

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

JUL 15 1999

In the Matter of the Revised Tariff)
Filing of Fiber Four Corporation)
d/b/a Rock Port Long Distance.)

Case No. TA-~~80~~-2000-27 Missouri Public Service Commission

**MOTION TO EXPEDITE TARIFF APPROVAL
OR TO GRANT INTERIM AUTHORITY AND APPROVAL**

Comes now Fiber Four Corporation d/b/a Rock Port Long Distance ("Applicant" or "Rock Port") and for its Motion to Expedite Tariff Approval or to Grant Interim Authority and Approval states to the Missouri Public Service Commission ("Commission") as follows:

1. On June 25, 1999, Fiber Four Corporation ("Fiber Four") filed its tariff to implement long distance message telecommunications service ("LDMTS"). Fiber Four's tariff proposed a common set of terms and conditions for the provision of LDMTS and individual rate sheets for LDMTS depending upon the affiliated local exchange company ("LEC") in which LDMTS was to be provided. Fiber Four proposed to do business under four fictitious names including the fictitious name Rock Port Long Distance. Although the Commission stamped the tariffs "received" on June 25, 1999, Counsel for Fiber Four was notified on June 28, 1999, that the tariff filing was being rejected because Fiber Four was proposing to do business using more than one fictitious name. Because time was of the essence, Fiber Four sought reinstatement of the tariff filing on July 2, 1999, requesting that the tariff be implemented for an interim period of time until Fiber Four could seek and obtain certificates for each of the fictitious names under which it proposed to do business. Counsel for Fiber Four has now been apprized by the Staff that this tariff will not be approved.

2
0000046

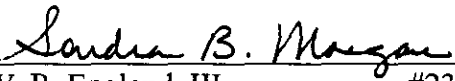
2. Accordingly, on this date Fiber Four Corporation d/b/a Rock Port Long Distance is filing an Application for a certificate of service authority to provide interexchange telecommunications services and submitting a proposed tariff using only the d/b/a Rock Port Long Distance. It is important that Rock Port Long Distance's toll tariff become effective on July 26, 1999, because Rock Port Telephone Company is in the process of implementing its intraLATA dialing parity plan ("ILDPA") as authorized by the Commission in Case NO. TO-99-520. Rock Port Telephone Company's plan calls for the implementation of intraLATA dialing parity in the exchanges served by Rock Port Telephone Company on July 27, 1999. Those customers who do not affirmatively select an intraLATA toll provider by July 27, 1999, will be assigned to Rock Port Telephone Company's affiliated long distance company (i.e. Fiber Four) on this date.

3. Because of the delay occasioned by the rejection of the original tariff, Fiber Four now must request expedited approval of its application for a certificate of service authority to provide interexchange telecommunications service and expedited approval of its tariff for Fiber Four Corporation d/b/a Rock Port Long Distance in order to be able to provide the service to the customers of Rock Port Telephone Company when it implements ILDP.

4. If the Commission cannot approve the application for a certificate and the accompanying tariff in that time frame, Fiber Four requests that the Commission grant an interim certificate effective July 26, 1999, in order that it can provide toll service to the customers of Rock Port Telephone Company.

Wherefore, Fiber Four respectfully requests that the Commission grant its Motion to Expedite Tariff Approval or to Grant Interim Authority and Approval and for any other relief appropriate in the circumstances.

Respectfully submitted,


W. R. England, III #23975
Sondra B. Morgan #35482
BRYDON, SWEARENGEN & ENGLAND P.C.
P.O. Box 456
Jefferson City, MO 65102-0456
(573) 635-7166

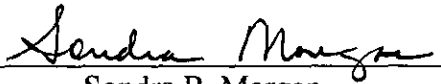
Attorneys for Fiber Four Corporation d/b/a
Rock Port Long Distance

Certificate of Service

The undersigned hereby certifies that a true copy of the foregoing was hand delivered on July 15, 1999, to:

Office of Public Counsel
Truman State Office Building
Jefferson City, MO 65101

Staff
Missouri Public Service Commission
Truman State Office Building
Jefferson City, MO 65101


Sondra B. Morgan

Appendix A

**Articles of Incorporation
Fiber Four Corporation**

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

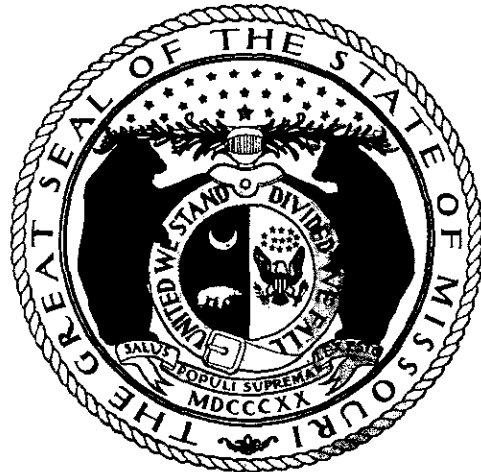
CORPORATION DIVISION
CERTIFICATE OF CORPORATE RECORDS

FIBER FOUR CORPORATION

I, REBECCA MCDOWELL COOK, SECRETARY OF STATE OF THE STATE OF MISSOURI AND KEEPER OF THE GREAT SEAL THEREOF, DO HEREBY CERTIFY THAT THE ANNEXED PAGES CONTAIN A FULL, TRUE AND COMPLETE COPY OF THE ORIGINAL DOCUMENTS ON FILE AND OF RECORD IN THIS OFFICE.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 13TH DAY OF JULY, 1999.

Rebecca McDowell Cook
Secretary of State



STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF INCORPORATION

WHEREAS, DUPLICATE ORIGINALS OF ARTICLES OF INCORPORATION OF
FIBER FOUR CORPORATION

HAVE BEEN RECEIVED AND FILED IN THE OFFICE OF THE SECRETARY OF
STATE, WHICH ARTICLES, IN ALL RESPECTS, COMPLY WITH THE
REQUIREMENTS OF GENERAL AND BUSINESS CORPORATION LAW;

NOW, THEREFORE, I, REBECCA McDOWELL COOK, SECRETARY OF STATE
OF THE STATE OF MISSOURI, BY VIRTUE OF THE AUTHORITY VESTED IN
ME BY LAW, DO HEREBY CERTIFY AND DECLARE THIS ENTITY A BODY
CORPORATE, DULY ORGANIZED THIS DATE AND THAT IT IS ENTITLED TO
ALL RIGHTS AND PRIVILEGES GRANTED CORPORATIONS ORGANIZED UNDER
THE GENERAL AND BUSINESS CORPORATION LAW.

IN TESTIMONY WHEREOF, I HAVE SET MY
HAND AND IMPRINTED THE GREAT SEAL OF
THE STATE OF MISSOURI, ON THIS, THE
23RD DAY OF OCTOBER, 1995.

Rebecca McDowell Cook
Secretary of State



\$58.00



State of Missouri

Rebecca McDowell Cook, Secretary of State
P.O. Box 778, Jefferson City, Mo. 65102
Corporation Division

INCORPORATION ISSUED

OCT 23 1995

Articles of Incorporation

(To be submitted in duplicate by an attorney or an incorporator.)

Rebecca McDowell Cook

The undersigned natural person(s) of the age of eighteen years or more for the purpose of forming a corporation under The General and Business Corporation Law of Missouri adopt the following Articles of Incorporation:

Article One

The name of the corporation is FIBER FOUR CORPORATION

Article Two

The address, including street and number, if any, of the corporation's initial registered office in this state is _____

107 Opp Street, Rock Port, Missouri 64482

and the name of its initial agent at such address is Boyd Spiker

Article Three

The aggregate number, class and par value, if any, of shares which the corporation shall have authority to issue shall be:

Three hundred shares of common stock of the par value of \$100.00 per share.

The preferences, qualifications, limitations, restrictions, and the special or relative rights, including convertible rights, if any, in respect to the shares of each class are as follows:

All shares of stock shall be common shares and shall be wholly owned by the Rock Port Telephone Company, Rock Port, Missouri.

Article Four

The extent, if any, to which the preemptive right of a shareholder to acquire additional shares is limited or der.

ne corporation

Article Five

The name and place of residence of each incorporator is as follows:

| Name | Street | Cit |
|----------------------------------|----------------------------|---------------------|
| Boyd D. Spiker | 107 Opp St., P.O. Box 147, | Rock Port, MD 64482 |
| Keith Ottmann | Rt. 1, Box 95, | Rock Port, MD 64482 |
| Richard S. Garst | Rt. 4, Box 68, | Watson, MD 64496 |
| Stanley K. Griffin, 1 Whispering | Woods Lane, P. O. Box 232, | Rock Port, MD 64482 |
| Wm. Michael Holley | 704 Center St., | Rock Port, MD 64482 |

Article Six

(Designate which and complete the applicable paragraph.)

The number of directors to constitute the first board of directors is five. Thereafter the number of director shall be fixed by, or in the manner provided by the bylaws. Any changes in the number will be reported to the Secretar of State within thirty calendar days of such change.

OR

The number of directors to constitute the board of directors is _____. (The number of directors to constitut the board of directors must be stated herein if there are to be less than three directors. The person to constitute th first board of directors may, but need not, be named.)

Article Seven

The duration of the corporation is perpetual

Article Eight

The corporation is formed for the following purposes:

To acquire by purchase, lease or otherwise, construct, maintain, and operate a telephone system, and public an and private telephone lines; to receive and transmit intelligence by electricity, including distance learning, telemedicine, County wide 911 delivery and any other communication services within and without the State of Missouri as are authorized by law.

Be a promoter, partner, member, associate or manager of any partnership, joint venture or other enterprise within the scope of the foregoing purposes.

IN WITNESS WHEREOF, these Articles of Incorporation have been signed this 11th day of October, 1995.

Handwritten signatures on lines:
x [Signature]
x [Signature]
x [Signature]
x Stanley K. Sheffer
x Wm. Michael Halley

State of Missouri
County of Atchison } ss.

I, W. L. Mulvania, a Notary Public, do hereby certify that
on this 11th day of October, 1995, personally appeared before me
Boyd D. Spiker, Keith Ottmann, Richard S. Garst, Stanley K. Griffin and Wm. Michael Holley
who being by me first duly sworn, (severally) declared that ~~he is~~ (they are) the person(s) who signed the foregoing
document as incorporator(s), and that the statements therein contained are true.

(Notarial Seal)

W. L. Mulvania
W.L. Mulvania Notary Public

My commission expires October 12, 1997.

FILED IN THE
INCORPORATION ISSUED
OCT 23 1995
Becca M. ...

Appendix B

**Certificate of Registration of
Fictitious Name
Fiber Four Corporation
d/b/a Rock Port Long Distance**

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF CORPORATE RECORDS

ROCK PORT LONG DISTANCE

I, REBECCA MCDOWELL COOK, SECRETARY OF STATE OF THE STATE OF MISSOURI AND KEEPER OF THE GREAT SEAL THEREOF, DO HEREBY CERTIFY THAT THE ANNEXED PAGES CONTAIN A FULL, TRUE AND COMPLETE COPY OF THE ORIGINAL DOCUMENTS ON FILE AND OF RECORD IN THIS OFFICE.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 1ST DAY OF JULY, 1999.

Rebecca McDowell Cook
Secretary of State

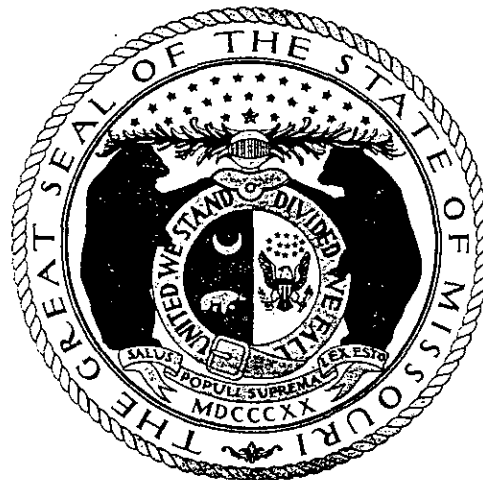


Exhibit 1



State of Missouri

No. X 357193

Rebecca McDowell Cook, Secretary of State

Corporation Division

Registration of Fictitious Name

(Submit in duplicate with a filing fee of \$7)

This information is for the use of the public and gives no protection to the name. There is no provision in this Chapter to keep another company or corporation from adopting and using the same name. (RSMo 417)

We, the undersigned, are doing business under the following name, and at the following address:

Name to be registered: Rock Port Long Distance

Missouri Business Address: 107 OPP ST.
(P.O. Boxes not accepted)

City, State and Zip Code: Rock Port, MO 64482

The parties having an interest in the business, and the percentage they own are (if a corporation is owner, indicate corporation name and percentage owned). If all parties are jointly and severally liable, percentage of ownership need not be listed:

| Name of Owners, Individual or Corporate | Street and Number | City | State and Zip Code | If listed, Percentage of ownership must equal 100% |
|---------------------------------------------------|--------------------|-------------------|---------------------------|----------------------------------------------------------------|
| <u>FIBER FOUR CORPORATION</u> <u>417789 AG</u> | <u>107 OPP ST.</u> | <u>Rock Port,</u> | <u>MO</u> <u>64482</u> | <u>100%</u> |
| | | | | |
| | | | | |
| | | | | |

(Must be typed or printed)

Return to: Secretary of State
Corporation Division
P.O. Box 778
Jefferson City, Mo. 65102

FILED

JUN 25 1999

(Over)

Rebecca McDowell Cook
SECRETARY OF STATE

The undersigned, being all the parties owning interest in the above company, being duly sworn, upon their oaths each did say that the statements and matters set forth herein are true.

357193

| | | |
|-----------------------------|---|-----------------|
| Individual Owners Sign Here | } | X _____ X _____ |
| | | X _____ X _____ |
| | | X _____ X _____ |

The undersigned corporation has caused this application to be executed in its name by its President or Vice-President and its Secretary or Assistant Secretary, this 23rd day of JUNE, 19 99.

If Corporation is Owner, Corporate Officers Execute Here

FIBER Four CORPORATION
 (Exact Corporate Title)
 By [Signature]
 As President or Vice President
 By [Signature]
 Its Secretary or Assistant Secretary

(Corporate Seal)
If no seal, state "none".

State of Missouri }
County of Holt } ss

I, [Signature], A Notary Public, do hereby certify that on the 23rd day of June, 19 99, personally appeared before me [Signature] and being first duly sworn by me, acknowledged that as Vice Pres he signed as his own free act and deed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

(Notarial Seal)
VAL A. DERR
NOTARY PUBLIC
NOTARY SEAL STATE OF MISSOURI
MIDWAY COUNTY
COMMISSION EXPIRES ON DECEMBER 1, 2000

[Signature]
Notary Public

My commission expires 12-01-2000
MY COMMISSION BY MISSOURI

APPENDIX C

Officers and Directors

Fiber Four Corporation

Officers of Fiber Four Corporation

| | |
|----------------|----------------------------------------------|
| President | Raymond Henagan, Rock Port Telephone Company |
| Vice-President | Evan Copsey, Holway Telephone Company |
| Secretary | Wilbur Lang, IAMO Telephone Company |
| Treasurer | Bruce Copsey, Holway Telephone Company |

Directors of Fiber Four Corporation

Raymond Henagan, and Keith Ottman
Rock Port Telephone Company

Evan Copsey and Bruce Copsey
Holway Telephone Company

Wilbur Lang and Kathy Faircloth
IAMO Telephone Company

Appendix D

**Proposed Tariff
Fiber Four Corporation d/b/a
Rock Port Long Distance**

Appendix E

Qualifications and Experience of Management

Fiber Four Corporation

Raymond Henagan, President

Mr. Henagan bring twenty-eight (28) years experience in managing many aspects of telephone operations.

Evan Copsey, Vice President

Mr. Copsey brings forty-four (44) years of experience in the telecommunications industry. He has been actively involved in operating, owning and managing telephone companies.

Wilbur Lang, Secretary

Mr. Lang has served on IAMO Telephone Company's Board for thirty (30) years.

Bruce Copsey, Treasurer

Mr. Copsey brings fifteen (15) years of experience in the telecommunications industry. He has been actively involved in operating, owning and managing telephone companies.

Keith Ottman, Director

Mr. Ottman has served on Rock Port Telephone Company's Board for over twenty (20) years.

Kathy Faircloth, Director

Ms. Faircloth brings eight (8) years of experience in the telecommunications industry and is currently Manager of Iamo Telephone Company.

Appendix F**Comparative Balance Sheets
Fiber Four Corporation**June 30, 1999**ASSETS**

| | |
|----------------------------------------------|---------------------|
| Cash | \$185,651.59 |
| Temporary Investments | 0.00 |
| Accounts Receivable Rock Port Telephone | 1,225.79 |
| Accounts Receivable Rock Port Communications | 0.00 |
| Accounts Receivable Holway Telephone | 0.00 |
| Accounts Receivable RBJ CORP | 2,339.54 |
| Accounts Receivable IAMO Telephone | 0.00 |
| Accounts Receivable First Fiber | 0.00 |
| Accounts Receivable FAN (GRM) | 0.00 |
| Prepaid Insurance | 1,584.56 |
| Investment in Fiber Alliance Network (GRM) | <u>3,561.78</u> |
| Current Assets | \$194,363.36 |
| | |
| Plant Under Construction | \$ 0.00 |
| Work Equipment | 12,410.47 |
| Fiber Circuit Equipment | 50,388.97 |
| Buried Cable – Fiber | 575,725.60 |
| Internet Equipment | 63,905.49 |
| Computers | 2,041.46 |
| Organization | 625.00 |
| Depreciation Reserve – Work Equipment | (1,251.36) |
| Depreciation Reserve – Circuit Equipment | (11,695.53) |
| Depreciation Reserve – Buried Cable | (54,898.34) |
| Depreciation Reserve – Internet Equipment | (13,059.32) |
| Depreciation Reserve – Computers | (918.54) |
| Depreciation Reserve – Organization | <u>(250.06)</u> |
| Non-Current Assets | \$623,023.84 |
| | |
| TOTAL ASSETS | \$817,387.20 |

Appendix F**Comparative Balance Sheets
Fiber Four Corporation**June 30, 1999**LIABILITIES**

| | |
|-------------------------------------------|--------------------|
| Accounts Payable Rock Port Telephone | \$ 0.00 |
| Accounts Payable Rock Port Communications | (7,775.34) |
| Accounts Payable Holway Telephone | 0.00 |
| Accounts Payable RBJ CORP | (32,372.67) |
| Accounts Payable IAMO Telephone | 0.00 |
| Accounts Payable First Fiber | (7,775.34) |
| Taxes Payable | 0.00 |
| Notes Payable Rock Port Communications | (215,000.00) |
| Notes Payable RBJ CORP | (215,000.00) |
| Notes Payable First Fiber | (215,000.00) |
| Stock Equity Rock Port Communications | (50,000.00) |
| Stock Equity RBJ CORP | (50,000.00) |
| Stock Equity First Fiber | <u>(50,000.00)</u> |
| Total Liabilities and Owners Equity | (\$842,923.35) |

RETAINED EARNINGS

\$ 26,868.62

NET INCOME (+) / (-)

\$ 1,332.47

TOTAL LIABILITIES & OWNERS EQUITY

\$817,387.20

Appendix F**Comparative Balance Sheets
Fiber Four Corporation**June 30, 1999**REVENUES**

| | |
|---------------------------------------------|----------------------|
| Internet Revenue | (\$27,075.60) |
| Consumer Services Revenues | 0.00 |
| Miscellaneous Revenue | 0.00 |
| Toll Transport and Circuit Terminal Revenue | (49,446.00) |
| Interest Income | 0.00 |
| Total Revenues | <u>(\$76,521.60)</u> |

EXPENSES

| | |
|-------------------------------------------|---------------|
| Miscellaneous Operating Expenses | \$ 748.00 |
| Internet Expense | 11,079.19 |
| Toll Transport Expense | 5,702.45 |
| Buried Cable Expense | 189.50 |
| Engineering and Planning Expense | 22,463.16 |
| Depreciation Expense – Work Equipment | 682.56 |
| Depreciation Expense – Circuit Equipment | 2,642.97 |
| Depreciation Expense – Buried Cable | 11,514.54 |
| Depreciation Expense – Internet Equipment | 6,390.54 |
| Depreciation Expense – Computers | 204.12 |
| Depreciation Expense – Organization | 62.52 |
| Insurance Expense | 932.19 |
| Consumer Services Expense | 0.00 |
| Legal Expenses | 0.00 |
| Interest Expense Rock Port Communications | 4,068.49 |
| Interest Expense RBJ CORP | 4,068.49 |
| Interest Expense First Fiber | 4,068.49 |
| Operating Taxes | <u>371.92</u> |
| Total Expenses | \$ 75,189.13 |

| | |
|-----------------------------|--------------------|
| NET INCOME (+) / (-) | \$ 1,332.47 |
|-----------------------------|--------------------|