancelled all )  
Certificates of Service Authority. )

Case No. \_\_\_\_\_

**APPLICATION FOR THE WITHDRAWAL AND CANCELLATION OF  
CERTIFICATES OF SERVICE AUTHORITY**

**COMES NOW** Howell-Oregon Technologies, L.L.C. (hereinafter "Howell-Oregon" or "Applicant"), a Missouri Limited Liability Company, and hereby applies to withdraw and have cancelled its certificates of service authority issued by the Commission. In support of its request, Applicant states:

1. Applicant's legal name is Howell-Oregon Technologies, LLC. Applicant is a limited liability company in good standing with the State of Missouri.
2. The name and address of Applicant's attorney to whom correspondence and communication pertaining to this application should be addressed are:

Dan Singletary, Manager  
Howell-Oregon Technologies, L.L.C.  
6327 North U.S. 63, P.O. Box 649  
West Plains, MO 65775  
(417) 256-2131  
(417) 256-4571 FAX

and

Craig S. Johnson  
CJohnson@aempb.com  
Jason Paulsmeyer  
JPaulsmeyer@aempb.com  
Andereck, Evans, Milne, Peace, & Johnson, L.L.C.  
700 E. Capitol Avenue, P.O. Box 1438  
Jefferson City, MO 65102  
(573) 634-3422 (Phone)

(573) 634-7822 (Fax)

3. Applicant is a wholly owned subsidiary of a rural electric cooperative, and the nature of its business is facilitating the deployment of broadband communications in rural areas of Missouri.

4. Applicant has no annual report or assessment fees that are overdue.

5. Applicant has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which has occurred within three years of this Application.

6. After the FCC ended the electric utility use of certain portions of microwave spectrum, Applicant's parent and other Missouri RECs determined to utilize fiber facilities as replacement technology, and to provide excess fiber capacity for the facilitation of deployment of broadband communications in rural areas of Missouri.

7. As part of this process, it was determined the communications along such fiber facilities could be concluded to constitute the provision of telecommunications service to the public for which Commission certificates of service authority were required. On July 17, 1997 in Case No. TA-98-24 Applicant sought and was provided certificates of service authority by this Commission. Applicant also had tariffs approved by the Commission.

8. As the business model for the deployment of broadband facilities in rural Missouri has evolved, Applicant has not provided telecommunications service to the public. Instead, by contract with another carrier, Applicant provides unlit fiber facilities to other certificated carriers. Applicant has not, and does not foresee, that it will provide telecommunications services to end user members of the public. Applicant has no current

need for these certificates of service authority. If in the future this changes, Applicant will comply with certification requirements in place at that time.

9. Applicant no longer desires to be certificated by the Commission, no longer desires to have to file annual reports to the Commission when it provides no telecommunications service to the public. Additionally, Applicant no longer desires to file end user retail revenue reports with the Commission for Missouri Universal Service Fund assessment purposes when Applicant has no end user retail revenue to report.

10. For all of the above reasons, Applicant requests that its Certificates of Service Authority be withdrawn and or cancelled.

11. Applicant also respectfully requests that the Commission withdraw and cancel all of its tariffs for the provision of telecommunications service within the State of Missouri.

12. The withdrawal and cancellation of Applicant's certificates and tariffs will have no adverse impact on the public interest as Applicant provides no service to any member of the public pursuant thereto. Accordingly, no customer notifications are being sent.

WHEREFORE, Applicant Howell-Oregon Technologies, L.L.C. respectfully requests that the Missouri Public Service Commission grant the withdrawal and or cancellation of all of Applicant's Certificates of Service Authority, and also to cancel all of its tariffs, on file with the Missouri Public Service Commission, together with such other and further relief as is necessary or convenient to affording the relief herein requested.

Respectfully submitted,

**ANDERECK, EVANS, MILNE,  
PEACE & JOHNSON L.L.C.**

By 

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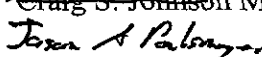
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**ATTORNEYS FOR APPLICANT**

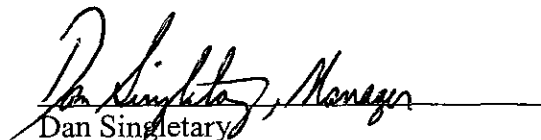
**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and accurate copy of the foregoing was mailed, via U.S. Mail, postage prepaid, this 25<sup>th</sup> day of May, 2005, to Staff General Counsel Dan Joyce, and to Office of Public Counsel Michael Dandino.

  
Craig S. Johnson MO Bar No. 28179  
 52899

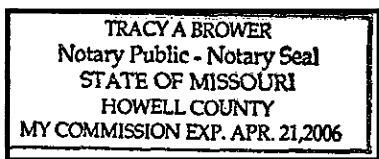
**VERIFICATION**

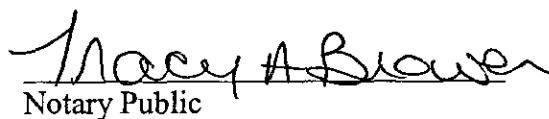
I, Dan Singletary, Manager of Howell-Oregon Technologies, L.L.C., hereby swear and affirm that I am authorized to speak on behalf of Howell-Oregon Technologies, L.L.C., and attest to the veracity of the statements contained in this application.

  
Dan Singletary

STATE OF MISSOURI     )  
  ) ss  
COUNTY OF ~~AA~~ Howell )

I, Tracy A Brower, a Notary Public do hereby certify that on this 19 day of April, 2005, personally appeared before me Dan Singletary who declared that the information contained herein above is true, to the best of his knowledge and belief.



  
Notary Public

My Commission Expires: 4/21/06