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May 24, 2000

FILED

MAY 24 2000

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

Missouri Public Service Commission

Re:

**EqualNet Corporation** 

1999 Annual Report

TE-2000-776

Dear Mr. Roberts:

Please find enclosed for filing an original and eight (8) copies of Motion For Extension Of Time To File 1999 Annual Report and one original of the 1999 Annual Report, both filed on behalf of EqualNet Corporation. Copies of the Motion have been sent this date to the General Counsel's Office and the Office of the Public Counsel. Thank you.

Sincerely,

Brent Stewart

CBS/bt

**Enclosures** 

cc:

General Counsel's Office

Office of the Public Counsel

Irethra Corkran Mark Lammert

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## BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI Se

Missour Public Service Commission

In the Matter of the filing of EqualNet	
Corporation's 1999 Annual Report.	

Case No. TE-2000-776

## MOTION FOR EXTENSION OF TIME TO FILE 1999 ANNUAL REPORT

Comes now EqualNet Corporation ("EqualNet" or "the Company"), by and through counsel and pursuant to 4 CSR 240-10.080 and 4 CSR 240-2.015, and for its Motion For Extension Of Time To File 1999 Annual Report respectfully states as follows:

- 1. On or about May 2, 2000, EqualNet attempted to file its 1999 verified Annual Report with the Commission via overnight delivery. Said Annual Report obviously was received by the Commission after the April 15, 2000 deadline mandated by 4 CSR 240-10.080(1) and Section 392.210 RSMo 1994. Accordingly, said Annual Report was rejected for filing and returned to the Company with instructions to re-file same along with a pleading, signed by counsel, requesting an extension.
- 2. It is unclear to counsel exactly why said Annual Report was not received by the Commission by the April 15, 2000 deadline but it apparently was because of inadvertent internal difficulties within the Company in meeting the filing deadline. It certainly was not the Company's intent to ignore the Commission's rule and the Company seeks to remedy the situation with this filing.
- 3. Upon receipt of the Commission's notification that it had rejected the filing, the Company sought and then employed counsel for the purpose of re-submitting the Company's Annual Report as quickly as possible. Due to scheduled hearings and other caseload commitments, counsel was unable to make this filing until this time.

4. 4 CSR 240-10.080(8) and 4 CSR 240-2.015 (to the extent applicable) allows a utility to request an extension of time within which to file the utility's annual report provided the reasons therefore are stated. Counsel has attempted to do so based on the information available to him and has included with this pleading one original of the Company's 1999 Annual Report for filing in the interest of providing the Commission with the Company's 1999 Annual Report as quickly as possible.

WHEREFORE, EqualNet Corporation respectfully moves the Commission to grant this Motion For Extension Of Time To File 1999 Annual Report and to accept as now submitted for filing the Company's 1999 Annual Report under the applicable Commission rules.

Charles Brent Stewart, MoBar#34885 STEWART & KEEVIL, L.L.C. 1001 Cherry Street, Suite 302 Columbia, Missouri 65201 (573) 499-0635

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ATTORNEY FOR EQUALNET CORPORATION

## CERTIFICATE OF SERVICE

The undersigned certifies that the original 1999 Annual Report of EqualNet Corporation was submitted this date to the Commission's Records Department, and that a true copy of the foregoing Motion was sent this date to the General Counsel's Office and the Office of the Public Counsel by hand-delivery, this 24th day of May, 2000.