

WILLIAM D. STEINMEIER, P.C.

2031 TOWER DRIVE
JEFFERSON CITY, MISSOURI (MO) 65109

WILLIAM D. STEINMEIER
ATTORNEY AT LAW
GOVERNMENTAL CONSULTANT
(573) 659-8672
FAX (573) 636-2305

MAILING ADDRESS:
POST OFFICE BOX 104595
JEFFERSON CITY, MISSOURI (MO)
65110-4595

MARY ANN YOUNG
ATTORNEY AT LAW
OF COUNSEL
(573) 634-8109
FAX (573) 634-8224

August 26, 2002

FILED²

AUG 26 2002

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

RE: XA-2002-1154

Application of Xspedius Management Co. of Kansas City, LLC for Certificate of Service Authority to Provide Interexchange and Non-Switched Local Exchange Telecommunications Services

Dear Mr. Roberts:

Enclosed please find an original and eight copies of the Motion for Expedited Treatment for Approval of Adoption Notice and Revised Tariff Sheets of Xspedius Management Co. of Kansas City, LLC for filing with the Commission in the above-referenced case. Also enclosed are an original and eight copies of the following tariff sheets:

For Xspedius Management Co. of Kansas City, LLC's adoption of the tariff of ACSI Local Switched Services, Inc. (Missouri P.S.C. Tariff No. 1): Original Adoption Notice, Tariff Cover Sheet (First Revised Page No. 1) and Waiver Tariff Sheet (First Revised Page No. 2).

For Xspedius Management Co. of Kansas City, LLC's adoption of the tariff of American Communication Services of Kansas City, Inc. (P.S.C. MO. No. 2): Original Adoption Notice and Tariff Cover Sheet (First Revised Title Page).

These tariff sheets are filed per the Commission's Order Granting Temporary Certificate of Service Authority in this case. Cover letters are provided with each of the eight copies for explanatory purposes.

Thank you for assistance in processing this filing. Copies are being served on the Commission's General Counsel and Office of the Public Counsel.

Please contact me at 659-8672 if there are any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. Steinmeier". The signature is written in a cursive style with a large, prominent initial "W".

William D. Steinmeier

Enclosure

cc: General Counsel
Office of the Public Counsel
Mr. Leon Nowalsky

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
AUG 26 2002

Missouri Public
Service Commission

In the Matter of the Application of)
)
Xspedius Management Co. of Kansas City, LLC)
)
For Authority to Provide Intrastate Interexchange and)
Non-Switched Local Exchange Telecommunications)
Services in the State of Missouri)

Case No. XA-2002-1154

**MOTION FOR EXPEDITED TREATMENT FOR APPROVAL
OF ADOPTION NOTICE AND REVISED TARIFF SHEETS**

COMES NOW Xspedius Management Co. of Kansas City, LLC ("Xspedius Kansas City"), by and through counsel and pursuant to 4 CSR 240-2.080(17), and for its Motion for Expedited Treatment for Approval of Adoption Notice and Revised Tariff Sheets ("Motion"), states as follows:

1. On July 9, 2002, the Commission issued an Order Granting Temporary Certificate of Service Authority ("Order") in this case. The Order required Xspedius Kansas City to file a tariff "at least seven days before the transfer of assets and customers, with the transfer date as the proposed effective date."

2. Contemporaneous with this Motion, Xspedius Kansas City is filing the required adoption notice and revised tariff sheets to adopt the interexchange and local exchange tariffs of the e.spire companies: Missouri P.S.C. Tariff No. 1 of ACSI Local Switched Services, Inc.; and P.S.C. Mo. NO. 2 of American Communication Services of Kansas City, Inc.

3. The Commission's rules, at 4 CSR 240-2.060(16)(C) require that the adoption notice and revised tariff sheets have an effective date not fewer than thirty (30) days after the filing date.

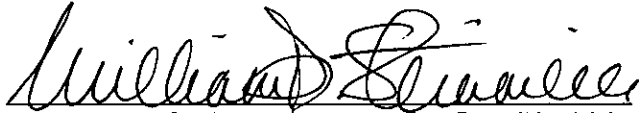
4. The thirty (30) day adoption notice and revised tariff sheet approval process creates a practical problem. The sale of e.spire's assets to Xspedius was approved by the Bankruptcy Court to be accomplished by July 8, 2002, or as soon thereafter as all necessary regulatory approvals could be obtained. Although the Missouri Commission was exceedingly swift in its approval of the transfer and the granting of temporary certificates of service authority, the regulatory approvals required from other jurisdictions have delayed the consummation of the transaction . However, this closing is now expected to occur on or about September 3, 2002. It is important that Xspedius Kansas City be in a position to provide service to its acquired customers as soon as the closing occurs. In order for Xspedius Kansas City to begin providing service to the transferred customers, it must have an effective tariff. Therefore, the effective date on the adoption notice and revised tariff sheets filed herewith is September 3, 2002, which is less than thirty (30) days following filing.

5. The Commission has already granted Xspedius Kansas City expedited treatment in this case and for the underlying and related cases, Case Nos. TM-2002-1155, XA-2002-1153, and LA-2003-0001, and it would be consistent with the Commission's other actions for it to permit the tariffs to take effect on less than thirty (30) days' notice.

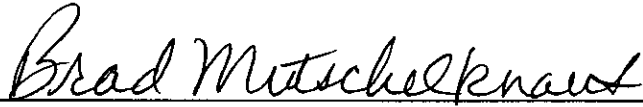
6. Further, granting this Motion will in no way be detrimental to the customers being transitioned to Xspedius Kansas City or to any party in this uncontested case; in fact, it will ensure a seamless, uninterrupted transition of service from e.spire to Xspedius Kansas City for the benefit of the customers.

WHEREFORE, for the reasons stated above, Xspedius Kansas City respectfully moves the Commission to grant expedited treatment of Xspedius Kansas City's adoption notice and revised tariff sheets pursuant to 4 CSR 240-2.065(2).

Respectfully submitted,



William D. Steinmeier Mo. Bar #25689
Mary Ann (Garr) Young Mo. Bar # 27951
WILLIAM D. STEINMEIER, P.C.
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
Tel.: (573) 659-8672
Fax: (573) 636-2305
E-mail: wds@wdspc.com



Brad Mutschelknaus D.C. Bar #332262
Enrico C. Soriano D.C. Bar #451810
Winafred Brantl VA Bar #46683
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W., Fifth Floor
Washington, D.C. 20036
(202) 955-9600
(202) 955-9792 (facsimile)
bmutschelknaus@kelleydrye.com
esoriano@kelleydrye.com
WBrantl@kelleydrye.com

COUNSEL FOR XSPEDIUS MANAGEMENT
CO. OF KANSAS CITY, LLC

Dated: August 26, 2002

ADOPTION NOTICE

Pursuant to Orders of the Missouri Public Service Commission, issued in Case Nos. TM-2002-1155 and XA-2002-1154, Xspedius Management Co. of Kansas City, LLC was authorized to provide the same services provided under the interexchange and local exchange tariffs of ACSI Local Switched Services, Inc. and American Communication Services of Kansas City, Inc. ("e.spire").

Xspedius Management Co. of Kansas City, LLC hereby adopts, ratifies and makes its own, in every respect as if the same had been originally filed by it, Missouri P.S.C. Tariff No. 1, including all schedules, rules, notice concurrences, schedule agreements, division, authorities or other instruments whatsoever, filed with the Missouri Public Service Commission, by ACSI Local Switched Services, Inc. prior to the effective date of the Commission's Orders issued in Case Nos. TM-2002-1155 and XA-2002-1154.

By this notice Xspedius Management Co. of Kansas City, LLC also adopts and ratifies all supplements or amendments to any of the above schedules, etc. which ACSI Local Switched Services, Inc. has heretofore filed with the Commission.

Issued: August 26, 2002

James C. Falvey
Sr. VP – Regulatory Affairs
Xspedius Management Co., LLC.
7125 Columbia Gateway Drive, Suite 200
Columbia, Maryland 21046

Effective: September 2, 2002

Xspedius Management Co. of Kansas City, LLC.

7125 Columbia Gateway Drive,

Suite 200

Annapolis Junction, Maryland 20701

INTEREXCHANGE SERVICES TARIFF

Xspedius Management Co. of Kansas City, LLC operates as a competitive telecommunications company in Missouri.

Issued: August 26, 2002

James C. Falvey
Sr. VP – Regulatory Affairs
Xspedius Management Co., LLC.
7125 Columbia Gateway Drive, Suite 200
Columbia, Maryland 21046

Effective: September 2, 2002

WAIVER OF STATUTES AND RULES

Xspedius Management Co. of Kansas City, LLC is a competitive carrier in the State of Missouri and, as such, has been granted waivers from the following statutes and Commission rules pursuant to Sections 392.361.5 and 392.420, RSMo:

STATUTES

Section 392.210.2	Uniform system of accounts
Section 392.240(1)	Just and reasonable rates
Section 392.270	Ascertain property value
Section 392.280	Depreciation accounts
Section 392.290	Issuance of securities
Section 392.300.2	Acquisition of stock
Section 392.310	Issuance of stocks and debt
Section 392.320	Stock dividend payment
Section 392.330	Issuance of securities, debts and notes
Section 392.340	Reorganization

COMMISSION RULES

4 CSR 240-10.020	Depreciation fund income
4 CSR 240-30.010(2)(C)	Posting of Rate Schedules at Central Office
4 CSR 240-30.040	Uniform system of accounts
4 CSR 240-33.030	Inform customers of lowest price
4 CSR 240-35	Bypass reports

ADOPTION NOTICE

Pursuant to Orders of the Missouri Public Service Commission, issued in Case Nos. TM-2002-1155 and XA-2002-1154, Xspedius Management Co. of Kansas City, LLC was authorized to provide the same services provided under the interexchange and local exchange tariff of ACSI Local Switched Services, Inc. and American Communication Services of Kansas City, Inc. (“e.spire”).

Xspedius Management Co. of Kansas City, LLC hereby adopts, ratifies and makes its own, in every respect as if the same had been originally filed by it, P.S.C. MO. No. 2, including all schedules, rules, notice concurrences, schedule agreements, division, authorities or other instruments whatsoever, filed with the Missouri Public Service Commission, by American Communication Services of Kansas City, Inc. prior to the effective date of the Commission’s Orders issued in Case Nos. TM-2002-1155 and XA-2002-1154.

By this notice Xspedius Management Co. of Kansas City, LLC also adopts and ratifies all supplements or amendments to any of the above schedules, etc. which American Communication Services of Kansas City, Inc. has heretofore filed with the Commission.

Issued: August 26, 2002

James C. Falvey
Sr. VP – Regulatory Affairs
Xspedius Management Co., LLC.
7125 Columbia Gateway Drive, Suite 200
Columbia, Maryland 21046

Effective: September 2, 2002

ACCESS SERVICE TARIFF

REGULATIONS AND SCHEDULE OF CHARGES

Applicable To

INTRASTATE ACCESS SERVICE

COMMUNICATION SERVICES

Within

THE STATE OF MISSOURI

Xspedius Management Co. of Kansas City, LLC.

7125 Columbia Gateway Drive,
Suite 200
Annapolis Junction, Maryland 20701

(D)

Xspedius Management Co. of Kansas City, LLC operates as a competitive telecommunications company in Missouri.