

The Law Firm Of



WATKINS  
BOULWARE

A Professional Corporation

Seth C. Wright

swright@stklaw.com

Direct Dial (816) 364-2117

Fax (816) 279-3977

August 12, 2004

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

FILED<sup>4</sup>

AUG 16 2004

Missouri Public  
Service Commission

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

RE: Heartland Health - Amendment to Certificate of Authority to Provide Shared  
Tenant Services (Case No. TA-94-188)

Dear Sir or Madam:

Enclosed for filing are an original and eight copies of Motion to Amend Certificate of Service Authority to Provide Shared Tenant Services in connection with the above-referenced case.

If you have any questions or problems, please do not hesitate to contact me.

Very truly yours,

SETH C. WRIGHT

SCW:ssh

enclosures

cc: Ms. Helen Thompson (w/enc)

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>4</sup>

AUG 16 2004

Missouri Public  
Service Commission

Heartland Health,

Movant,

v.

The Staff of the Missouri Public Service  
Commission,

Respondent.

Case No. \_\_\_\_\_

**MOTION TO AMEND CERTIFICATE OF SERVICE**  
**AUTHORITY TO PROVIDE SHARED TENANT SERVICES**

COMES NOW Heartland Health ("Heartland"), by and through its attorneys, and moves that the Missouri Public Service Commission approve the following amendment to Heartland Health's Certificate of Service Authority to Provide Shared Tenant Services within the State of Missouri. In support of its Motion to Amend, Heartland respectfully states as follows:

**GENERAL ALLEGATIONS**

1. Heartland Health is a "telecommunications company" and "public utility" as defined in RSMo § 386.020 and is subject to the jurisdiction of the Missouri Public Service Commission pursuant to § 386.250. The Commission granted Heartland a Certificate of Service Authority to provide shared tenant services in Case No. TA-94-188 on March 15, 1994.

2. Heartland is in the process of beginning construction on a new building that is located on the same tract of land serviced by the existing STS Certificate of Authority granted previously by the Commission.

3. Construction of the new building, also known as "Medical Plaza 2", meets the definition of "discrete, private premises" as set forth previously by the Commission in *In re: Application of GE Capita-ResCom, L.P., for Certificate of Service Authority to Provide Shared Tenant Services*, 4 Mo.P.S.C. 3d 160, when combined with the other buildings in Heartland's original Certificate and subsequent amendments.

4. The Medical Plaza 2 building is a separate building from the main Heartland Medical Plaza 1 building (as described in Heartland's original application), it is located upon premises which are contiguous with the premises presently served pursuant to the Certificate of Authority previously granted by the Commission. See **Exhibit A**, map of the Heartland campus attached hereto and incorporated by reference.

5. As Exhibit A depicts, the new Medical Plaza 2 building is located just north of the existing buildings, and the land and building thereon are owned by Graham Group, Inc., the same owners of the property located in the original application. Therefore, the new Medical Plaza 2 Building and the other buildings which were contained in Heartland's original Certificate are under the same ownership.

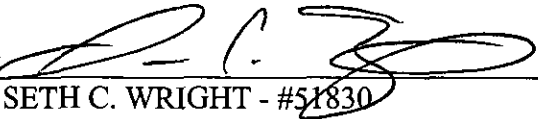
6. All buildings will be served by a single wire center in that all telephone services will be provided by Heartland's existing STS services with SBC, which is presently serving the other buildings in Heartland's original certificate.

WHEREFORE, Heartland respectfully requests the Missouri Public Service Commission grant an amendment to Heartland's Certificate of Service Authority to provide

shared tenant services, granted in Case No. TA-94-188 by Report and Order dated March 15, 1994, to include Heartland's new Medical Plaza 2 building because the new building is part of Heartland's "discrete, private premises."

Respectfully submitted,

SHUGHART THOMSON & KILROY, P.C.

By 

SETH C. WRIGHT - #51830  
3101 Frederick Avenue  
P.O. Box 6217  
St. Joseph, MO 64506-0217  
Telephone: (816) 364-2117  
Facsimile: (816) 279-3977  
email: [swright@stklaw.com](mailto:swright@stklaw.com)

ATTORNEYS FOR MOVANT,  
HEARTLAND HEALTH



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

Heartland Health System, Inc.

Movant,

v.

The Staff of the Missouri Public Service  
Commission,

Respondent,

Case No. \_\_\_\_\_

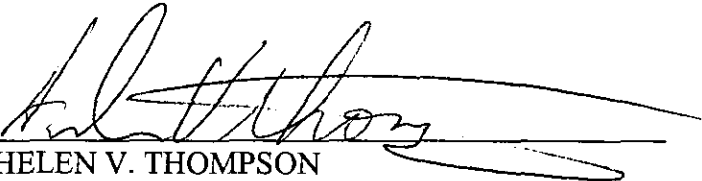
**AFFIDAVIT**

STATE OF MISSOURI

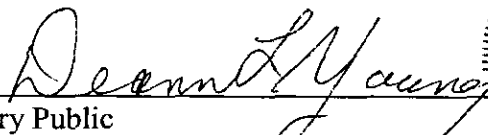
COUNTY OF BUCHANAN

)  
) ss.  
)

I, HELEN V. THOMPSON, Chief Information Officer of Heartland Health, Applicant herein, state that the information contained in the attached document is accurate to the best of my information and belief.

  
HELEN V. THOMPSON

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of August, 2004.

  
Notary Public

My Commission Expires:

Jan 30, 2006

