

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

In the Matter of the Application of TCG St. Louis    )  
To Expand its Certificate of Basic Local Exchange    )     Case No. \_\_\_\_\_  
Telecommunications Service Authority to the        )  
Jefferson City, Missouri Exchange.                    )

**TCG ST. LOUIS' APPLICATION FOR EXPANSION  
OF BASIC LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICE AUTHORITY**

**I.     Introduction**

TCG St. Louis respectfully files this Application to expand its certificate of basic local exchange telecommunications service authority to the Jefferson City, Missouri exchange and to classify the Company and its services in that exchange as competitive.<sup>1</sup>

TCG St. Louis has been certificated by the Missouri Public Service Commission (“Commission”) to provide and is currently providing basic local exchange service as a competitive telecommunications company in AT&T Missouri’s<sup>2</sup> exchanges in the 520 LATA. TCG St. Louis now seeks the expansion of this service authority to Embarq Missouri’s Jefferson City, Missouri exchange. TCG also requests the waivers it previously received from the Commission of certain statutes and regulations be extended to TCG St. Louis’ offering of service in this additional exchange.

**II.    Application for Service Authority, Competitive Classification and Waivers**

**A.     Description of the Applicant**

1.     TCG St. Louis is a New York general partnership with its principal office at One AT&T Way, Bedminster, New Jersey, 07921. It may be contacted at the electronic mail address,

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<sup>1</sup> TCG St. Louis submits this application pursuant to the Federal Telecommunications Act of 1996 (“the 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.

<sup>2</sup> Southwestern Bell Telephone Company, d/b/a AT&T Missouri will be referenced in this Application as “AT&T Missouri.”

facsimile and telephone numbers of its attorneys, as set out under the signature block of this Application. TCG St. Louis is authorized to do business in Missouri.<sup>3</sup> TCG St. Louis is a "local exchange telecommunications company" and a "public utility," and is duly authorized to provide "telecommunications service" within the State of Missouri, as each of those phrases is defined in Section 386.020, RSMo. 2000.

2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

Timothy P. Leahy  
Leo J. Bub  
Robert J. Gryzmala  
Attorneys for TCG St. Louis  
One AT&T Center, Suite 3520  
St. Louis, Missouri 63101

**B. Qualifications**

3. TCG St. Louis remains managerially and technically qualified to provide basic local telecommunication services in the state of Missouri, as found in Case Numbers TA-96-345 and TA-97-446. It has been successfully providing basic local service in Missouri since it commenced operations in 1996.

4. TCG St. Louis remains financially qualified to provide telecommunications services in the state of Missouri, as found in Case Numbers TA-96-345 and TA-97-446. It has been successfully providing basic local service in Missouri since it commenced operations in 1996. TCG St. Louis' financials are reflected in the Annual Reports that it has filed with the Commission each year. In addition, TCG St. Louis is providing on a Highly Confidential basis its income statement for the twelve months ending December 31, 2007, and its balance sheet as of December 31, 2007, as Attachments 1 and 2.

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<sup>3</sup> TCG St. Louis filed a copy of its partnership agreement with the Commission in Case No. TA-96-345.

**C. Description of Services**

5. TCG St. Louis is currently authorized to, and does, provide basic local exchange telecommunications services within the service territory of AT&T Missouri pursuant to approved tariffs. TCG St. Louis requests the Commission take administrative notice of its local exchange service tariffs, which are incorporated into this application by reference.<sup>4</sup> TCG St. Louis seeks additional authorization to provide basic local service in the Jefferson City exchange served by Embarq Missouri. TCG St. Louis' new service area will follow the boundaries of Embarq Missouri's exchange and will not be smaller than that exchange. TCG services meet established Commission standards. The Commission approved the interconnection agreement between Embarq Missouri, Inc. and TCG St. Louis on December 8, 2006, in Case No. TK-2007-0158.

6. Concurrent with this Application, TCG St. Louis is filing revised tariff pages reflecting the expansion of its service to the Jefferson City exchange.<sup>5</sup> TCG's proposed tariffs bear an effective date no less than 45 days from the issue date, consistent with the Commission's practice in similar cases. At this time, TCG St. Louis plans to offer its PrimePlus and PrimePlex PRI services in the new service territory to meet a customer request. TCG St. Louis will update its tariff to reflect the availability of additional service offerings in the new service territory as requested.

7. TCG St. Louis seeks continued classification as a competitive telecommunications company, including classification of its basic local exchange telecommunications service in the new service area as competitive, pursuant to Section 392.361 RSMo. and 4 CSR 240-3.510(1)(A). In the Commission's orders granting TCG St. Louis a certificate of service authority, the Commission previously classified TCG St. Louis and its services as competitive.

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<sup>4</sup>TCG St. Louis Local Exchange Services Tariff, P.S.C. Tariff No. 2.

<sup>5</sup> An illustrative copy of the proposed tariff sheets are appended as Attachment 3.

8. TCG St. Louis will continue to offer basic local service as a separate and distinct service, including in the new service area. TCG St. Louis will give consideration to equitable access for all Missourians, regardless of where they might reside or their income, to affordable telecommunications service in the new service area, in accordance with applicable law.

**D. Compliance with Rules and Request for Waiver**

9. TCG St. Louis will comply with all applicable Commission rules, except as waived by the Commission, in providing basic local service in the new service area, including, but not limited to billing, quality of service, and tariff filing and maintenance in a manner consistent with the Commission's requirement for incumbent local exchange carriers and interexchange carriers with whom TCG St. Louis seeks to compete. Additionally, TCG St. Louis agrees that, pursuant to Section 392.455(3)(4) RSMo. 2000, its service area shall be no smaller than an exchange.

10. Consistent with the Commission's treatment of other certificated competitive local exchange telecommunications companies, TCG St. Louis requests a waiver of the following statutes and regulations for its services in the new service area:

Statutes

392.210.2 Uniform System of Accounts  
392.240.1 Just & Reasonable Rates  
392.270 Ascertain Property Values  
392.280 Depreciation Accounts  
392.290 Issuance of Securities  
392.300.2 Acquisition of Stock  
392.310 Issuance of stock and debt  
392.320 Stock dividend payment  
392.330 Issuance of securities, debts & notes  
392.340 Reorganizations

Rules

4 CSR 240-10.020 Depreciation fund income  
4 CSR 240-30.040 Uniform system of accounts  
4 CSR 240-3.550(5)(C) File exchange boundary maps with Commission

These rules and statutory provisions have been waived by the Commission for TCG St. Louis and for other competitive companies in prior cases. No public utility will be affected by the Commission's granting the requested waivers.

11. Notwithstanding the provisions of Section 392.500 and 392.510 RSMo, as a condition of the requested certification and competitive classification, TCG St. Louis agrees that, unless otherwise ordered by the Commission, TCG St. Louis' originating and terminating switched exchange access rates in the new service area will be no greater than the lowest Commission-approved corresponding access rate in effect for the incumbent local exchange carrier within that service area in which TCG St. Louis seeks authority to provide service (i.e., Embarq). Additionally, pursuant to the Commission's Report and Order in Case No. TO-99-596, TCG St. Louis agrees that if Embarq Missouri decreases its current originating and/or terminating switched access service rates, TCG St. Louis shall file an appropriate tariff amendment to reduce its corresponding originating and/or terminating switched access rates within thirty (30) days of Embarq Missouri's reduction of its originating and/or terminating access rates in order to maintain the cap on switched exchange access rates. TCG St. Louis agrees that, absent contrary legal authority, any increase in switched access rates above this maximum level shall be subject to Section 392.200 RSMo and cost justified pursuant to Sections 392.220 and 392.230 RSMo.

12. TCG St. Louis has no unsatisfied final judgments or decisions against it from any state or federal agency or court, which involves retail customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this application. TCG St. Louis currently has one pending action involving customer service or rates.<sup>6</sup>

13. TCG St. Louis does not have any overdue annual reports or regulatory assessment fees.

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<sup>6</sup> Sage Telecom, Inc. v. AT&T Corp., et al., Mo. U.S. Dist. Ct. Case No. 4:05CV587FRB.

**E. Public Interest Considerations**

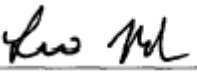
14. TCG St. Louis submits that the public interest will be served by Commission approval of this application because the proposed services will create and enhance competition and expand customer service options consistent with the legislative goals of the Telecommunications Act of 1996, and Chapter 392 RSMo 2000. Prompt approval of this application will further expand the availability of innovative, high quality, and reliable telecommunication services within the state of Missouri.

**III. Conclusion**

WHEREFORE, TCG St. Louis respectfully requests the Commission grant this Application by expanding TCG St. Louis' certificate of service authority to include the provision of basic local telecommunications services in the Jefferson City exchange; classifying TCG St. Louis and its basic local service in the new service territory as competitive; and waiving the statutes and regulations identified in this Application as to TCG St. Louis' provision of service in its new service area.

Respectfully submitted,

TCG ST. LOUIS

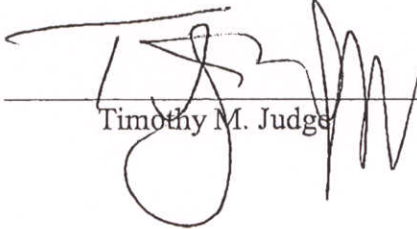
BY   
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COUNTY OF COLE           )  
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STATE OF MISSOURI       )       SS

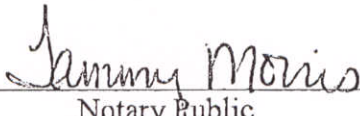
VERIFICATION

I, Timothy M. Judge, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and Director-Regulatory of AT&T Services, Inc. I am authorized to act on behalf of TCG St. Louis regarding the foregoing document. I have read the foregoing document and I am informed and believe that the matters contained therein are true.

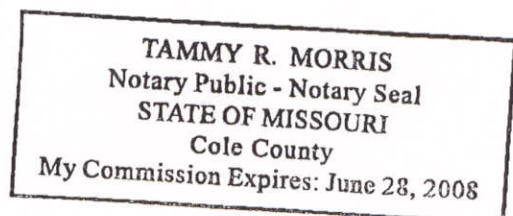
  
\_\_\_\_\_  
Timothy M. Judge

On this 4th day of April 2008, before me, a Notary Public, personally appeared Timothy M. Judge, and being first duly sworn upon his oath stated that he is over twenty-one years, sound of mind and Director-Regulatory of AT&T Services, Inc., he signed the foregoing document as Director-Regulatory of AT&T Services, Inc. and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.

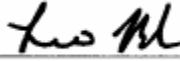
  
\_\_\_\_\_  
Notary Public

My Commission Expires: June 28, 2008



## **CERTIFICATE OF SERVICE**

Copies of this document were served on the following parties by e-mail on April 4, 2008.



Leo J. Bub

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\* Courtesy copy, without attachments.

## **ATTACHMENTS**

1. TCG St. Louis Income Statement for the twelve months ending 12/31/07 (Highly Confidential).
2. TCG St. Louis Balance Sheet as of 12/31/07 (Highly Confidential).
3. TCG St. Louis' illustrative tariff reflecting expanded service territory.