

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Application of Intermedia Communications)
for an Extension to Place in Service Previously) Case No. _____
Assigned NXX Numbers)

APPLICATION OF INTERMEDIA COMMUNICATIONS FOR EXTENSION TO PLACE IN SERVICE PREVIOUSLY ASSIGNED NXX CODES

COMES NOW, Intermedia Communications, Inc. pursuant to Sections 386.250 and 392.520 and specific delegation of authority by the FCC pursuant to 47 USC 251(e) in its Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, para. 232 et seq (March 31, 2000)(herein the "NRO Order") and 47 CFR 52.15(i) and respectfully requests that the Missouri Public Service Commission (the "Commission") grant an extension to place in service previously assigned NXX numbers for the reasons set forth herein.

1. Intermedia Communications, Inc. (“Intermedia”) is duly incorporated and existing under and by virtue of the laws of the State of Delaware and duly authorized to conduct business in Missouri. A certificate of good standing is attached hereto and incorporated herein as Exhibit A. Its principal Missouri regulatory offices are currently located at 701 Brazos, Suite 600, Austin, Texas 78701. It is classified as a competitive telecommunications company and is an authorized provider of intrastate local and interexchange telecommunications services in Missouri under certificates granted and tariffs approved by the Commission, as well as an authorized provider of interstate telecommunications services subject to the jurisdiction of the Federal Communications Commission.

2. The designated contacts for Intermedia concerning this Application

are:

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Notices, correspondence, communications, orders, decisions, and other papers may be served upon Applicant's attorneys and such service shall be deemed to be service upon Applicant in this matter.

3. Intermedia had previously obtained the 573-303 NXX code for the Columbia, Missouri rate center. The original effective date for securing this NXX was December 5, 2003. The original so-called "Part 4" due date for turning up these numbers was June 5, 2004.

4. Intermedia has encountered issues with the incumbent local exchange carrier, CenturyTel, that have prevented the original planned timelines from being met due to interconnect service orders not being worked in a timely manner as planned.

5. The issues with CenturyTel regarding the service orders are being addressed and new in-service dates negotiated. The new projected In-Service date is now September 5, 2004.

6. The FCC, through the NRO Order, delegated authority to the Missouri Commission regarding untimely code activation. Currently, if a code is not activated within six (6) months of the published effective date, it is subject to reclamation. However, by the NRO Order the FCC has also delegated authority to the Missouri Commission to grant requests for extension of the time for code activation due to circumstances beyond an applicant's control, including "unexpected delays or scheduling setbacks". (NRO Order at para. 239).

7. If this code (573-303) were reclaimed, there would be an adverse impact on Intermedia's ability to continue with the interconnect trunk turn-up because the NXX is a required data element to process such orders with the incumbent LEC. Such reclamation would drastically impact the turning up of service to Intermedia's end-user customers, whose orders have already been delayed, resulting in a financial burden to Intermedia.

8. Based on the foregoing demonstration of circumstances beyond its control and pursuant to the NRO Order, Intermedia requests an extension of time for activation of the Code to September 5, 2004. Intermedia notified Staff of this request by letter dated June 24, 2004, a copy of which is attached hereto and incorporated herein as Exhibit B.

9. To the best of Intermedia's knowledge, it has no annual report or assessment fees that are overdue. In addition, Intermedia does not have any pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court

involving customer services or rates, which occurred within three (3) years of the date of this Application.

WHEREFORE, PREMISES CONSIDERED, Intermedia prays that the Commission approve this application and extend the due date of the previously-assigned 573-303 code to September 5, 2004 and grant such other and further relief as to the Commission seems meet and proper in the premises.

Respectfully submitted,

/s/ Carl J. Lumley

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Attorneys for Applicant Intermedia
Communications, Inc.

Certificate of Service

A true and correct copy of the foregoing document was mailed this 7th day of July, 2004, to the persons listed on the attached list, by placing same in the U.S. Mail, postage paid.

Dan Joyce, General Counsel
Missouri Public Service Commission
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Michael Dandino
Office of Public Counsel
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/s/ Carl J. Lumley

STATE OF Missouri)
COUNTY OF St. Louis) SS.

VERIFICATION

I, Stephen F. Morris, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and the Senior Attorney of Intermedia Communications, Inc. I am authorized to act on behalf of Intermedia Communications, Inc., regarding the foregoing Application. I have read the Application and I am informed and believe that the matters contained therein are true. Further, I hereby confirm that Carl J. Lumley, Leland B. Curtis and Curtis, Heinz, Garrett & O'Keefe, P.C., 130 S. Bemiston, Suite 200, Clayton, MO 63105, are authorized to sign all pleadings and documents necessary to receive the approval of the Missouri Public Service Commission of the foregoing Application, and to represent Intermedia Communications, Inc., in this proceeding.

Stephen F. Morris

On this 4th day of June, 2004, before me, a Notary Public, personally appeared Stephen F. Morris, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and the Senior Attorney of Applicant Intermedia Communications, Inc. and that he/~~she~~ signed the foregoing document as Senior Attorney of Intermedia Communications, Inc. and the facts contained therein are true and correct according to the best of his/~~her~~ information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.

Deborah A. Neumann
Notary Public

My Commission Expires: _____

