

Trina R. LeRiche
816.460.2427
tleriche@sonnenschein.com

4520 Main Street
Suite 1100
Kansas City, MO 64111
816.460.2400
816.531.7545 fax
www.sonnenschein.com

*Chicago
Kansas City
Los Angeles
New York
San Francisco
St. Louis
Washington, D.C.
West Palm Beach*

May 16, 2003

Via Federal Express

Mr. Dale H. Roberts
Executive Secretary
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

FILED

MAY 19 2003

Missouri Public
Service Commission

RE: In the Matter of the Application of Rystec, Inc. for a Certificate of Authority to Provide Competitive Intrastate Resold and Facilities-Based Interexchange Services and Non-Switched Local Exchange Telecommunications Services throughout the State of Missouri

Dear Mr. Roberts:

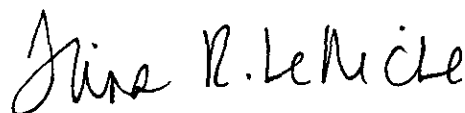
Please find enclosed the original and nine copies of the Application for Certificate of Service Authority to Provide Intrastate Interexchange Services and Non-Switched Local Exchange Services for Competitive Classification filed by Rystec, Inc.

Please return one "filed" copy of the Application to me in the enclosed return envelope.

By copy of this letter, I have served two copies of the Application to the Office of Public Counsel and one copy of the Application to the General Counsel.

Thank you in advance for bringing this Application to the Commission's attention.

Very truly yours,



Trina R. LeRiche

TRL/lsc
Enclosures
cc: Office of Public Counsel
Office of General Counsel

FILED²

MAY 19 2003

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of)
Rystec, Inc. for a Certificate of)
Authority to Provide Competitive Intrastate)
Resold and Facilities-Based)
Interexchange Services)
and Non-Switched Local Exchange)
Telecommunications Services)
throughout the State of Missouri.)

Case No. _____

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY TO
PROVIDE INTRASTATE INTEREXCHANGE SERVICES AND NON-SWITCHED
LOCAL EXCHANGE SERVICES FOR COMPETITIVE CLASSIFICATION**

COMES NOW Rystec, Inc. ("Rystec" or "Company") and hereby applies for (1) a Certificate of Service Authority to provide intrastate interexchange services and non-switched local exchange services, pursuant to Mo. Rev. Stat. §§ 392.410 and 392.440, (2) designation as a competitive telecommunications carrier pursuant to Mo. Rev. Stat. § 392.361.3, and (3) waiver of certain Commission rules and statutory provisions pursuant to Mo. Rev. Stat. §§ 392.420 and 392.651. In support of its Application, Rystec provides the following:

1. Rystec was organized under the laws of the State of Missouri on October 25, 2002. Rystec's principal office is located at:

Rystec, Inc.
515 Second Street
Branson, MO 65616
Telephone: 417-339-9144
Facsimile: 417-339-9158
Email: m.rys@rystec.com

2. A copy of Rystec's Articles of Incorporation is attached as **Exhibit A**.

3. A Certificate of Corporate Good Standing for Rystec is attached as **Exhibit B**.

4. Correspondence and communications concerning this Application and tariff may be directed to Rystec's Regulatory Consultant:

Stacey A. Klinzman
Director-Regulatory Compliance
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, Washington 98335
Telephone: 253.851.6700
Facsimile: 253.851.6474
Email: sklinzman@millerisar.com

and to Rystec's in-state counsel:

Mark P. Johnson, Esq.
Trina R. LeRiche, Esq.
Sonnenschein Nath & Rosenthal
4520 Main Street, Suite 1100
Kansas City, Missouri 64111
Telephone: 816.460.2400
Facsimile: 816.531.7545
Email: mjohnson@sonnenschein.com
tleriche@sonnenschein.com

5. Rystec requests authority to provide interexchange (switched and non-switched services) and non-switched local exchange telecommunications services throughout the state of Missouri to business and residential subscribers. These services will be offered twenty-four (24) hours per day, seven (7) days a week, at rates, terms and conditions established by Rystec. Rystec intends to provide data communications services only. Rystec will do business as Rystec, Inc.

6. Rystec submits that the public interest will be served by Commission approval of its application for a Certificate of Service Authority because Rystec'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 Mo. Rev. Stat. Chapter 392. Prompt approval of this Application also will expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

7. Rystec possesses the technical and managerial expertise and experience necessary to provide the services it proposes. Descriptions of the backgrounds of Rystec's management team, which demonstrate its extensive experience and expertise, are attached hereto and incorporated herein by reference as **Exhibit C**.

8. Rystec's proposed tariff containing the rates, terms, and conditions applicable to its proposed provision of service in Missouri, with a forty-five (45) day effective date, is attached as **Exhibit D** to this Application.

9. Rystec requests that the Commission grant it the waivers of statutory and regulatory requirements that are normally granted for competitive local exchange and interexchange carriers in Missouri. Rystec will provide competitive telecommunications services and as such the requested waivers are appropriate. Mo. Rev. Stat. §§ 392.361 and 392.420.

10. Rystec requests competitive classification for the services described in its proposed tariff, in that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation, consistent with protection of ratepayers and promotion of the public interest. Mo. Rev. Stat. § 392.361.4.

11. Rystec requests classification as a competitive telecommunications company on the basis that all telecommunications services which it proposes to offer should be classified as competitive telecommunications services. Mo. Rev. Stat. § 392.361.3.

12. Rystec is a privately held corporation with the financial ability to provide quality, continuous data telecommunications services. However, as a start-up company with no historical performance data, Rystec requests waiver of the requirement of presentation of twelve months of financial data under Mo. Rev. Stat. § 392.455(1).

13. Rystec will comply with Mo. Rev. Stat. § 392.200, and will not unjustly discriminate among its customers.

14. Pursuant to Mo. Rev. Stat. § 386.570, Rystec will comply with all applicable Commission rules, except those specifically waived by the Commission in response to Rystec's request herein.

15. Rystec respectfully requests, pursuant to Mo. Rev. Stat. § 392.420, that the Commission suspend, waive or modify the application of the following rules and statutory provisions, to Rystec as a competitive local exchange and interexchange company:

Missouri Commission Rules

4 CSR 240-10.020	Depreciation fund income.
4 CSR 240-30.040	Uniform system of accounts.
4 CSR 240-32.030(4)(C)	File exchange boundary maps with the Commission
4 CSR 240-33.030	Inform customers of lowest price.

Missouri Statutes

Section 392.210.2	Uniform System of Accounts.
Section 392.240(1)	Just and Reasonable Rates.
Section 392.270	Ascertain Property Values.
Section 392.280	Depreciation Accounts.
Section 392.290	Issuance of Securities.
Section 392.300.2	Acquisition of Stock.
Section 392.310	Issuance of Stocks and Debt.
Section 392.320	Stock Dividend Payment.
Section 392.330	Issuance of Securities, Debts, and Notes.
Section 392.340	Reorganizations.
Section 392.455(1)	Financial Data

The above-referenced rules and statutory provisions have been waived with regard to other competitive local and interexchange carriers in prior cases. These provisions primarily are designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Mo. Rev. Stat. § 392.530 to apply these provisions to a competitive telecommunications carrier such as Rystec.

16. No public utility will be affected by granting the requested waivers.

17. Rystec has no annual reports or regulatory assessment fees that are overdue in Missouri.

18. Rystec has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Furthermore, no action, judgment or decision involving customer service or rates has occurred within three (3) years of this Application's filing date.

WHEREFORE, Rystec, Inc. respectfully requests the Commission to grant it a Certificate of Authority to provide interexchange and non-switched local exchange telecommunications services in the state of Missouri; classify Rystec's telecommunications services as competitive; classify Rystec as a competitive telecommunications company; waive certain statutory and regulatory requirements; approve Rystec's proposed tariff; and grant such other relief as the Commission deems appropriate.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL

By: *Trina R. LeRiche*

Mark P. Johnson MO Bar #30740

Trina R. LeRiche MO Bar #46080

4520 Main Street, Suite 1100

Kansas City, Missouri 64111

Phone: 816.460.2400

Fax: 816.531.7545

Email: mjohnson@sonnenschein.com

Tleriche@sonnenschein.com

ATTORNEYS FOR RYSTEC, INC.

STATE OF MISSOURI)
) SS:
COUNTY OF JACKSON)

1. My name is Trina R. LeRiche, and I am an attorney for Rystec, Inc. ("Rystec"). In that capacity, I am authorized to verify the statements contained in Rystec's Application for Certificate of Authority to Provide Intrastate Resold and Facilities-Based Interexchange Services and Non-Switched Local Exchange Services Throughout Missouri and for Competitive Classification, and the information contained therein, on behalf of Rystec.

Trina R. LeRiche

My Commission Expires: 8/6/06

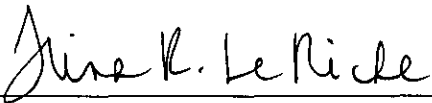
LINDA S. CURRAN
Notary Public - Notary Seal
STATE OF MISSOURI
Platte County
My Commission Expires: Aug. 6, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been mailed, postage prepaid, this 16th day of May, 2003, to:

Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102

Dana K. Joyce, General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102



Attorneys for Rystec, Inc.