

### ANDERECK, EVANS, MILNE, PEACE & BAUMHOER, L.L.C.

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May 23, 1997

FILED

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MAY 2 3 1997

Mr. Cecil Wright Executive Secretary MO PSC, P. O. Box 360 Jefferson City, MO 65102

MISSOURI PUBLIC SERVICE COMMISSION

Re: Application of Se-Ma-No Technologies, L.L.C.

Dear Mr. Wright:

Enclosed please find an original and 14 copies of Application of Se-Ma-No Technologies, L.L.C., with the following attachments:

Certified Copies of Articles of Organization and Certificate of Organization;

Applicant's Initial Tariffs PSC Mo No. 1, Original Sheets 1-21, with a July 7, 1997 effective date.

I have this day sent copies to MO PSC Staff and Office of Public Counsel. Thank you for seeing these filed.

Sincerely s. Johnson

CSJ:skl Enclosures cc: Office of Public Counsel MO PSC Staff Lee Binley George Johnson

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

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In the Matter of the Application of Se-Ma-No Technologies, L.L.C., for a Certificate of Authority to Provide Interexchange and nonswitched local Telecommunications Services within the State of Missouri.

Case No. 7A-97-508

MAY 2 8 1997

MISSOURI

#### APPLICATION

Comes now Applicant Se-Ma-No Technologies, L.L.C., pursuant 4 CSR 240-2.060 and submits this Application. Applicant hereby applies for competitive classification of itself and its services pursuant to § 392.361 RSMo, and requests a Certificate of Service Authority to provide and resell interexchange and nonswitched local telecommunications services within the state of Missouri pursuant to §§ 392.410, 392.420, and 392.430 RSMo, and requests the standard waiver of statutes and rules granted competitive companies and services authorized by federal and state law. In support of this Amended Application, Applicant states the following:

1. Applicant is a Limited Liability Company duly organized and existing under the laws of the State of Missouri. Certified Copies of Applicant's Articles of Organization and Certificate of Organization are attached hereto as Exhibits 1 and 2 respectively. The character of Applicant's business is as indicated on the Articles of Organization. Applicant's initial interest is to provide fiber optic facilities to public and private entities.

2. Applicant's registered agent, principal office and place

of business is:

Lee Binley Se-Ma-No Technologies, L.L.C. 601 N. Bus. 60 Hwy, P. O. Box 318 Mansfield, MO 65704-0318 (417) 924-3243 (417) 924=8215 FAX

3. Communications, pleadings, and correspondence pertaining to this Application should be addressed and delivered to:

Lee Binley Se-Ma-No Technologies, L.L.C. 601 N. Bus. 60 Hwy, P. O. Box 318 Mansfield, MO 65704-0318 (417) 924-3243

Craig S. Johnson Andereck, Evans, Milne, Peace, and Baumhoer, LLC 305 E. McCarty P. O. Box 1438 Jefferson City, MO 65102 (573) 634-3422 (573) 634-7822 FAX

4. Applicant hereby requests a certificate of service authority to provide interexchange and nonswitched local telecommunications services, including the resale thereof, within the state of Missouri pursuant to §§ 392.410, 392.420, and 392.430 RSMO.

5. Applicant hereby requests that it and its services be classified as competitive services pursuant to § 392.361 RSMo. Applicant initially intends to provide fiber capacity and services on fiber facilities to public schools for educational purposes, and may thereafter provide data or communications services on fiber facilities to others.

6. Applicant hereby requests, pursuant to § 392.420 RSMO, waiver of the following rules and statutory provisions regarding

the regulation of Applicant as a competitive telecommunications

carrier:

#### STATUTES

392.240	(1) RSMO	Rate
392.270	RSMO	Valuation of Property
392.280	RSMO	Depreciation
392.290	RSMO	Issuance securities
392.310	RSMO	Issuance securities
392.320	RSMO	Stock dividends
392.330	RSMO	Disposition stock proceeds
392.340	RSMO	Reorganization

#### RULES

4	CSR	240-10.020		Income on Deprec Invest
4	CSR	240-30.010	(2) (C)	Rate schedules
4	CSR	240-30.040		Uniform system of accounts
4	CSR	240-32.030	(1) (B)	Exchange maps
4	CSR	240-32.030	(1) (C)	Applications
4	CSR	240-32.030	(2)	Records
4	CSR	240-32.050	(3-6)	Records
4	CSR	240-32.070	(4)	Coin telephone
4	CSR	240-33.030		Minimum charges
4	CSR	240-33.040	(5)	Delinquent charges

7. Applicant files herewith as Exhibit 3 its initial tariffs with a proposed effective date 45 days after the filing of the original Application, July 7, 1997.

8. Applicant possesses sufficient technical, financial, and managerial resources and abilities to provide the interexchange and nonswitched local telecommunications services for which certification is requested. Applicant is an affiliate of Se-Ma-No Electric Cooperative, a Missouri Rural Electric Cooperative operating in 4 counties for over 50 years with total assets and gross sales in excess of \$10,530,982 and \$4,308,930, respectively.

9. Applicant will comply with all applicable Commission rules and regulations for which waiver is not granted.

10. The granting of this application is in the public interest as improving school telecommunications services is in the public interest, as is increasing the supply and choices of competitive telecommunications providers and services in Missouri.

WHEREFORE, Applicant respectfully requests that the Commission grant Applicant the certificates of service authority requested, the waivers of statutes and rules requested, and approve the tariffs filed herewith, together with such other and further relief that the Commission deems appropriate.

> ANDERECK, EVANS, MILNE PEACE & BAUMHOER

BY

Craig S. Johnson MO Bab # 28179 305 East McCarty Street Third Floor - Hawthorn Center Post Office Box 1438 Jefferson City, Missouri 65102 Telephone: (573) 634-3422 Facsimile: (573) 634-7822

ATTORNEYS FOR APPLICANT



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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was mailed first class, postage prepaid this  $23^{-1}$  day of  $M_{CA-1}$ , 1997, to MoPSC Staff General Counsel, and to the Office of Public Counsel.

Craig/S. Johnson

#### VERIFICATION

State of Missouri ) ) ss. County of )

Comes now Lee Binley, being of lawful age and duly sworn, swears and affirms that:

1. My name is Lee Binley and I am the organizer and registered agent for Se-Ma-No Technologies, L.L.C. In that capacity I am authorized to apply for a certificate of service authority for Se-Ma-No Technologies, L.L.C. to provide nonswitched local and interexchange telecommunications within the state of Missouri.

2. The information contained in this Application is true and accurate to the best of my knowledge, information, and belief.

3. I have authorized Craig S. Johnson and the firm of Andereck, Evans, Milne, Peace and Baumhoer, L.L.C. to file and prosecute this application before the Missouri Public Service Commission.

Binley

Subscribed and sworn to before me this  $19^{40}$  day of 1997.

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My Commission expires 12-21-99

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<pre>3 "NOTARY SEAL" }</pre>
Susan Michelle Shortt, Notary Public Douglas County, State of Missouri
County, State of Missouri County, State o
My Commission Expires 12/21/99



# State of Missouri

Rebecca McDowell Cook, Secretary of State P.O. Box 778, Jefferson City, Mo. 65102

Corporation Division

## **Articles of Organization**

MAY 1 6 1991

(Submit in duplicate with filing fee of \$105)

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1.	The name of	the limited	liability	company is:
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Se-Ma-No Technologies, L.L.C.

9	The purpose(s) for which	the limited liability	company is organized:	<u> </u>	provide	fiber	optic

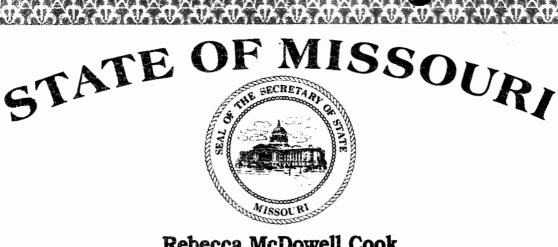
communication services and any other legal purpose.

3. The name and address of the limited liability company's registered agent in Missouri is:

_	Name	Street address City	/State/Zip	
ŧ. Т	The management of the limited liability company is vested in one or more managers.			
5. T	The latest date on v	which the limited liability company is to dissolve is: <u>December 31, 2027</u> Month/Day/Year		
_				
	ne business and af	wal of any member, the remaining member(s) have the following right(s) (if any) t ffairs of the limited liability company: ts to continue or terminate		
tř –	he business and aff All right	ffairs of the limited liability company:		

8. For tax purposes, is the limited liability company considered a corporation? IX Yes 🛛 No

In affirmation thereofy the fact	stated	l above are true:	
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<u> </u>	)		Organizer



## Rebecca McDowell Cook Secretary of State

## CERTIFICATE OF ORGANIZATION

LIMITED LIABILITY COMPANY

WHEREAS,

LC0012835

SE-MA-NO TECHNOLOGIES, L.L.C.

FILED ITS ARTICLES OF ORGANIZATION WITH THIS OFFICE ON THE 16TH DAY OF MAY, 1997, AND THAT FILING WAS FOUND TO CONFORM TO THE MISSOURI LIMITED LIABILITY COMPANY ACT;

NOW, THEREFORE, I, REBECCA McDOWELL COOK, SECRETARY OF STATE, STATE OF MISSOURI, BY VIRTUE OF AUTHORITY VESTED IN ME BY LAW, DO CERTIFY AND DECLARE THAT ON THE 16TH DAY OF MAY, 1997, THE ABOVE ENTITY IS A LIMITED LIABILITY COMPANY, ORGANIZED IN THIS STATE AND ENTITLED TO ANY RIGHTS GRANTED TO LIMITED LIABILITY COMPANIES.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 16TH DAY OF MAY, 1997.

Secretary of State

