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December 5, 2000

**FILED**<sup>2</sup>

DEC 5 2000

Missouri Public  
Service Commission

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

TA-2001-348

**Re: In the matter of the Application of Missouri Network Alliance, L.L.C. for a Certificate of Service Authority to Provide Interexchange and Non-switched Local Exchange Telecommunications Services and to Classify said Services and the Company as Competitive.**

Dear Mr. Roberts:

Enclosed please find the original plus eight (8) copies of Application for filing on behalf of Missouri Network Alliance, L.L.C. in the above referenced matter. Please bring this matter to the attention of the appropriate Commission personnel. A copy of this filing is being sent to all parties of record.

Thank you for your attention to this matter.

Very truly yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By: *Sandra Morgan*

Sondra B. Morgan

SBM/k

Enclosures

cc: Office of Public Counsel  
Dan Joyce - MoPSC  
Max Huffman  
Dale Fitzwater

200100619

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

DEC 5 2000

Missouri Public  
Service Commission

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In the Matter of the Application of )  
Missouri Network Alliance, L.L.C. )  
for a Certificate of Service Authority )  
to Provide Interexchange and Non-switched )  
Local Exchange Telecommunications Services )  
and to Classify Said Services and the Company )  
as Competitive )

Case No. TA-2001-348

APPLICATION

Missouri Network Alliance, L.L.C. ("Applicant"), a Missouri limited liability company, files this verified Application respectfully requesting that the Missouri Public Service Commission ("Commission") issue an order that:

- (a) grants Applicant a Certificate of Service Authority to provide interexchange and non-switched local exchange telecommunications services pursuant to Chapter 392 of the Missouri Revised Statutes;
- (b) grants competitive status to Applicant and each of the services it proposes to offer; and
- (c) waives certain Commission rules and statutory provisions pursuant to Section 392.420, RSMo Supp. 1999.

In support of its request, Applicant states as follows:

1. Applicant is a Missouri limited liability company with its principal office and place of business at 8800 Blue Ridge Boulevard, Suite 101, Kansas City, Missouri 64138 and its telephone number is (816) 779-8280. Applicant's fax number is (816) 779-6906, and it can be reached by e-mail at maxhuff@casstel.net. A Certificate of Good Standing from the Missouri

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Secretary of State is marked as Appendix A and attached hereto as if more fully incorporated herein.

2. Correspondence concerning this Application, notices, inquiries and other communication, should be directed to:

W. R. England, III, Esq.  
Sondra B. Morgan, Esq.  
Brydon, Swearngen & England, P.C.  
312 East Capitol Street  
P.O. Box 456  
Jefferson City, Missouri 65102  
Tel (573) 635-7166  
Fax (573) 635-0427  
[smorgan@brydonlaw.com](mailto:smorgan@brydonlaw.com) (e-mail)

and

Max B. Huffman  
Missouri Network Alliance, L.L.C.  
8800 Blue Ridge, Suite 101  
Kansas City, Missouri 64138  
(816) 779-8280  
(816) 779-6906 (fax)  
[maxhuff@casstel.net](mailto:maxhuff@casstel.net) (e-mail)

3. Applicant proposes to provide interexchange telecommunications services to business customers located throughout the State of Missouri. Upon receipt of the requested certificate, Applicant initially proposes to provide dedicated or private line equivalent data services over xDSL loops to local exchange companies through the use of six interconnected fiber optic rings across the northern half of the state of Missouri. Applicant seeks authority to provide non-switched intraexchange and interexchange access telecommunications services throughout the State of Missouri. However, Applicant will only be able to offer services in those

areas of the state where its system is constructed and operational. MNA plans to collocate fiber optic terminals and other transport network access equipment within served cities. MNA will request unbundled copper local loops from incumbent local exchange carriers to facilitate the xDSL-based services. MNA intends to deploy technologies that support line-sharing.<sup>1</sup>

4. Applicant has the technical and management qualifications to provide the proposed services within the State of Missouri. Applicant's senior management has extensive experience operating companies in the telecommunications industry. Biographies of the management team are attached hereto as Appendix B.

5. Applicant requests classification as a competitive telecommunications company within the State of Missouri. Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Granting of this application will allow greater price and service options for telephone users within the State of Missouri.

6. Consistent with the Commission's treatment of other certificated competitive telecommunications companies, Applicant requests that the following statutes and regulations be waived:

§392.210.2	System of accounts.
§392.240(1)	Rates-reasonable average return on investment.
§392.270	Property valuation.
§392.280	Depreciation rates.

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<sup>1</sup>In November of 1999 the Federal Communications Commission handed down its line-sharing decision giving competitive carriers the right to provide broadband services - namely xDSL connectivity - over the same copper phone lines used by the ILEC to provide basic local service. *In the matters of Deployment of Wireline Services Offering Advanced Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 98-147; CC Docket No. 96-98, 14 FCC Rcd 20912 (November 18, 1999).

§392.290	Issuance of stocks and bonds.
§392.300.2	Transfer of capital stock.
§392.310	Issuance of stocks and bonds.
§392.320	Issuance of stocks and bonds.
§392.330	Issuance of stocks and bonds.
§392.340	Reorganization.

4 CSR 240-10.020	Income on depreciation fund investments.
4 CSR 240-30.010(2)(C)	Posting exchange rates at central offices.
4 CSR 240-30.040	Uniform System of Accounts.
4 CSR 240-33.030	Minimum Charges Rule
4 CSR 240-35	Reporting of Bypass and Customer Specific Arrangements

7. Applicant proposes to charge for its services based upon rates, rules and regulations as proposed in the tariff attached hereto and incorporated by reference as Appendix C.

9. The Commission has found that the interexchange market which Applicant seeks to enter is sufficiently competitive so as to justify a lesser degree of regulation. In Re Classification of Service Provided by Interexchange Telecommunications Carrier within the State of Missouri, Case No. TO-88-142, Report and Order (effective October 16, 1989) at pp. 19-20. Expeditious grant of the instant Application will expand customer service options and increase the competition in the provision of interexchange and intraexchange services, consistent with the Commission's policies, and the legislative goals set forth in Chapter 392 RSMo and the federal Telecommunications Act of 1996. Accordingly, Applicant's proposed operations are in the public interest.

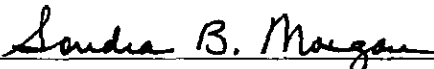
8. Applicant does not have any pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or customer rates, which action, judgment or decision has occurred within three (3) years of

the date of the application.

9. Since Applicant is requesting certification as a new Applicant, no annual reports or fees are overdue.

WHEREFORE, Applicant respectfully requests that the Commission grant it a certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services to the public in the State of Missouri. If granted local exchange authority, such authority will be limited to the provisioning of dedicated, non-switched local exchange private line services. Applicant also requests classification as a competitive telecommunications company. In addition, Applicant requests a waiver of the above-referenced rules and statutory provisions.

Respectfully Submitted,



W. R. England III      Mo. Bar #23975  
Sondra B. Morgan      Mo. Bar #35482  
BRYDON, SWEARENGEN & ENGLAND, P.C.  
312 East Capitol Avenue  
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(573) 635-7166  
(573) 635-0427 (fax)  
[smorgan@brydonlaw.com](mailto:smorgan@brydonlaw.com)

Attorneys for MISSOURI NETWORK ALLIANCE, L.L.C.

VERIFICATION

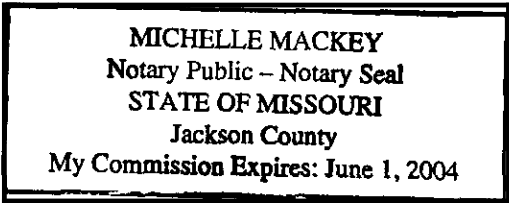
State of Missouri )  
County of Jackson ) ss

Max B. Huffman, being first duly sworn, deposes and says: That he is the Chief Operating Officer of Missouri Network Alliance L.L.C., the applicant in the above proceeding; that he has read the foregoing Application, and knows the contents thereof, and that he is authorized by Missouri Network Alliance L.L.C. to verify that the contents of the Application are true.

  
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Subscribed and sworn to before me this 27 day of November, 2000.

Michelle Mackey  
Notary Public  
State of Missouri



My Commission expires: 6-1-2004

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed, United States Mail, postage prepaid, this 5<sup>th</sup> day of December, 2000, to:

Michael Dandino  
Office of Public Counsel  
P. O. Box 7800  
Jefferson City, MO 65102

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

  
\_\_\_\_\_  
Sondra B. Morgan



**Appendix A**

**Certificate of Authority**

No. LC0028395

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

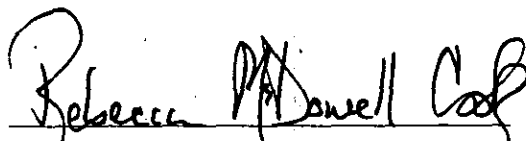
CERTIFICATE OF GOOD STANDING  
LIMITED LIABILITY COMPANY

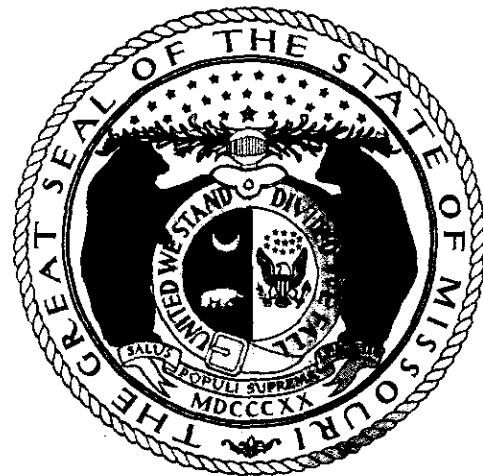
I, REBECCA McDOWELL COOK, Secretary of State of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

MISSOURI NETWORK ALLIANCE, L.L.C.

was filed in this office on the 21st day of MAY, 1999, became effective on the 21st day of MAY, 1999, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 6th day of NOVEMBER, 2000.

  
Secretary of State



**Appendix B**

**Technical and Managerial Experience**

**Missouri Network Alliance, L.L.C.**  
**Management Team**  
**Technical and Managerial Experience**

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**Max B. Huffman**  
**Chief Operating Officer**

Max Huffman has 27 years of broad based experience within the telecommunications industry. Max brings extensive technical knowledge and managerial experience in the Planning, Design, Engineering, Implementation and Maintenance/Operations of telecommunications networks.

Max spent over 25 years with the Sprint Corporation. He started his career as a craftsperson and quickly moved into management. The first half of Max's career with Sprint was spent in field operations and management. Max was a District Manager for Sprint/United Telephone in Western Kansas and also in their Nebraska/Wyoming district. Max was involved with the first deployments of digital switching and fiber optic networks within these districts.

The second half of Mr. Huffman's employment with Sprint was spent in several different Technical Manager roles. Beginning in 1988 Max was responsible for the expansion and development of Sprint's Western Operations Network Operations Control Center (NOCC). Max and his team were responsible for the remote maintenance of over 500 digital switches across a 6-state region. Max further developed his business planning and process skills during a 3-year stint on Sprint's Corporate Staff. Max was responsible for the development of Data Networking strategies and products. Max also lead a team that was responsible for the development of Sprint's business process improvement methodology. This team developed a comprehensive methodology and set of tools to support Sprint's process definitions, analysis and improvement initiatives.

In 1994 Max accepted the role of Network Planning Manager for Sprint's Western Operations. In this role, Max was responsible for developing both strategic and tactical network plans for a 9-state region. This highly diverse region included cities and towns such as; Las Vegas, Nevada – Jefferson City, Missouri - Gun Barrel City, Texas and Paradise, Kansas. The 1998 capital budget program for this 9-state region was \$379 million dollars. In 1999 Max accepted a General Manager position within Sprint's Broadband Local Networks Division. Max and his team were responsible for the development of plans associated with deploying Digital Subscriber Line (DSL) technology within the top 25 MSAs across the United States. These plans were in support of Sprint's ION initiatives.

Max started with Missouri Network Alliance on January 10, 2000.

## **Technical and Managerial Experience**

### **Charles M. "Mike" Hanson Director, Engineering & Operations**

Mike Hanson has 27 years of experience in the communications industry. Mike began his communications career with 6 years in the US Navy. Mike spent 2-years with Northern Telecom as a pioneer installer of DMS-100 and DMS-200 digital switching systems. Mike spent 3 years as a Central Office Equipment Supervisor with Bixby Telephone Company in Bixby, OK.

In 1984 Mike hired on with Sprint/United Telephone as a Network Operations Control Center (NOCC) Engineer. Over the next 15 years Mike accepted additional responsibilities within Sprint's Western Operations Control Center. Mike was an instrumental leader in the development and growth of Sprint's NOCC from a team of 7 when he started to a team of 300 when he left the Center in 1999 as a General Manager.

Mike spent his last year with Sprint in their Broadband Local Networks Division. Mike was a Principle Network Design Engineer responsible for network design functions in support of Sprint's ION network.

Mike has a General Radiotelephone License and extensive training and experience in the design, engineering, maintenance and operations of digital switching systems, Local Area Network (LAN) systems and Wide Area Network (WAN) data communications solutions.

Mike joined Missouri Network Alliance on October 9, 2000.

### **Management Committee**

The Operating Agreement of the Missouri Network Alliance, L.L.C. establishes a Management Committee made up of five (5) Managers. The current Management Committee members are:

#### **Chairman:**

Mr. Ken Matzdorff  
President, L.E.C., LLC

#### **Vice Chairman:**

Mr. Phil Johnson  
General Manager, Grand River Communications, Inc.

#### **Secretary:**

Mr. Bruce Copsey  
Secretary, RBJ Corp.

#### **Manager:**

Mr. Bill Biere  
General Manager, Chariton Valley L.D. Corp.

#### **Manager:**

Mr. Raymond Henagan  
General Manager, Rock Port Telephone Company

Appendix C

**Missouri Network Alliance L.L.C.  
Interexchange Tariff**