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September 23, 2002

FILED<sup>2</sup>

SEP 23 2002

Missouri Public  
Service Commission

Missouri Public Service Commission  
Attn: Secretary of the Commission  
200 Madison Street, Suite 100  
P. O. Box 360  
Jefferson City, MO 65102-0360

RE: Case No. \_\_\_\_\_  
**The Pager Company dba The Pager & Phone Company's Application for  
Interexchange Telecommunications Certificate of Service Authority**

Dear Secretary:

Enclosed please find an original and five copies of the **APPLICATION** of The Pager Company dba The Pager & Phone Company for interexchange telecommunications certificate of service authority for filing with the Commission. No proposed tariff is enclosed, as Applicant has requested waiver of the requirement of 4 CSR 240-2.060(6)(c).

Thank you for assistance in the processing this filing. Copies are being served on the Commission's General Counsel and Office of the Public Counsel. Please contact me at 634-8109 if there are any questions.

Sincerely,



Mary Ann (Garr) Young

Enclosure

cc: General Counsel  
Office of the Public Counsel  
Mark Foster, Foster & Malish

**FILED<sup>2</sup>**

SEP 23 2002

Missouri Public  
Service Commission

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

In the matter of the Application of )  
The Pager Company dba )  
The Pager & Phone Company )  
For a Certificate of Service Authority To )  
Provide Interexchange Telecommunications )  
Services in the State of Missouri and for )  
Competitive Classification )

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

**APPLICATION**

The Pager Company dba The Pager & Phone Company (hereinafter "The Pager Company" or "Applicant"), by its undersigned counsel, files this verified application respectfully requesting that the Missouri Public Service Commission (Commission) issue an order that:

- (a) grants The Pager Company a Certificate of Service Authority to provide intrastate interexchange telecommunications services pursuant to Chapter 392 of the Missouri Revised Statutes (RSMo.),
- (b) grants status as a competitive company to PagerCo pursuant to § 392.361 RSMo., and
- (c) waives certain Commission rules and statutory provisions pursuant to § 392.420 RSMo.

In support of its request, The Pager Company states:

**I. QUALIFICATIONS**

1. Applicant The Pager Company is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri with its principal place of business at 3030 E. Truman Road, Kansas City, MO 64127. The nature of Applicant's business is the provision of telecommunications service.

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

Mary Ann (Garr) Young  
William D. Steinmeier, P.C.  
P.O. Box 104595, 2031 Tower Drive  
Jefferson City MO 65110-4595  
Phone: (573) 634-8109  
Fax: (573) 634-8224  
Email: myoung0654@aol.com

and

Mark Foster  
Foster & Malish, L.L.P.  
1403 West Sixth Street  
Austin, Texas 78703  
Phone: (512) 476-8591  
Fax: (512) 477-8657

3. A copy of Applicant's registration of fictitious name with the Missouri Secretary of State is attached hereto as Exhibit A.
4. Applicant seeks authority to provide resold intrastate interexchange telecommunications services to subscribers to and from all points in the State of Missouri and, therefore, seeks statewide authorization.
5. Applicant's services will be available on a full-time basis, twenty-four (24) hours a day, seven (7) days a week. The Pager Company's proposed tariff will be filed at a later date and Applicant requests a waiver of 4 CSR 240-2.060(6)(c). Applicant has not yet finalized an operating agreement with a long distance carrier. Until Applicant knows what its costs will ultimately be, it cannot provide a tariff setting out its prices. As soon as Applicant has finalized an agreement with a long distance carrier, it will file its proposed tariff with a 45-day effective date. No other utility should be affected by the variance being requested.

6. The Pager Company possesses the requisite managerial and technical qualifications to render the proposed telecommunications services. The Pager Company's management personnel are well qualified to execute its business plan, having extensive managerial, financial, and technical telecommunications experience.

7. The Pager Company possesses sufficient financial resources to conduct the telecommunications operations as specified in this Application.

8. The Pager Company's toll-free number for customer inquiries and complaints is: (800) 662-0027.

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

9. The Pager Company also seeks classification as a competitive telecommunications company operating within the State of Missouri pursuant to § 392.361 RSMo. and 4 CSR 240-2.060(6)(A). Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Granting of this application will allow greater price and service options for telephone users.

10. Applicant will not unjustly discriminate among its customers, which discrimination is prohibited pursuant to § 392.200 RSMo.

11. Applicant also requests, pursuant to § 392.420 RSMo. that the Commission waive the application of the following rules and statutory provisions as they relate to the regulation of The Pager Company:

### Regulations

- 4 CSR 240-10.020 - Depreciation of fund income.
- 4 CSR 240-30.010(2)(C) - Posting of exchange rates at central operating offices.
- 4 CSR 240-30.040 - Uniform System of Accounts
- 4 CSR 240-33.030 - Inform customers of lowest price
- 4 CSR 240-35 - Bypass Reporting

### Statutes

- Section 392.210.2 - Uniform system of accounts
- Section 392.240.1 - Rates - Average return on investment.
- Section 392.270 - Property valuation.
- Section 392.280 - Depreciation accounts.
- Section 392.290 - Issuance of stocks and bonds.
- Section 392.300.2 - Acquisition of stock
- Section 392.310 - Issuance of stock.
- Section 392.320 - Stock dividends.
- Section 392.330 - Issuance of securities, debts and rates.
- Section 392.340 - Capitalization reorganization.

The above-referenced rules and statutory provisions have been waived with regard to other interexchange carriers in prior cases.

12. Applicant requests the additional waiver of 4 CSR 240-2.060(6)(c) as described in paragraph 5 above.

13. The Pager Company will comply with all applicable regulations of the Commission except those specifically waived by the Commission pursuant to a request filed by The Pager Company.

### **III. PUBLIC INTEREST CONSIDERATIONS**

14. The applicant has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer

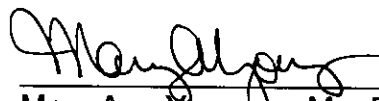
service or rates, which action, judgment or decision has occurred within three (3) years of the date of this application.

15. No annual report or assessment fees are overdue by the Applicant.

16. The entry of The Pager Company into the telecommunications business in Missouri will serve the public interest by creating greater competition in the interexchange marketplace and permitting customers to achieve increased efficiencies and cost savings. Approval of this Application, therefore, will serve the public interest of the State of Missouri.

WHEREFORE, The Pager Company requests that the Missouri Public Service Commission grant the requested Certificate of Interexchange Service Authority authorizing The Pager Company to provide resold intrastate interexchange telecommunications services, classify The Pager Company as a competitive company, and waive the statutes and regulations previously referenced.

Respectfully submitted,

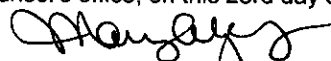


Mary Ann Young Mo. Bar #27951  
WILLIAM D. STEINMEIER, P.C.  
P.O. Box 104595  
2031 Tower Drive  
Jefferson City, MO 65109  
Telephone: (573) 634-8109  
Facsimile: (573) 634-8224  
Email: myoung0654@aol.com

Counsel for The Pager Company dba  
The Pager & Phone Company

Certificate of Service

I hereby certify that a copy of this document has been hand delivered or mailed by first class mail, postage prepaid, to the Office of Public Counsel and the General Counsel's office, on this 23rd day of September 2002.



Mary Ann (Garr) Young

**EXHIBIT A**



State of Missouri  
Matt Blunt, Secretary of State

No. X 392098

Corporations Division

Registration of Fictitious Name

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

(Must be typed or printed)

#10654  
TB

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 person or business from adopting and using the same name. (Chapter 417, RSMo.)

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

Business name to be registered: The Pager & Phone Company

Business Address: 3030 E. Truman Road  
(P.O. Box alone not acceptable)  
City, State and Zip Code: Kansas City, MO 64127

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

Name of Owners, Individual or Business Entity	Street and Number	City	State and Zip Code	If listed, Percentage of ownership must equal 100%
The Pager Company	3030 E. Truman Road	Kansas City	MO, 64127	100%
417098 ag				

Return to: Secretary of State  
Corporations Division  
P.O. Box 278  
Jefferson City, MO 64127

(Over)

FILED

JUN 13 2001

Matt Blunt  
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 \_\_\_\_\_

392098

If Business Entity Is Owner, Authorized Person Execute Here

The PAGER COMPANY  
Business Name  
[Signature] Dale R. Schmick VP/Gen  
Authorized Signature Printed Name Title

State of Missouri

County of Jackson } 55

I, Pamela Woody, A Notary Public, do hereby certify that on June 7, 2001 month/day/year

personally appeared before me Dale R. Schmick, and being duly sworn by me, acknowledged that he/she signed as his/her 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.

(Notarial Seal or Stamp)


Pamela Woody  
Notary Public

My commission expires \_\_\_\_\_ PAMELA WOGEY  
Notary Public - Notary Seal  
My County of Commission STATE OF MISSOURI - Cass County  
My Commission Expires March 31, 2005

VERIFICATION

STATE OF MISSOURI           §  
  §  
COUNTY OF JACKSON       §

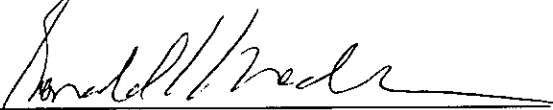
I, Dale R. Schmick, declare under penalty of perjury that I am the Vice President/General Manager, of The Pager Company dba The Pager & Phone Company, that I am authorized to make this verification on behalf of The Pager Company dba The Pager & Phone Company, the Applicant in the subject proceeding; that I have read the foregoing information and know the contents thereof; that the same are true to the best of my knowledge, information or belief.

  
\_\_\_\_\_  
Dale R. Schmick  
Vice President/General Manager  
The Pager Company  
dba The Pager & Phone Company

SWORN AND SUBSCRIBED before me this the 11<sup>TH</sup> day of September, 2002.



RONALD L. MEDLIN  
Jackson County  
My Commission Expires  
June 13, 2006

  
\_\_\_\_\_  
Notary Public, State of Missouri  
My Commission Expires: 6-13-2002