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October 11, 2000

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

**FILED**<sup>2</sup>  
OCT 11 2000 *js*  
Missouri Public  
Service Commission

**Re: Case No. TE-2000-841**

Dear Mr. Roberts:

Enclosed please find the original plus eight (8) copies of Response to Order Directing Filing for filing on behalf of Axces, Inc. in the above referenced matter. Please bring this matter to the attention of the appropriate Commission personnel. A copy of this filing is being sent to all parties of record.

Thank you for your attention to this matter.

Very truly yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

*Sondra B. Morgan*  
Sondra B. Morgan

SBM/k

Enclosures

cc: Office of Public Counsel  
General Counsel - PSC  
Axces, Inc.

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

**FILED<sup>2</sup>**  
OCT 11 2000  
Missouri Public  
Service Commission

In the Matter of the Filing of the Annual )  
Report of Axces, Inc. )

Case No. TE-2000-841

**RESPONSE TO ORDER DIRECTING FILING**

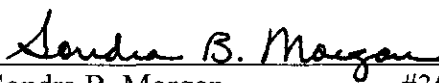
Comes now Axces, Inc. ("Axces") and for its Response to Order Directing Filing states to the Missouri Public Service Commission ("Commission") as follows:

1. On or about May 1, 2000, Axces attempted to file its Annual Report with the Commission. Because this date was after April 15, the Commission rejected its report. The company was told that it would have to request leave of the Commission to late-file the report.
2. On June 23, 2000, Axces filed a Motion for Leave to File Annual Report Out of Time and attached its Annual Report. Axces stated that because it was unable to complete its annual report and file it with the Commission in a timely manner and, because it is an out of state corporation, it had difficulty locating Missouri counsel to prepare a Motion for Leave to File Annual Report Out of Time and resubmit the report. Axces requested that the Commission accept the report for filing.
3. On October 4, 2000, the Commission issued its Order Directing Filing in which it directed the company to file a pleading stating its good cause for its failure to file its 1999 annual report with the Commission in a timely manner.
4. In response to the Commission's order requiring a statement of good cause, Axces can only state that it has made a good faith effort to file its annual report with the Commission. Since Axces operates in several states, its accountant simply overlooked the due date of the Missouri

report. The company filed the report with the Commission on or about May 1, 2000, and was notified by the Commission that the report was rejected on May 4, 2000. The company was told that it would have to file a motion which necessitated locating Missouri counsel. Axces engaged Missouri counsel and filed its Motion and Annual Report on June 23, 2000. As demonstrated by this chronology, Axces was approximately two weeks late in filing its Annual Report. After the date the report was rejected by the Commission, Axces made a good faith effort to comply with the Commission's rules and file the report. Axces believes that this good faith effort demonstrates good cause for the Commission to grant its motion for leave to file the report out of time.

Wherefore, Axces respectfully requests that the Commission grant its Motion for Leave to File Annual Report Out of Time and accept its 1999 Annual Report for filing.

Respectfully submitted,

  
Sondra B. Morgan #35482  
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Attorneys for Axces, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered on this 11<sup>th</sup> day of October, 2000, to the following parties:

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Michael F. Dandino  
Office of Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

Sandra B. Morgan  
Sandra B. Morgan