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

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In The Matter of the Application of AT&T Corp. for Registration to Provide Interconnected Voice over Internet Protocol Service

Case No.

## APPLICATION

COMES NOW AT&T Corp., pursuant to §392.550 RSMo., and for its Application to the Missouri Public Service Commission ("Commission") for registration to provide interconnected voice over Internet protocol service, states as follows:

1. The Applicant's legal name is AT&T Corp. AT&T Corp. is a New York corporation authorized to do business in Missouri.<sup>1</sup>

2. The names, street and mailing address, electronic mail address, fax and telephone number of AT&T Corp.'s counsel (to which all correspondence, pleadings, orders and communications regarding this proceeding should be directed) are as follows:

Jeffrey E. Lewis Leo J. Bub Robert J. Gryzmala Attorneys for AT&T Corp. One AT&T Center, Room 3516 St. Louis, Missouri 63101 tn: 314-235-6060 fax: 314-247-0014 robert.gryzmala@att.com

<sup>&</sup>lt;sup>1</sup> A copy of AT&T Corp.'s certificate issued by the Secretary of State reflecting that it is authorized to do business in Missouri was filed in Case No. TA-2009-0045 on August 13, 2008.

3. AT&T Corp. seeks registration to offer and provide interconnected voice over Internet protocol service.<sup>2</sup>

4. Attached is an affidavit signed by an officer of AT&T Corp. making the eight statements required by §392.550.3 RSMo, plus confirmation that the service for which this Application is submitted<sup>3</sup> meets the criteria of interconnected voice over Internet protocol service as defined by §386.020(23) RSMo.

WHEREFORE, AT&T Corp. requests that the Commission issue an order granting it a registration to offer and provide interconnected voice over Internet protocol service in all Missouri exchanges.

Respectfully submitted,

AT&T Corp.

Kabert J. Hrs.

JEFFREY E. LEWIS#62389LEO J. BUB#34326ROBERT J. GRYZMALA#32454

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<sup>&</sup>lt;sup>2</sup> As noted above, AT&T Corp. files this application pursuant to §392.550 RSMo, which was enacted in 2008 as part of H.B. 1779. The Federal Communications Commission has indicated that states do not have authority to regulate VoIP services generally. AT&T Corp. therefore submits this Application voluntarily and in full reservation of, and without waiving or forfeiting, its legal rights and remedies, including without limitation its right to challenge the authority purportedly granted under §392.550 to mandate the filing of this Application or to otherwise regulate AT&T Corp.'s VoIP services.

<sup>&</sup>lt;sup>3</sup> The service for which this Application and supporting affidavit are submitted is AT&T Corp.'s managed interconnected VoIP AT&T IP Flexible Reach service that delivers integrated access for Key System (analog phones), TDM PBX and IP PBX environments and that supports inbound/outbound calling on data networks to enable local, national and international reach for a customer's U.S. sites.

## AFFIDAVIT

STATE OF NEW JERSEY ) ) SS COUNTY OF SOMERSET )

I, James F. Dionne, a natural person, do hereby swear and affirm that I am an officer of

AT&T Corp. and that the following statements are true and correct to the best of my knowledge,

information and belief:

(1) The location of AT&T Corp.'s principal place of business is One AT&T Way, Bedminster, New Jersey, 07921, and its principal executive officers are: John T. Stankey, President and Chief Executive Officer; William M. Archer, President – Advanced Solutions; Andrew Geisse, Executive Vice President – Global Customer Service; Frank Jules, Executive Vice President – Global Enterprise Solutions; Cathy Martine-Dolecki, Executive Vice President – Small Business Solutions and Alternate Channels; and, Kathryn Morrissey, Executive Vice President – Wholesale and GEM Solutions;

(2) The following identifies each exchange, in whole or in part, of a local exchange company, in which AT&T Corp. proposes to provide interconnected voice over Internet protocol service (i.e., AT&T IP Flexible Reach): All Missouri exchanges;

(3) AT&T Corp. is legally, financially, and technically qualified to provide interconnected voice over Internet protocol services;

(4) AT&T Corp. is ready, willing, able, and will comply with all applicable state and federal laws and regulations imposed upon providers of interconnected voice over Internet protocol services;

(5) AT&T Corp. will charge and collect from its end user customers of interconnected voice over Internet protocol service, and remit to the appropriate authority, fees and surcharges in the same manner as are charged and collected upon end user customers of local exchange telecommunications service and remitted by local exchange telecommunications companies, including but not necessarily limited to:

- (a) Telecommunications programs under section 209.255, RSMo;
- (b) Missouri universal service fund under section 392.248, RSMo;
- (c) Local enhanced 911;
- (d) Any applicable license tax;

(6) AT&T Corp. will remit the annual assessment imposed by the Commission under section 386.370, RSMo;

(7) AT&T Corp. will file, either directly or indirectly through an affiliated competitive local exchange carrier, with the Commission an annual report at a time and covering the yearly period fixed by the Commission;

(8) AT&T Corp. has established a process for handling inquiries from customers concerning billing issues, service issues, and other consumer-related complaints. Consumer complaints may be directed to: (Customer Appeals, 777 N. Blue Parkway, Room 100, Lee's Summit MO, 64086 (tn: 800-283-6407)); and

(9) AT&T Corp.'s interconnected voice over Internet protocol service meets the following criteria:

- (a) Enables real-time, two-way voice communications;
- (b) Requires a broadband connection from the user's location;
- (c) Requires Internet protocol-compatible customer premises equipment; and

(d) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

This concludes my affidavit.

James F. Dionne

Subscribed and sworn to before me this  $\frac{284}{2000}$  day of  $\frac{500}{2000}$ , 2011.

i. L. Hard

Notary Seal:

Cynthia L Hardy Notary Public of New Jersey My Commission Expires November 18, 2014

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was 1st day of August, 2011, to each of the following:

Robert J. Lygmala Robert J. Grymala

General Counsel Kevin Thompson Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102 gencounsel@psc.mo.gov kevin.thompson@psc.mo.gov Public Counsel Office of Public Counsel PO Box 7800 Jefferson City, MO 65102 opcservice@ded.mo.gov