



**MOTION
TELECOM**

July 30, 2003

Mr. Dale Hardy Roberts
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

RECEIVED²

JUL 31 2003

*Records
Public Service Commission*

Re: Application of Motion Telecom, Inc. for Certificate of Service Authority to Provide
Intrastate, Interexchange Telecommunications Services
XA 2004-0037

Enclosed are the substitute pages for Motion Telecom's telecommunications tariff (6, 13, and 31),
as discussed with the staff.

The attached enclosures contain an original plus 5 copies of the application and tariff as required by the
Commission.

If you need additional information, or have any questions, please contact me at (303) 784-5300 ext 6627. Thank
you for your assistance in this matter.

Sincerely,

Joelyn Mann
Corporate Regulatory Compliance Manager
Motion Telecom, Inc.

Enclosures

JM/dlc

MOTION TELECOM, INC.

1. APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the provision of Long Distance Telecommunications service and Prepaid Calling Card service (the "Services") by Motion Telecom, Inc. (hereinafter referred to as the Company), in the State of Missouri. Services are furnished subject to transmission, atmospheric and like conditions. The company undertakes to provide service to both residential and business customers.

2. REGULATIONS

2.1 Undertaking of the Company

2.1.1 Scope

The Company undertakes to provide the Services in accordance with the terms and conditions set forth in this tariff.

2.1.2 Shortage of Facilities

All Services are subject to availability of suitable facilities. The Company reserves the right to limit the length of communications or to discontinue Services when necessary because of the lack of local facilities or other transmission medium capacity or because of any causes beyond its control.

2.1.3 Limitations of Liability of the Company

Except as stated in Section 2.1.3, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this tariff.

Issued: July 14, 2003

Effective: August 28, 2003

Issued by:
Victor Mitchell, CEO
Motion Telecom, Inc.
7101 South Fulton Street #200
Englewood, CO 80112
(303) 784-5300

MOTION TELECOM, INC.

2. REGULATIONS (Cont'd)

2.3.2 Liability of the Customer(Cont'd)

All other claims (including, without limitations, claims for damage to any business or property, or injury to, or death of, any person) arising out of any act or omission of the Customer, or the Customer's agents, Customers, in connection with any service or facilities or equipment provided by the Company.

The Customer will be liable for damages to the facilities of the Company and for all incidental and consequential damages caused by the negligent or intentional acts or omissions of the Customer, its officers, employees, agents, invitees, or contractors where such acts or omissions are not the direct result of the Company's negligence or intentional misconduct.

2.3.2 Credit Requirements and Deposit Information for Long Distance Services

Any Customer determined to be "high risk" for poor credit history requires a minimum deposit, which varies.

If the Company has disconnected a Customer's Services, the Company may request that Customer to pay in advance for any of the Services based on a good faith estimate of traffic volumes. At the Company's discretion, a deposit of three (3) month's average estimated call volume may be required and may be reimbursed upon establishing prompt payment history. Company will be in compliance with 4-CSR-240-33.040 or 4-CSR-240-33.050.

MOTION TELECOM, INC.

4. RATES (Cont'd)

4.1.2 Monthly Fees, Service Charges and Surcharges (Cont'd)

Surcharges

- Payphone Surcharge (Switched Access
Toll Free/Calling Card) for Motion
Residential/Business, Motion Connect,
Affinity \$ 0.43 per call
- Payphone Surcharge Calling Card Only
UniVoice Residential/Business \$ 0.43 per call
- Directory Assistance Surcharge for all plans \$ 0.30 per call
- Business Cents Plan and Penny Plan
Monthly Direct Billing Surcharge per invoice \$ 2.00

*Taxes and franchise fees will be itemized separately on customer bill

4.1.3 Dedicated Outbound and Toll Free Long Distance Services

(1)The minimum monthly usage charge varies per commitment per circuit. A short fall of the difference will be assessed monthly per account.

Local access fees into Local Exchange Carrier's (LEC) Point of Presence (POP) will be assessed monthly per circuit. These fees are distance sensitive and will vary based on the LEC provider.

If local loop is provided through an outside vendor an entrance facility charge will be assessed monthly per circuit. This charge will vary based on the LEC provider. Private line services will be made available to customers in a non-discriminatory manner. Rates for interexchange and local exchange dedicated access, private line, non-switched services will be determined on an Individual Case Basis (ICB). (ICB) rates will be structured to recover the Company's cost of providing the service and will be made available to the Missouri Public Service Commission Staff upon request on a proprietary basis. ICB rates will not be used for switched services.

- Universal Service Fund Charge (USF) As required
- Payphone Surcharge \$ 0.43 per call

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