

**BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION**

In the Matter of the Application of )  
MCImetro Access Transmission Services LLC )  
d/b/a Verizon Access Transmission Services )  
to Expand Its Certificate of Basic Local )  
Service Authority to include provision of )  
Basic Local Exchange Telecommunications )  
Service throughout the State of Missouri and )  
to Continue to Classify the )  
Company and its Services as Competitive. )

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

**APPLICATION OF MCImetro ACCESS TRANSMISSION SERVICES LLC**  
**d/b/a VERIZON ACCESS TRANSMISSION SERVICES**  
**TO EXPAND CERTIFICATE OF BASIC LOCAL SERVICE AUTHORITY**

COMES NOW MCImetro Access Transmission Services LLC, d/b/a Verizon Access Transmission Services ("Verizon"), by its undersigned counsel, and pursuant to the Federal Telecommunications Act of 1996 ("Act"), Sections 392.361, 392.410, 392.420, 392.430, 392.440, 392.450 and 392.455 RSMo, and 4 CSR 240-2.060 and 4 CSR 240-3.510, hereby applies to expand its certificate of basic local authority to include provision of basic local exchange telecommunications service in all exchanges throughout the State of Missouri. Verizon already has obtained authority from the Commission to provide facilities-based and resold basic local telecommunications service in the service territories of Southwestern Bell Telephone Company ("SWBT") n/k/a AT&T, CenturyTel of Missouri, LLC ("CenturyTel"), Spectra Communications Group, LLC ("Spectra"), and Sprint Missouri, Inc. ("Sprint"), as well as interexchange telecommunications services and non-switched local exchange telecommunications services (limited to providing dedicated, non-switched local exchange private line services) throughout the state of Missouri.<sup>1</sup> Verizon and its services have been

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<sup>1</sup> See *In the Matter of the Application of MCImetro Access Transmission Services LLC, for Certificates of Service Authority to Provide Basic Local Telecommunications Services, Local Exchange Telecommunications Services,*

classified as competitive.<sup>2</sup> The Commission approved use of the name Verizon Access Transmission Services in Case No. LN-2006-0276. Verizon is in good standing in all respects with all applicable Commission rules and requirements. In this Application, Verizon seeks the additional authority to provide facilities-based and resold basic local exchange telecommunications service in the exchanges comprising all other service territories within the State of Missouri, following all exchange boundaries of incumbent local exchange telecommunications companies. Additionally, pursuant to Sections 392.361 and 392.420 RSMo, Verizon requests that its basic local service as offered in this additional territory be classified as competitive, that the company and its services remain classified as competitive, and that certain statutes and regulations be waived.

In support of its application Verizon states to the Commission as follows:

## **I. QUALIFICATIONS**

1. Name and Address: Applicant's legal name is MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services. Verizon maintains its regulatory office at:

600 Hidden Ridge, HQE02H45  
P.O. Box 152092  
Irving, Texas 75015-2092  
Phone Number: 972-718-2415  
Fax Number: 972-718-0936  
E-Mail: chuck.carrathers@verizon.com

2. Contact Persons: All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be directed to:

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*Exchange Access Services, and Interexchange Telecommunications Services in the State of Missouri and for Competitive Classification* Case No. TA-98-575 (Order Granting Certificates to Provide Telecommunications Services effective October 27, 1998).

<sup>2</sup>Id.

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Curtis, Heinz, Garrett & O'Keefe, PC  
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Clayton, Missouri 63105  
Telephone: (314) 725-8788  
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Email: clumley@lawfirmemail.com

3. Corporate Liaison: Questions concerning the ongoing operations of Verizon should be addressed to:

Charles "Chuck" Carrathers  
Verizon  
600 Hidden Ridge HQE02H45  
P.O. Box 152092  
Irving, Texas 75015-2092  
Telephone: 972-718-2415  
Facsimile: 972-718-0936  
Email: chuck.carrathers@verizon.com

4. Corporate Structure: MCImetro Access Transmission Services LLC, is a foreign limited liability company organized and existing under Delaware law. It is qualified to do business in the state of Missouri. A Certificate of Authority from the Missouri Secretary of State is attached hereto as *Exhibit 1*.

5. Managerial and Technical Qualifications: Verizon remains managerially and technically qualified to provide basic local telecommunications services in the state of Missouri, as found in Case No. TA-98-575. It has been successfully providing basic local service since it commenced operations in 1998.

6. Financial Qualifications: Verizon remains financially qualified to provide telecommunications services in the state of Missouri, as found in Case No. TA-98-575. It has been successfully providing basic local service since it commenced operations in 1998. Based

on these prior determinations and operations, Verizon seeks a waiver of the requirement that financial data be submitted under 4 CSR 240-3.510(1)(D).

## **II. PROPOSED SERVICES**

7. Description of Proposed Services: Verizon is currently certificated to provide basic local exchange telecommunications service within the service territory of AT&T, Sprint, CenturyTel and Spectra.

Verizon requests that the Commission take notice of its local exchange service tariffs, which are incorporated herein by reference. Verizon seeks additional authorization to provide basic local service in all other exchanges throughout the State of Missouri. Verizon's services meet applicable minimum Commission standards. Verizon will continue to offer basic local service as a separate and distinct service.

8. Tariff Requirement: Verizon exercises its option and requests a temporary waiver of 4 CSR 240-3.510(1)(C), which requires that an application for a certificate of service authority to provide basic local exchange service shall include a proposed tariff with a 45-day effective date, but allows applicant the option of postponing tariff submittal. Verizon will file tariffs in a manner consistent with the Commission's practices in similar cases before providing basic local service in the expanded service area.

## **III. CLASSIFICATION AS A COMPETITIVE TELECOMMUNICATIONS COMPANY AND WAIVER OF CERTAIN REGULATORY REQUIREMENTS**

9. Classification of Services as Competitive: Verizon seeks continued classification as a competitive company, including classification of its basic local exchange telecommunications service in the new service area as competitive, pursuant to Section 392.361 and Section 392.420 RSMo and 4 CSR 240-3.510(1)(A). Verizon also seeks the reduced

regulation that accompanies such classification. In the Commission's previous orders granting Verizon certificates of service authority, the Commission classified Verizon and its services as competitive.

10. Waiver of Rules: Verizon will comply with all applicable Commission rules, except those that are waived, in providing basic local service in the new service area. Specifically, Verizon will file and maintain tariffs and meet applicable minimum standards. Verizon will make reports to and other informational filings with the Commission as required. Pursuant to Section 392.420 R.S.Mo. (see also Section 392.245.5(8)), which provides good cause for this request, Verizon requests that the following statutes and regulations be waived for Verizon:

<u>Statutes</u>	<u>Missouri Public Service Commission Rules</u>
392.210.2	4 CSR 240-3.550(4), (5)(A) and (5)(C)
392.240.1	4 CSR 240-10.020
392.270	4 CSR 240-30.040
392.280	4 CSR 240-32.060
392.290	4 CSR 240-32.070
392.300	4 CSR 240-32.080
392.310	4 CSR 240-33.040 (except subsection (4))
392.320	4 CSR 240-33.045
392.330	4 CSR 240-33.080(1)
392.340	4 CSR 240-33.130(1), (4) and (5)

No public utility will be affected by the requested waiver of these statutes and regulations.

11. Switched Access Rates: Verizon acknowledges that in accordance with Section 392.361.6, Verizon exchange access rates will not exceed the corresponding exchange access rates in effect for the incumbent LECs in the respective service areas. Additionally, pursuant to the Commission's Report and Order in Case No. TO-99-596, Verizon agrees that if such incumbents decrease their current originating and/or terminating access service rates, Verizon

shall file an appropriate tariff amendment to reduce its corresponding originating and/or terminating access rates within thirty (30) days thereof in order to maintain aforesaid cap on exchange access rates.

12. Pending Actions: Verizon 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 years of the date of this Application.

13. Compliance with Orders and Regulations: Verizon will comply with all applicable orders and regulations of the Commission.

14. Annual Reports and Fees: Verizon does not have any overdue annual reports or assessment fees.

#### **IV. PUBLIC INTEREST CONSIDERATIONS**

15. The Commission granted Verizon its current certificates of service authority, based in part upon finding that such action was in the public interest. The grant of this Application will also further the public interest by increasing equitable access for Missourians, regardless of where they live or their income, to affordable telecommunications services. Verizon's proposed services will create and enhance competition and expand customer service options consistent with the legislative goals set forth in the Federal Telecommunications Act of 1996 and Chapter 392 RSMo. In particular, the public will benefit directly through the use of the competitive basic local exchange service to be offered by Verizon. The public will also benefit indirectly because the competitive presence of Verizon will increase the incentives for the incumbent and others to operate more efficiently, offer more innovative services, reduce prices, and improve the quality and coverage of services.

WHEREFORE, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services respectfully requests that the Commission grant it the requested expansion of its certificate of service authority to include provision of basic local telecommunications service in all exchanges in the State of Missouri, classify its basic local service in the new territory as competitive, continue to classify the company as competitive, grant waiver of the identified statutes and regulations, and grant such other and further relief to Verizon as the Commission deems meet and proper.

Respectfully submitted,

/s/ Carl J. Lumley

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Carl J. Lumley, #32869  
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ATTORNEYS FOR MCImetro Access  
Transmission Services LLC  
d/b/a Verizon Access Transmission Services

VERIFICATION

STATE OF MISSOURI     )  
                                      )  
COUNTY OF ST. LOUIS    )     SS.

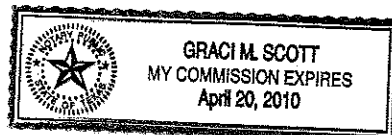
I, Charles Carrathers, being first duly sworn, depose and state that I am over the age of 21 years sound of mind, and the counsel of MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services (Verizon), the Applicant in the subject proceeding, and that I am authorized to make this Verification on behalf of MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services; that I have read the foregoing Application and know the contents thereof; and that the same is true and correct to the best of my knowledge, information, and belief. Further, I verify that the Applicant will comply with all other applicable rules and regulations. I also verify that Carl J. Lumley, and Curtis, Heinz, Garrett & O'Keefe, P.C., 130 S. Bemiston, Suite 200, St. Louis, Missouri 63105, are authorized to sign all pleadings and documents necessary to receive the approval of the Missouri Public Service Commission of the foregoing Application, and to represent MCImetro Access Transmission Services, LLC d/b/a Verizon Access Transmission Services in this proceeding.

Charles H Carrathers  
Name/Title: \_\_\_\_\_

Subscribed and sworn to before this 28th day of August, 2008.

Graci M Scott  
Notary Public

My Commission Expires: April 20, 2010





## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served upon the parties listed below on this 2nd day of September, 2008, by either e-mail or U.S. Mail, postage prepaid.

/s/ Carl J. Lumley

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Carl J. Lumley

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