

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

In the Matter of the Application of Le-Ru	)	
Long Distance Company for Video Service	)	Case No. KA-2008-0064
Authorization	)	

**FIRST AMENDED  
APPLICATION FOR VIDEO SERVICE AUTHORIZATION**

Le-Ru Long Distance Company ("Le-Ru" or "Company"), by and through its undersigned counsel, pursuant to Section 67.2679(7), RSMo 2000 (Cum. Supp. 2007), and in accordance with the Rules of Practice and Procedure Missouri Public Service Commission ("Commission"), hereby makes this amended application for a video service authorization that will allow Le-Ru to offer and supply video service and to construct, install, operate, and maintain a video service network in various political subdivisions and unincorporated areas within the state of Missouri. In support of its amended application, Le-Ru states as follows:

1. Le-Ru is a Missouri corporation with its principal office and place of business at 555 Carter Street, Stella, Missouri 64867. Le-Ru provides, or intends to provide, video service to customers in various political subdivisions and unincorporated areas located within the state of Missouri. In Case No. TA-2001-502, Le-Ru was granted authority to operate as an "interexchange telecommunications company," as that term is defined in Section 386.020(23), RSMo 2000. The Company is therefore subject to the regulatory jurisdiction of this Commission. A copy of Le-Ru's Certificate of Good Standing, issued by the

Secretary of State of Missouri, is attached to this application as Appendix A and is incorporated herein by reference.

2. There are no final unsatisfied judgments or decisions pending against Le-Ru from any federal or state agency or court that involve customer service or rates, and Le-Ru has no annual report or assessment fees that are overdue.

3. Pleadings, notices, orders, and other correspondence and communications concerning this amended application should be addressed to the undersigned counsel and also to:

Robert L. Hart, President  
Le-Ru Long Distance Company  
555 Carter Street  
Stella, MO 64867  
Tele: (417) 628-3844  
E-Mail: [hartb@leru.net](mailto:hartb@leru.net)

4. Le-Ru currently provides or intends to provide "video service" through a "video service network" to customers located in various "political subdivision[s]" within the state of Missouri, as those terms are defined in Section 67.2677, RSMo 2000 (Cum. Supp. 2007). Some of those customers are or will be located within the corporate limits of a city, town, or village while other customers are or will be located in various unincorporated areas within the counties of Newton and McDonald.

5. In the Village of Stella, Missouri, Le-Ru currently provides video service pursuant to a franchise, permit, license, resolution, ordinance, contract, certificate, agreement, or similar arrangement that previously was granted by the governing authority of that political subdivision. As allowed by Section

67.2679(9), RSMo 2000 (Cum. Supp. 2007), Le-Ru opts to continue to provide video service in the Village of Stella under the terms and conditions of the existing franchise, permit, license, resolution, ordinance, contract, certificate, agreement, or similar arrangement until that arrangement expires or otherwise is terminated. Under the terms of that arrangement, Le-Ru pays the Village of Stella an annual franchise fee of 3 percent.

6. Le-Ru also provides or intends to provide video service to customers who are not located in the Village of Stella. These locations consist of the unincorporated areas within the counties of Newton and McDonald. To enable the Company to construct, install, operate, and maintain a video network and to supply video service, Le-Ru asks the Commission to issue, in accordance with Sections 67.2679(4) and (7), RSMo 2000 (Cum. Supp. 2007), a video service authorization that will allow the Company to operate as a video service provider in each of the following political subdivisions:

<b>Political Subdivision</b>	<b>Fee Amount</b>
Newton County	0
McDonald County	0

7. As required by Section 67.2679.7, RSMo 2000 (Cum. Supp. 2007), an affidavit, signed by a Company officer, which affirms the following, accompanies this application as Appendix B and is incorporated herein by reference:

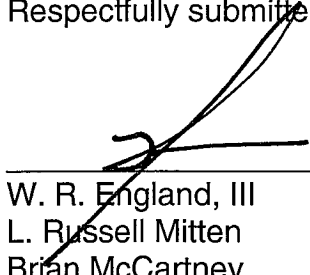
- (a) that Le-Ru agrees to comply with all applicable federal and state laws and regulations;
- (b) a list of political subdivision that are to be served by the Company;

- (c) the location and principal place of business of Le-Ru and the names of its principal executive officers;
- (d) that the Company has filed, or will timely file, with the Federal Communications Commission all forms required by that agency prior to offering video service;
- (e) that Le-Ru agrees to comply with all applicable regulations concerning use of the public rights-of-way, as provided in Sections 67.1830 to 67.1846, RSMo; and
- (f) that the Company is legally, financially, and technically qualified to provide video service.

8. In addition, to fulfill the requirements of Section 67.2679(5), RSMo 2000 (Cum. Supp. 2007), Le-Ru is providing a copy of this amended application to each of the political subdivisions wherein the Company provides or intends to provide video service, which will serve to advise and provide notice to each such political subdivision of the Company's intent.

WHEREFORE, Le-Ru requests the Commission to grant this amended application and to issue, within thirty (30) days of the filing date of this amended application, a video service authorization that allows the Company to construct a video service network along, across, or on public rights-of-way for the delivery of video service and to provide video service in each of the political subdivisions listed in paragraph 6 of this application.

Respectfully submitted,



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W. R. England, III	MBN 23975
L. Russell Mitten	MBN 27881
Brian McCartney	MBN 47788

BRYDON, SWEARENGEN & ENGLAND P.C.  
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Email: [rmitten@brydonlaw.com](mailto:rmitten@brydonlaw.com)

ATTORNEYS FOR LE-RU LONG DISTANCE  
COMPANY

VERIFICATION

STATE OF MISSOURI                    )  
                                          ) ss  
COUNTY OF NEWTON                 )

Robert L. Hart, being duly sworn on oath, deposes and says that he is President of Le-Ru Long Distance Company, that he has read the foregoing Application and knows the contents thereof, and that the information contained in that Application is true and correct to the best of his knowledge and belief.

LE-RU LONG DISTANCE COMPANY

BY: Robert L. Hart  
Robert L. Hart, President

Subscribed and sworn to before me, the undersigned Notary Public in and for the county and state aforesaid, on the 28<sup>th</sup> day of August, 2007.

Carolyn Dyer  
Notary Public Carolyn Dyer

My Commission expires:

2/24/2008

CAROLYN DYER  
NOTARY PUBLIC - NOTARY SEAL  
STATE OF MISSOURI  
NEWTON COUNTY  
MY COMMISSION EXP. FEB. 24, 2008

# STATE OF MISSOURI



Robin Carnahan  
Secretary of State

**CORPORATION DIVISION  
CERTIFICATE OF GOOD STANDING**

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

**LE-RU LONG DISTANCE COMPANY  
00492647**

was created under the laws of this State on the 29th day of January, 2001, 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 22nd day of August, 2007

*Robin Carnahan*

Secretary of State

Certification Number: 10007178-1 Reference:

Verify this certificate online at <http://www.sos.mo.gov/businessentity/verification>



APPENDIX B

STATE OF MISSOURI                    )  
                                          ) ss  
COUNTY OF NEWTON                 )

**AFFIDAVIT OF ROBERT L. HART**

The undersigned Robert L. Hart, being first duly sworn, on his oath states that:

(1) he is President of Le-Ru Long Distance Company ("Le-Ru" or "Company"), a Missouri corporation, and by virtue of his position is authorized to make this affidavit on behalf of the Company;

(2) Le-Ru agrees to comply with all applicable federal and state laws and regulations;

(3) attached to this affidavit, and incorporated herein by reference, is a list of political subdivisions that are to be served by Le-Ru;

(4) the location and principal place of business of the Company is 555 Carter Street, Stella, Missouri 64867, and the names of its principal executive officers are:

Robert L. Hart	President
Vickie L. Roberts	Secretary;

(5) Le-Ru has filed, or will timely file, with the Federal Communications Commission all forms required by that agency prior to offering video service;

(6) the Company agrees to comply with all applicable regulations concerning use of the public rights-of-way, as provided in Sections 67.1830 to 67.1846, RSMo; and

(7) Le-Ru is legally, financially, and technically qualified to provide video service.

  
Robert L. Hart, President



Subscribed and sworn to before me, the undersigned Notary Public in and  
for the county and state aforesaid, on the 28<sup>th</sup> day of August, 2007.

*Carolyn Dyer*  
Notary Public *Carolyn Dyer*

My Commission expires:

*2/24/2008*

CAROLYN DYER  
NOTARY PUBLIC - NOTARY SEAL  
STATE OF MISSOURI  
NEWTON COUNTY  
MY COMMISSION EXP. FEB. 24, 2008

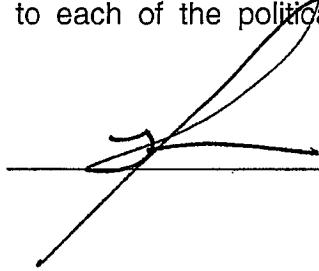
**LIST OF POLITICAL SUBDIVISIONS THAT ARE TO BE SERVED**  
**BY LE-RU LONG DISTANCE COMPANY**

Newton County

McDonald County

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by first class mail, electronic mail, or hand delivery on this 30th day of August, 2007, to each of the political subdivisions listed in Paragraph 6 of this Application.

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