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September 20, 1999

FILED

OF COUNSEL GREGORY C. STOCKARD (1904-1993) PHIL HAUCK (1924-1991)

SEP 2 0 1999

Mr. Dale Hardy Roberts Chief Administrative Law Judge Missouri Public Service Commission Post Office Box 360 Jefferson City, MO 65102

Missouri Public 7A-2000-242

Missouri Public Service Commission

Northeast Missouri Long Distance, L.L.C. Application for Certificate of Service

Authority

Dear Mr. Roberts:

Enclosed for filing please find an original and 14 copies of Northeast Missouri Long Distance, L.L.C.'s Application for Certificate of Service Authority to provide intraLATA and interLATA toll service, and a separate request for expedited treatment. You will note that I have attached a faxed copy of the executed verification page, and I will supply the original as soon as it is received. We have also filed the Articles of Organization with the Missouri Secretary of State, but they will not provide a Certificate until tomorrow after 3:00 p.m. Please be advised that I will file the original Certificate as soon as it is received.

This application is in conjunction with simultaneous filings by Northeast Missouri Rural Telephone Company, and Modern Telecommunications Company, in Case Nos. TO-99-529 and TO-99-530 to modify their ILDP's. It is the purpose of this filing and the ILDP Plan modifications to change the default carrier for customers in Modern and Northeast exchanges to Northeast Missouri Long Distance, L.L.C. If this plan is accepted, as others have been, customers who have not affirmatively chosen an intraLATA 1+ carrier by October 20th would be defaulted to Northeast Missouri Long Distance.

Please note there is a separate Motion for Expedited Treatment, and we ask that this request be approved on or before October 5, 1999.

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Attached also are the proposed tariffs of Northeast Missouri Long Distance, L.L.C., which tariffs bear an issue date of September 22, 1999, and a proposed effective date of October 21, 1999.

Thank you for your attention in this regard.

Sincerely,

Craig)S. Johnson

CSJ:skl Enclosures

cc:

Dan Joyce

Michael Dandino

BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

SEP 2 0 1999	
Service Commissio) /-

In the Matter of the Application of Northeast)		"Masic
Missoui Long Distance, L.L.C. for a Certificate)		
Of Service Authority to Provide IntraLATA and)	Case No.	TA-2000-242
InterLATA Interexchange and Basic)		
Interexchange Telecommunications Services)		

APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY REQUEST FOR EXPEDITED TREATMENT

Comes now Northeast Missouri Long Distance, L.L.C., and for its verified Application requesting certificate of interexchange telecommunications service authority to receive a certificate or certificates of authority to provide intraLATA and interLATA interexchange and basic interexchange, or toll services, within the state of Missouri, and states as follows:

- 1. Applicant (NELD) is a limited liability company authorized to do business in the State of Missouri, as shown by the Articles of Organization attached hereto as Appendix 1, which were filed the same date as this filing. The Missouri Secretary of State will not provide a Certificate of Organization until 3:00 PM September 21, 1999. Upon receipt thereof NELD will immediately supplement this Application by providing the Certificate of Organization as required by the Commission rule.
- 2. All communications and pleadings in this docket should be directed to :

Craig S. Johnson Andereck Evans Milne Peace & Baumhoer, LLC 305 E. McCarty P.O. Box 1438 Jefferson City, Mo 65102 (573) 634-3422

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neldapp

(573) 634-7822 fax

Ray Ford Northeast Missouri Long Distance, L.L.C. 718 S. West St. P.O. Box 98 Green City, MO 63545 (660) 874-4111 (660) 874-4100 fax

- 3. Both NELD's parent company, Northeast Missouri Rural Telephone Company, and its affiliate Modern Telecommunications Company, have filed Applications for Modification of their intraLATA Toll Dialing Parity Plans approved in TO-99-530 and TO-99-529 respectively. The purpose of the Application for Modification, and this Application for Authority, is in part to change the default provisions of those ILDPs to assure customers not selecting a 1+ intraLATA carrier are defaulted to NELD, rather than to AT&T or to a no pic status. As set forth in that Application, this Application is part of the proposal by which Northeast and Modern plan to implement intraLATA toll dialing parity in their exchanges.
- 4. NELD seeks authority to provide intraLATA interexchange and basic interexchange telecommunications service. NELD is in all respects fit qualified, and capable of providing the service for which authority is herein requested. NELD possesses sufficient technical, and managerial resources and abilities to provide intraLATA interexchange telecommunications service.
- 5. NELD will comply with all applicable statutes and Commission rules, regulations, decisions, and orders governing the provision of NELD's services.
- 6. Attached hereto are NELD's proposed tariffs setting forth the initial terms and conditions under which NELD will provide intraLATA interexchange service. These

tariffs will be separately filed in a tariff application for their approval. These tariffs have an issuance date of September 22, 1999, and a proposed effective date of October 21, 1999. The effective date is designed to complement the schedule contained in the intraLATA Toll Dialing Implementation Plans of Northeast and Modern Telephone Companies, and to assure that NELD is authorized to provide toll service immediately after termination of the PTC Plan.

- 7. NELD petitions the Commission to classify the services for which authority is requested herein as being competitive telecommunications services pursuant to the provisions of 392.420, 392.361, and 392.530 RSMo., and also requests classification as a competitive company.
- 8. Pursuant to the standard orders of the Commission, NELD seeks a waiver of the following statutes and rules:

4 CSR 240-10.020	depreciation fund income
4 CSR 240-30.040	uniform system of accounts
4 CSR 240-35	reporting of bypass and customer-specific
	arrangements
392.210.2	uniform system of accounts
392.270	valuation of property (ratemaking)
392.780	depreciation accounts
392.290.1	issuance of securities
392.300.2	acquisition of stock
392.310	stock and debt issuance
392.320	stock dividend payment

392.330

issuance of securities, debts, and notes

392.340

reorganization(s)

- 9. NELD respectfully submits that the granting of this Application is in the public interest, is consistent with recent legislation promoting competition in all toll and local markets, § 392.530 RSMo and the Telecommunications Act of 1996. Granting of this application is furthermore in the immediate public interest in that it will assure Northeast and Modern customers of an intraLATA toll carrier with 1+ dialing, rather than the possibility of only receiving dial around, casual dialing, or dialing utilizing a 102888 prefix by AT&T. Approval of this Application will not prevent any customer from reaching AT&T by dial around if they so choose.
- 10. NELD hereby requests expedited consideration and approval of this Application and the attached tariffs on or before October 5, 1999, so that the proposed modification to Northeast and Modern's intraLATA Toll Dialing Parity Implementation Plan can be implemented by October 20, 1999.

WHEREFORE, NELD respectfully requests that the Commission grant it a certificate of service authority to provide interLATA and intraLATA interexchange and basic interexchange telecommunications services within the state of Missouri, together with the other relief, classifications, and variances requested herein, for approval of the tariffs, and for expedited consideration and approval by October 5, 1999.

ANDERECK, EVANS, MILNE PEACE & BAUMHOER

By:

Craig S. Johnson
MO-Bar #28179
305 East McCarty Street
Hawthorn Center
Third Floor
P.O. Box 1438
Jefferson City, MO 65102
Telephone: 573/634-3422
Facsimile: 573/634-7822

ATTORNEYS FOR NORTHEAST MISSOURI LONG DISTANCE, L.L.C.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was mailed, U. S. Mail, postage pre-paid, this 20 day of _______, 1999, to Dan Joyce, MoPSC General Counsel, and Martha Hogerty, Office of Public Counsel.

Craig S. Johnson

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VERIFICATION

STAT	E OF MISSOURI
COUN	TTY OF <u>sullivan</u>
Compa best of Public	Ray Ford states that he is the General Manager of Northeast Missouri Long ace, L.L.C., and also of Northeast Missouri Rural and Modern Telecommunications anies, that he is familiar with the contents of this Application, that it is true to the f his information and belief, and that the filing of said application with the Missouri Service Commission is an authorized act on behalf of Northeast Missouri Long ace, L.L.C Ray Ford
1999.	Subscribed and sworn to before me this 20th day of September,
	Hori & La Taver Notary Public

My Commission expires:

9/26/2000

Lori S. LaFaver, Notary Public Sullivan County, State of Missouri My Commission Expires 9/26/2000 HONORABLE REBECCA McDOWELL COOK SECRETARY OF STATE STATE OF MISSOURI P. O. BOX 778 JEFFERSON CITY, MISSOURI 65102

ARTICLES OF ORGANIZATION

1. The name of the limited liability company is:

NORTHEAST MISSOURI LONG DISTANCE, L.L.C.

2. The purposes for which the limited liability company is organized is:

To provide fiber-optic communications capabilities, including facilities, equipment and services, and any other lawful purpose.

3. The name and address of the limited liability company's registered agent in Missouri is:

Mr. Ray Ford NE Missouri Rural Telephone Company Route 3, 718 South West Street Green City, Missouri 63545

- 4. The management of the limited liability company is vested in one or more managers.

 () YES (X) NO
- 5. The latest date on which the limited liability company is to dissolve is:

 December 31, 2019
- 6. Upon the withdrawal of any member, the remaining members have the following rights to continue the business and affairs of the limited liability company: NONE
- 7. The names and addresses of each organizer is:

Craig S. Johnson 305 E. McCarty Street P. O. Box 1438 Jefferson City, MO 65102

8. For tax purposes, is the limited liability company considered a corporation?
() YES (X) NO

IN AFFIRMATION THEREOF, THE FACTS STATED ABOVE ARE TRUE:

NORTHEAST MISSOURI LONG DISTANCE, L.L.C.

_ Organize