

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

ATTORNEYS AT LAW

EUGENE E. ANDERECK  
TERRY M. EVANS  
ERWIN L. MILNE  
JACK PEACE  
CRAIG S. JOHNSON  
RODRIC A. WIDGER  
GEORGE M. JOHNSON  
BEVERLY J. FIGG  
WILLIAM S. LEWIS  
VICTOR S. SCOTT  
COREY K. HERRON

700 EAST CAPITOL AVENUE  
COL. DARWIN MARMADUKE HOUSE  
P.O. BOX 1438  
JEFFERSON CITY, MISSOURI 65102-1438  
TELEPHONE 573-634-3422  
FAX 573-634-7822

MATTHEW M. KROHN  
LANETTE R. GOOCH  
SHAWN BATTAGLER  
ROB TROWBRIDGE  
JOSEPH M. PAGE  
LISA C. CHASE  
JUDITH E. KOEHLER  
ANDREW J. SPORLEDER

May 25, 2005

OF COUNSEL  
MARVIN J. SHARP  
PATRICK A. BAUMHOER  
GREGORY C. STOCKARD (1904-1993)  
PHIL HAUCK (1924-1991)

**FILED**

MAY 25 2005

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

**Missouri Public  
Service Commission**

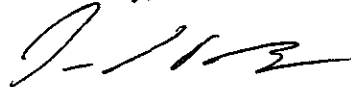
**Re: In the Matter of the Application of Laclede Technologies, LLC to withdraw  
and have cancelled Certificates of Service Authority.**

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  
Ken Miller

**FILED**

MAY 25 2005

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

Missouri Public  
Service Commission

In the Matter of the Application of )  
Laclede 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** Laclede Technologies, L.L.C. (hereinafter "Laclede"), 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 Laclede 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:

Ken Miller  
Manager  
Laclede Technologies, L.L.C.  
300 E. Seminole, P.O. Box M  
Lebanon, MO 65536  
(417) 532-3164  
(417) 532-8321 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 1, 1997 in Case No. TA-97-507 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.

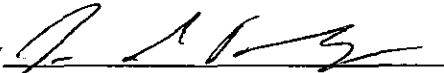
11. Applicant also respectfully requests that the Commission withdraw and cancel all of its tariffs for the provision of telecommunications service within the State of Missouri.

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 Laclede 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 

Craig S. Johnson MoBar # 28179

cjohnson@aempb.com

Jason A. Paulsmeyer MoBar # 52899

jpaulsmeyer@aepmb.com

700 East Capitol Avenue

P.O. Box 1438

Jefferson City, Missouri 65102

Telephone (573) 634-3422

Facsimile (573) 634-7822

**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  
Jason A Paulsmeyer 52899

**VERIFICATION**

I, Ken Miller, Manager of Laclede Technologies, L.L.C., hereby swear and affirm that I am authorized to speak on behalf of Laclede Technologies, L.L.C., and attest to the veracity of the statements contained in this application.

*Ken Miller*  
Ken Miller

STATE OF MISSOURI     )  
  ) ss  
COUNTY OF                    )

GLEND A. S. POWELL  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Laclede County - Comm.#05660765  
My Commission Expires Jan. 31, 2009

I, *Glenda S. Powell*, a Notary Public do hereby certify that on this *19* day of *April*, 2005, personally appeared before me Ken Miller who declared that the information contained herein above is true, to the best of his knowledge and belief.

*Glenda S. Powell*  
Notary Public

My Commission Expires: *Apr. 31, 2009*