

GREENSFELDER, HEMKER & GALE, P.C.

ATTORNEYS AT LAW

2000 EQUITABLE BUILDING
10 SOUTH BROADWAY
ST. LOUIS, MISSOURI 63102-1774

TELEPHONE (314) 241-9090
TELEFAX (314) 241-8624

AFFILIATE OFFICE
GREENSFELDER, HEMKER & GALE
BELLEVILLE, ILLINOIS

May 22, 2000

FILED³

MAY 23 2000

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
301 West High Street, Room 530
Jefferson, City, MO 65102

**Missouri Public
Service Commission**

**Re: Supplement to Application for Certificate of Service Authority
and for Competitive Classification**

Dear Mr. Roberts,

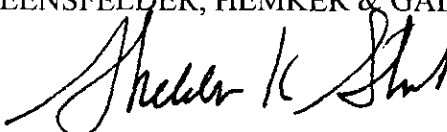
Enclosed please find an original and eight (8) copies of the Supplement to its Application for Certificate of Service Authority to provide Basic Local Telecommunications service and for Competitive Classification filed on behalf of Pathnet, Inc. In addition, I have included an extra copy of the Application which I request be file stamped and returned to me in the enclosed self-addressed envelope.

In the event you need any additional information or have any questions concerning any of the information set forth in these Applications, please contact the undersigned.

Yours very truly,

GREENSFELDER, HEMKER & GALE, P.C.

By



Sheldon K. Stock

SKS/sdd
Enclosures

cc: Office of Public Counsel
Gerard J. Waldron, Esq.

394473v1

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

MAY 23 2000

In the matter of the application of)
Pathnet, Inc. for a Certificate)
of Service Authority to Provide)
Basic Local Telecommunications Services)
and to classify said services and the)
Company as competitive)

Case No. TA-2000-665

Missouri Public
Service Commission

SUPPLEMENT TO APPLICATION

Pathnet, Inc. (Applicant or Pathnet), a Delaware corporation, files this supplement to its above entitled application in order to conform the application to the Commission's revision of its rules at 4 CSR 240.

Pathnet's original application, filed on April 19, 2000, contained among other things a request that its services be categorized as competitive and a request for waiver of several of the Commission's rules that have previously been waived for carriers offering only competitive services. We were subsequently informed by PSC staff member Walter Cecil that Pathnet's application would be evaluated pursuant to the Commission's new rules, and as a result, some changes needed to be made in our requests for waivers. After reviewing the new provisions with Mr. Cecil, Pathnet offers the following as a replacement for section 9 of its original application:

9. Pathnet is willing to comply with all applicable Commission rules and is willing to meet all relevant service standards, including, but not limited to, billing, quality of service, and tariff filing and maintenance. Consistent with the Commission's treatment of other certificated competitive local exchange telecommunications companies, Pathnet requests, pursuant to Section 392.420, RSMo (Cumm. Supp. 1994), that the following statutes and regulations be waived for Pathnet and its basic local exchange service offerings:

Statutes:

392.210.2	Uniform System of Accounts
392.240(1)	Just and Reasonable Rates
392.270	Ascertain property values
392.280	Depreciation Accounts
392.290	Issuance of Securities
392.300.2	Acquisition of Stock
392.310	Issuance of stock and debt
392.320	Stock dividend Payment
392.330	Issuance of Securities, Debts and Notes
392.340	Reorganization(s)

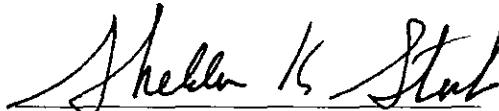
Commission rules:

4 CSR 240-10.020	Depreciation Fund Income
4 CSR 240-30.040	Uniforms System of Accounts
4 CSR 240-35	Reporting of Bypass and Customer-Specific Arrangements
4 CSR 240-30.010(2)(C)	Rate Schedules Posted at Central Office
4 CSR 240-32.030(1)(B)	Exchange Boundary Maps
4 CSR 240-33.030	Inform Customers of lowest price

The above-referenced statutes and commission rules have been waived with respect to other local exchange carriers in prior cases, and they remain waivable for competitive carriers even after the recent revisions to the Commission's rules.

WHEREFORE, Pathnet, Inc. respectfully requests that the Missouri Public Service Commission incorporate these changes into Pathnet's original application filed April 19, 2000 and grant the relief prayed for there and grant a waiver of the aforementioned statutes and regulations.

Respectfully submitted



Sheldon K. Stock
MBE 18581
Greensfelder, Hemker & Gale, P.C.
2000 Equitable Building
10 South Broadway
St. Louis, MO 63102
(314) 241-9090
(314) 241-8624 (fax)

Gerard J. Waldron
Mary Newcomer Williams
Covington & Burling
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2401
(202) 662-5360
(202) 778-5360 (fax)

Attorneys for Pathnet, Inc.

Dated: May 22, 2000
