

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
December 12, 2000

CASE NO: TA-2001-336; TA-2001-346; TA-2001-348
TA-2001-350; TA-2001-351

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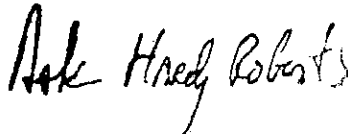
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12444 Powerscourt Drive, Suite 100
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Enclosed find certified copy of a NOTICE in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified copies:

To all interexchange, basic local and local telecommunications carriers.

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

**NOTICE OF APPLICATIONS
FOR INTRASTATE CERTIFICATES OF SERVICE AUTHORITY
AND OPPORTUNITY TO INTERVENE**

YOU ARE NOTIFIED THAT each applicant listed in the schedules accompanying this notice has applied to the Commission for a certificate of service authority to provide intrastate telecommunications services. The certificate requested may be for provision of: 1) interexchange, 2) nonswitched local exchange, or 3) basic local exchange telecommunications services, or a combination thereof under Sections 392.410 through 392.455¹. Each applicant has requested competitive classification and either filed a proposed tariff with a 45-day effective date or requested a temporary waiver of 4 CSR 240-2.060(6)(C).

The Commission must find that the grant of service authority is in the public interest. § 392.440. Applications for authority to provide basic local services must comply with § 392.455. The Commission may classify a company as competitive if it finds that all the telecommunications services the company offers are competitive services. § 392.361.3. If the Commission's Staff makes a favorable recommendation and no request for hearing is filed, the Commission may act upon a verified application without hearing. State ex rel. Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494 (Mo. App. 1989). The Commission ordinarily waives the application of the statutes and Commission rules listed below for competitive companies.

WAIVERS FOR COMPETITIVE BASIC LOCAL EXCHANGE CARRIERS:

| <u>Statutes</u> | <u>Commission Rules</u> |
|-----------------|-------------------------|
| 392.210.2 | 4 CSR 240-10.020 |
| 392.240.1 | 4 CSR 240-30.010(2)(C) |
| 392.270 | 4 CSR 240-30.040 |
| 392.280 | 4 CSR 240-32.030(4)(C) |
| 392.290 | 4 CSR 240-33.030 |
| 392.300.2 | 4 CSR 240-35 |
| 392.310 | |
| 392.320 | |
| 392.330 | |
| 392.340 | |

¹ Statutory references are to the Revised Statutes of Missouri, revision of 1994, with the exception of §§ 392.330 and 392.455, which are found in the 1999 Supplement.

WAIVERS FOR INTEREXCHANGE & NONSWITCHED LOCAL EXCHANGE CARRIERS:

| <u>Statutes</u> | <u>Commission Rules</u> |
|-----------------|-------------------------|
| 392.210.2 | 4 CSR 240-10.020 |
| 392.240.1 | 4 CSR 240-30.010(2)(C) |
| 392.270 | 4 CSR 240-30.040 |
| 392.280 | 4 CSR 240-33.030 |
| 392.290 | 4 CSR 240-35 |
| 392.300.2 | |
| 392.310 | |
| 392.320 | |
| 392.330 | |
| 392.340 | |

If an applicant requests waiver of a provision that is not listed, the request will be specifically noted in the Schedule of Applicants. If you wish to contest whether it is in the public interest to grant an applicant a certificate of service authority or competitive status, you may file a written application to intervene. **PLEASE NOTE:** the intervention period for an interexchange or nonswitched local exchange application is **15 DAYS (unless otherwise noted)**; the intervention period for a competitive basic local exchange application is **30 DAYS (unless otherwise noted)**. Address your application to intervene to the Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson City, Missouri 65102, and serve copies on the applicant, the applicant's attorney, and all intervenors. You may obtain a copy of an application for service authority filed with the Commission by sending a written request to the Secretary at the above address.

BY THE COMMISSION

(S E A L)



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Kevin A. Thompson, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 12th day of December, 2000.

**SCHEDULE OF APPLICANTS FOR BASIC LOCAL AND NONSWITCHED
LOCAL EXCHANGE SERVICE AUTHORITY**

**Missouri Public Service Commission
December 12, 2000**

INTERVENTION DEADLINE: January 11, 2001

Case No. TA-2001-336

RLJ: Thompson

Applicant:

eVulkan, Inc.
100 Broadway, 21st Floor
New York, New York 10271

Tariff Effective: Waiver requested

Attorneys:

James M. Fischer, Esq.
Larry W. Dority, Esq.
Fischer & Dority, P.C.
101 Madison, Suite 400
Jefferson City, Missouri 65101

Catherine M. Hannan, Esq.
Hunter Communications Law Group
1620 I Street N.W., Suite 701
Washington, D.C. 20006

Applicant requests a certificate of service authority to provide basic local exchange telecommunications (resale) services in exchanges served by Southwestern Bell Telephone Company, GTE Midwest Incorporated d/b/a Verizon Midwest and Sprint Missouri, Inc. d/b/a Sprint. Applicant requests classification as a competitive company with the standard waivers.

Case No. TA-2001-346

RLJ: Ruth

Applicant:

Charter Fiberlink -
Missouri, LLC
12444 Powerscourt Drive
Suite 100
St. Louis, Missouri 63131

Tariff Effective: Waiver requested

Attorneys:

Jerold C. Lambert, Esq.
12444 Powerscourt Drive, Suite 100
St. Louis, Missouri 63131

Karl Zobrist, Esq.
Blackwell Sanders Peper Martin, LLP
Two Pershing Square
2300 Main Street, Suite 1100
Kansas City, Missouri 64108

Applicant requests a certificate of service authority to provide basic local exchange telecommunications services in exchanges served by Southwestern Bell Telephone Company, GTE Midwest Incorporated d/b/a Verizon Midwest and Sprint Missouri, Inc. d/b/a Sprint. Applicant requests classification as a competitive company with the standard waivers.

Case No. TA-2001-350
RLJ: Dippell
Applicant:
Everest Midwest Licensee LLC
5555 Winghaven Boulevard
O'Fallon, Missouri 63366

Tariff Effective: Adoption Notices
effective January 20, 2001
Attorneys:
Mark P. Johnson, Esq.
Lisa C. Creighton, Esq.
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, Missouri 64111

Applicant requests a certificate of service authority to provide basic local exchange telecommunications services in exchanges served by Southwestern Bell Telephone Company, GTE Midwest Incorporated d/b/a Verizon Midwest and Sprint Missouri, Inc. d/b/a Sprint. Applicant requests classification as a competitive company. Everest Midwest seeks to adopt the tariffs of Everest Connections Corporation in related cases TT-2001-352, TT-2001-353 and TT-2001-354. Applicant also requests that the Commission grant a protective order and allow it to file its financial statements under seal.

Case No. TA-2001-351
RLJ: Woodruff
Applicant:
Essex Communications, Inc.
d/b/a eLEC Communications
48 South Service Road, 3rd Floor
Melville, New York 11747

Tariff Effective: Waiver requested
Attorney:
James M. Fischer, Esq.
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, Missouri 65101

Applicant requests a certificate of service authority to provide basic local exchange telecommunications services in exchanges served by Southwestern Bell Telephone Company, GTE Midwest Incorporated d/b/a Verizon Midwest and Sprint Missouri, Inc. d/b/a Sprint. Applicant requests classification as a competitive company with the standard waivers.

**SCHEDULE OF APPLICANTS FOR INTEREXCHANGE AND
NONSWITCHED LOCAL EXCHANGE SERVICE AUTHORITY**

**Missouri Public Service Commission
December 12, 2000**

INTERVENTION DEADLINE: December 27, 2000

Case No. TA-2001-346
RLJ: Ruth
Applicant:
Charter Fiberlink -
Missouri, LLC
12444 Powerscourt Drive
Suite 100
St. Louis, Missouri 63131

Tariff Effective: Waiver requested
Attorneys:
Jerold C. Lambert, Esq.
12444 Powerscourt Drive, Suite 100
St. Louis, Missouri 63131

Karl Zobrist, Esq.
Blackwell Sanders Peper Martin, LLP
Two Pershing Square
2300 Main Street, Suite 1100
Kansas City, Missouri 64108

Applicant requests a certificate of service authority to provide intrastate interexchange telecommunications services and classification as a competitive company with the standard waivers, except Applicant requests waiver of 4 CSR 240-32.030(4)(C).

Case No. TA-2001-348

Tariff Effective: January 19, 2001

RLJ: Hopkins

Applicant:

Missouri Network Alliance, L.L.C.
8800 Blue Ridge Boulevard
Suite 1010
Kansas City, Missouri 64138

Attorney:

Sondra B. Morgan, Esq.
Brydon, Swearngen & England, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102-0456

Applicant requests a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services and classification as a competitive company with the following waivers: 392.210.2; 392.240.1; 392.270; 392.280; 392.290; 392.300.2; 392.310; 392.320; 392.330, RSMo 1999; 392.340; 4 CSR 240-10.020; 4 CSR 240-30.010(2)(C); 4 CSR 240-30.040; 4 CSR 240-33.030; and 4 CSR 240-35.

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

**I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.**

**WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 12th day of December 2000.**

Dale Hardy Roberts

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

