

**STEWART & KEEVIL, L.L.C.**  
ATTORNEYS AT LAW

ORIGINAL

CHARLES BRENT STEWART  
JEFFREY A. KEEVIL

1001 CHERRY STREET  
SUITE 302  
COLUMBIA, MISSOURI 65201-7931

TELEPHONE (573) 499-0635  
FACSIMILE (573) 499-0638

May 24, 2000

FILED

MAY 24 2000

Missouri Public  
Service Commission

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

Re: OPEX Communications, Inc.  
1999 Annual Report

TE-2000-778

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 Opex Communications, Inc. 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*  
Brent Stewart

*AM*  
*5/24/00*

CBS/bt

Enclosures

cc: General Counsel's Office  
Office of the Public Counsel  
Patrick Crocker

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

MAY 24 2000

Missouri Public  
Service Commission

In the Matter of the filing of Opex )  
Communications, Inc.'s 1999 Annual )  
Report. )

Case No. TE-2000-778

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

Comes now Opex Communications, Inc. ("Opex" 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:

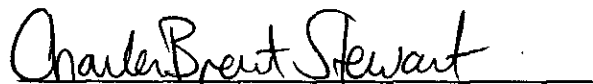
1. On or about April 15, 2000, Opex attempted to file its 1999 verified Annual Report with the Commission. Apparently, said Annual Report was not actually received by the Commission until sometime after the April 15, 2000 deadline mandated by 4 CSR 240-10.080(1) and Section 392.210 RSMo 1994. As such, 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 was either because of delays in the United States Mail or because of inadvertent internal difficulties within the Company in meeting the filing deadline. In either case, it 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, Opex Communications, Inc. 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

ATTORNEY FOR OPEX  
COMMUNICATIONS, INC.

#### **CERTIFICATE OF SERVICE**

The undersigned certifies that the original 1999 Annual Report of Opex Communications, Inc. 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 24<sup>th</sup> day of May, 2000.

