

# MISSOURI STATE DISCOUNT TELEPHONE

804 ELKINS LAKE  
HUNTSVILLE, TEXAS 77340

OFFICE 409-435-1400

FAX 409-293-8522

October 05, 1999

Mr. Dale Hardy Roberts  
Secretary / Chief Regulatory Law Judge  
Missouri Public Service Commission  
301 West High Street  
Room 530  
Jefferson City, Missouri 65101

FILED<sup>2</sup>

OCT 7 1999

Missouri Public  
Service Commission

TA 2000-204

**SUBJECT: Amended Application of Missouri State Discount Telephone,  
For Certification of Authority To Provide Basic Local and Long  
Distance Service in the State of Missouri.**

Dear Mr. Roberts,

I was advised by the Commission and Judge Woodruff to please amend my original request for certification to include a request for the Interexchange and Non-Switched waivers that are required.

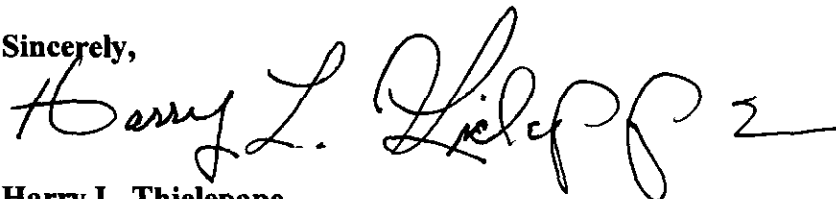
This request is located on page 6.1 of my amended version.

I was also requested to advise the Commission that a notarized Affidavit of Fact is located at the very last page of Section One in my original application.

I am also including a copy of the Registration of Fictitious Name Certificate that was filed the Secretary of State on 09-02-99, under number 360874. These are the only changes or additions to my application.

Enclosed for filing are the original and 14 copies of my Amended Application.  
If additional questions arise, please contact me at once.

Sincerely,



Harry L. Thielepape

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

FILED<sup>2</sup>

OCT 7 1999

Missouri Public  
Service Commission

IN THE MATTER OF THE APPLICATION OF )  
MISSOURI STATE DISCOUNT TELEPHONE )  
FOR A CERTIFICATE OF AUTHORITY TO )  
PROVIDE BASIC LOCAL )  
TELECOMMUNICATIONS SERVICE AND )  
LONG DISTANCE SERVICE IN THE STATE )  
OF MISSOURI AND TO CLASSIFY SAID )  
SERVICES AND MISSOURI STATE DISCOUNT )  
TELEPHONE AS COMPETITIVE. )

CASE NO. TA-2000-204

**AMENDED VERSION TWO**  
**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY**  
**FOR COMPETITIVE CLASSIFICATION**

Comes now Missouri State Discount Telephone. (Hereinafter "Applicant or M-SDT.") Hereby applies for and request a Certificate of Service Authority to Provide Local Exchange and Long Distance Services between and among locations within the State of Missouri pursuant to sections 392.430, 392.440, 392.450, and 392.451, RSMO.1994, an order classifying Applicant's services as competitive telecommunications services, and an order waiving or suspending certain Commission rules and statutory provisions pursuant to the Federal Telecommunications Act of 1996 and state laws. In support of its request, M-SDT states as follows:

1. Applicant is a sole-proprietorship duly organized and existing under the laws of the State of Texas, Arkansas, and Louisiana. Please see the attached copies of :

(See Section 1)

- a. Assumed Name Certificate-State Discount Telephone-Arkansas
- b. Assumed Name Certificate-Arkansas State Telephone  
Articles of Ownership-Arkansas State Telephone
- c. Assumed Name Certificate-Texas State Telephone
- d. Assumed Name Certificate-State Discount Telephone-Texas (Original Co.)  
Articles of Ownership
- e. Assumed Name Certificate-Louisiana State Telephone
- f. Affidavit of Harry L. Thielepape

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**2. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to the case should be addressed to:**

**Missouri State Discount Telephone  
804 Elkins Lake  
Huntsville, Texas 77340**

**Att. Harry L. Thielepape**

**A. M-SDT will acquire an Assumed Name Certificate in the State of Missouri.**

**B. M-SDT is another Company operated as a sole-proprietorship owned by Harry L. Thielepape. The owner Harry L. Thielepape also operates State Discount Telephone-Arkansas, Arkansas State Telephone, State Telephone-Texas. The Application for Louisiana State Telephone is before the Louisiana Public Service Commission at this time. The Company State Discount Telephone-Texas was the first company in which Harry L. Thielepape started in 1997. The principal activity of all companies is providing non-facilities base resold pre-paid local and long distance telecommunication service.**

**C. Communications and correspondence pertaining to this application should be addressed to:**

**Missouri-State Discount Telephone  
804 Elkins Lake  
Huntsville, Texas 77340**

**Att: Harry L. Thielepape**

**3. M-SDT proposes to provide basic local exchange telecommunications service on a non-facilities, resold basis, throughout all exchanges currently served by all incumbent local exchange telecommunication companies in the State of Missouri. Pursuant to applicable law, and subject to M-SDT's right under Federal and/or State laws to seek to offer, and offer and provide service in geographical areas smaller than an exchange or in market segmentation's or to offer customers specific pricing, similarly situated subscribers located within the State of Missouri will receive services on equal terms and conditions as set forth in M-SDT's tariffs.**

**(See Section 5.C. for M-SDT Tariff)**

- a. M-SDT intends to offer its services in accord with its tariffs.**
- b. M-SDT has included its tariff to cover the entire State of Missouri and the total areas supplied by all approved incumbent local service providers in the State of Missouri.**

**4. Pursuant to this application M-SDT seeks to offer and provide all forms of basic local telecommunications service, including all options and features provided by all incumbent providers and pre-paid long distance service. M-SDT will provide its end users twenty-four hour service to handle any repair issue. M-SDT will provide its own billing and collection service to its end users.**

**5. M-STD and Harry L. Thielepape possesses the technical and managerial expertise and experience necessary to provide the services it proposes.**

**Harry L. Thielepape possesses in excess of twenty-five years managerial and quality control experience.**

**5.A. Harry L. Thielepape started State Discount Telephone-Texas in 1997.**

**State Discount Telephone-Arkansas was organized in 1998. Arkansas State**

**Telephone was started in 1999. State Telephone-Texas was certified by the**

**Texas Public Utilities Commission in July 1999. Harry L. Thielepape currently**

**has applications in process in the States of Louisiana, Kansas, and Oklahoma.**

**All Company's provide prepaid local and long distance service to all**

**customers. Please see the attached resume of Harry L. Thielepape in the**

**attachments in section 5-A.**

**5.B**

**M-SDT also possesses the necessary financial ability to continue to provide the**

**required services to its customers. Please see the attached documentation,**

**In Section 5-B, verifying that Harry L. Thielepape has available a total in**

**excess of \$50,000.00. These funds have been available since approximately**

**September 1997, and has not been needed to this date, and will not be required**

**in the future. Harry L. Thielepape operates offices in excess of 3000 sq. ft. with**

**a net worth in excess of \$200,000.00 in buildings and equipment.**

**5.C. Applicant also agrees that :**

**It will file and maintain basic local exchange service tariff(s) with the Commission in the same manner and form as the Commission requires of incumbent local exchange telecommunications companies with which M-SDT will compete.**

**Please see the attached tariff in Section 5.C.**

**5.D. It will meet the minimum basic local service standards, including quality of service and billing standards, as the Commission may require of the incumbent local exchange telecommunications companies with which it will compete.**

**Please see the attached SERVICE QUALITY QUESTIONNAIRE in Section 5.D.**

**5.E. It will offer basic local and long distance service with-in the exchange boundaries of the incumbent providers in which M-SDT has interconnection agreements with, and in which the Commission has approved. M-SDT has at this time its first interconnection agreement filed with the Commission. This is with GTE.**

**6. M-SDT seeks classification of itself and its services as competitive.**

7. M-SDT will offer basic local telecommunications service as a separate and distinct service in accordance with applicable law. M-SDT will give consideration to equitable access for all Missouri's, regardless of where they might reside or their income, to affordable telecommunications services in M-SDT's proposed service areas in accordance with applicable law.
8. M-SDT 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 certified competitive local exchange telecommunications companies, M-SDT request that the following statutes and regulations be waved for M-SDT and its basic local exchange service offerings:

| <u>STATUTES</u> | <u>MISSOURI PUC RULES</u> |
|-----------------|---------------------------|
| 392.210.2       | 4 CSR 240-10.020          |
| 392.270         | 4 CSR 240-30.040          |
| 392.280         | 4 CSR 240-35              |
| 392.290.1       |                           |
| 392.300.2       |                           |
| 392.310         |                           |
| 392.320         |                           |
| 392.330         |                           |
| 392.340         |                           |

**8-A . M-SDT request that the following statutes and regulations be waived for  
M-SDT and its INTEREXCHANGE & NON-SWITCHED service  
offerings;**

| <b><u>STATUTES</u></b> | <b><u>COMMISSION RULES</u></b>  |
|------------------------|---------------------------------|
| <b>392.240 (1)</b>     | <b>4 CSR 240-10.020</b>         |
| <b>292.270</b>         | <b>4 CSR 240-30.010 (2) (C)</b> |
| <b>392.280</b>         | <b>4 CSR 240-30.040</b>         |
| <b>392.290</b>         | <b>4 CSR 240-32.030 (1) (B)</b> |
| <b>392.310</b>         | <b>4 CSR 240-32.030 (1) (C)</b> |
| <b>392.320</b>         | <b>4 CSR 240-32.030 (2)</b>     |
| <b>392.330</b>         | <b>4 CSR 240-32.050 (3-6)</b>   |
| <b>392.340</b>         | <b>4 CSR 240-32.070 (4)</b>     |
|                        | <b>4 CSR 240-33.030</b>         |
|                        | <b>4 CSR 240-33.040 (5)</b>     |



**9. M-SDT future request a temporary wavier of 4 SCR 240.060 (4) (H).**

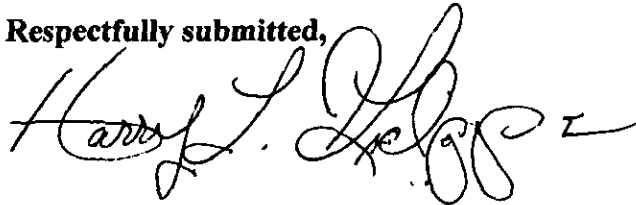
**This rule requires that an applicant for a certificate of authority to provide interexchange, local exchange or basic local exchange service shall include a proposed tariff with a forty-five day effective date. M-SDT finds it impossible at this time to develop tariffs to fully comply with this rule since M-SDT has not yet executed or received Commission approval of any resale agreements with incumbent local exchange companies. At such time as all facts necessary for the development of such tariffs are known to M-SDT, it will promptly file said tariffs bearing no less than a 30 day effective date with the Commission in a manner consistent with recent Commission practice in similar cases.**

**10. M-SDT is willing to comply with all applicable Commission rules and is willing to meet all relevant service standards including, but not limited to, quality of service, billing, and tariff filing and maintenance.**

**11. M-SDT submits that the public interest will be served by the Commission approval of this application because M-SDT'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. Prompt approval of this application also will expand the availability of innovative, high quality, and reliable Telecommunications services within the State of Missouri.**

**WHEREFORE, applicant Missouri-State Discount Telephone respectfully request that the Commission grant it a certificate of service authority to provide basic local and long distance telecommunications services as herein requested, classify Missouri-State Discount Telephone and its proposed services as competitive, and grant a waiver of the aforesaid statutes and regulations.**

**Respectfully submitted,**

A handwritten signature in black ink, appearing to read "Harry L. Thielepape", with a stylized flourish at the end.

**Harry L. Thielepape  
President  
804 Elkins Lake  
Huntsville, Texas 77340  
Office 409-435-1400  
Fax 409-293-8522**



State of Missouri  
Rebecca McDowell Cook, Secretary of State  
Corporation Division

360874

No. X \_\_\_\_\_

Registration of Fictitious Name

(Submit in duplicate with a filing fee of \$7)

This information is for the use of the public and gives no protection to the name. There is no provision in this Chapter to keep another company or corporation from adopting and using the same name. (RSMo 417)

We, the undersigned, are doing business under the following name, and at the following address:

Name to be registered: Missouri State Discovers Telephone  
Missouri Business Address: 804 ELKINS LAKE  
(P.O. Boxes not accepted)  
City, State and Zip Code: Huntsville, Tx. 77340

The parties having an interest in the business, and the percentage they own are (if a corporation is owner, indicate corporation name and percentage owned). If all parties are jointly and severally liable, percentage of ownership need not be listed:

| Name of Owners,<br>Individual or<br>Corporate | Street and Number      | City              | State<br>and<br>Zip Code | If listed,<br>Percentage<br>of ownership<br>must equal<br>100% |
|---|------------------------|-------------------|--------------------------|--|
| <u>Harry Thierpape</u>                        | <u>804 ELKINS LAKE</u> | <u>HUNTSVILLE</u> | <u>TX 77340</u>          | <u>100%</u>  |
| _____   | _____                  | _____             | _____                    | _____  |
| _____   | _____                  | _____             | _____                    | _____  |
| _____   | _____                  | _____             | _____                    | _____  |
| _____   | _____                  | _____             | _____                    | _____  |
| _____   | _____                  | _____             | _____                    | _____  |

(Must be typed or printed)

Return to: Secretary of State  
Corporation Division  
P.O. Box 778  
Jefferson City, Mo. 65102

FILED

SEP 02 1999

(Over)

Rebecca McDowell Cook  
SECRETARY OF STATE

The undersigned, being all the parties owning interest in the above company, being duly sworn, upon their oaths each did say that the statements and matters set forth herein are true.

Individual  
Owners  
Sign Here

X

X

X

X

X

X

The undersigned <sup>individual</sup> ~~corporation~~ has caused this application to be executed in its name by its President or Vice-President and its Secretary or Assistant Secretary, this 30<sup>th</sup> day of August, 19 99.

If  
Corporation  
is  
Owner,  
Corporate  
Officers  
Execute  
Here

Missouri State Discount Tstph  
(Exact Corporate Title)  
By Harry R. Thielepape  
Its President or Vice-President  
By \_\_\_\_\_  
Its Secretary or Assistant Secretary

(Corporate Seal)

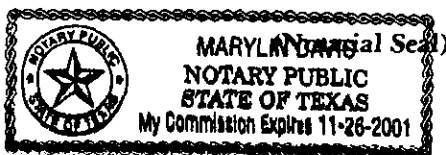
If no seal, state "none".

TEXAS  
State of ~~Missouri~~

County of Waller } ss

I, Marylin Davis, A Notary Public, do hereby certify that on the 30<sup>th</sup> day of August, 19 99, personally appeared before me Harry R. Thielepape, and being first duly sworn by me, acknowledged that \_\_\_\_\_ he signed as his own free act and deed the foregoing document in the capacity therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.



Marylin Davis  
Notary Public

My commission expires 11-26-2001