## ANDERLCK, EVANS, MILNE, PEACE & BAUMMOER

EUGENE E. ANDERECK TERRY M. EVANS ERWIN L. MILNE JACK PEACE PATRICK A. BAUMHOER CRAIG S. JOHNSON RODRIC A. WIDGER GEORGE M. JOHNSON BEVERLY J. FIGG WILLIAM S. LEWIS ATTORNEYS AT LAW 305 EAST McCARTY STREET P.O. BOX 1438 JEFFERSON CITY, MISSOURI 65102-1438 TELEPHONE 573-634-3422 FAX 573-634-7822

September 17, 1999

VICTOR S. SCOTT LESLEY A. RENFRO COREY K. HERRON MATTHEW M. KROHN LANETTE R. GOOCH MATTHEW D. TURNER LORI A. KOWALSKI MARVIN L. SHARP OF COUNSEL GREGORY C. STOCKARD (1904-1993) PHIL HAUCK (1924-1991)

FILED<sup>2</sup>

SEP 1 7 1999

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

Missouri Public Service Commission 74-2000-240

## Re: Alma Long Distance, L.L.C.'s Application for Certificate of Service Authority

Dear Mr. Roberts:

Enclosed for filing please find an original and 14 copies of Alma Long Distance L.L.C.'s Application for Certificate of Service Authority to provide intraLATA and interLATA toll services, and a separate Request for Expedited Treatment.

This Application is in conjunction with a simultaneous filing of Alma's Petition to modify its intraLATA toll dialing parity plan to change the default provisions in light of AT&T's recent actions. It is the purpose of this filing and the ILDP plan modification to change the default carrier for customers not affirmatively selecting a intraLATA 1+ carrier by October 20, to provide they will be defaulted to Alma Long Distance. There is a separate Request for Expedited Treatment, and it is respectfully requested that this Application be approved on or before October 5, 1999, so that Alma Telephone Company can deliver a notice of the changed plan provisions to its customers in time for them to make a final intraLATA carrier selections by October 20<sup>th</sup>.

Attached to this Application are the proposed tariffs of Alma Long Distance, L.L.C., which bear an issue date of September 20, and a proposed effective date of October 21, 1999.

TRENTON OFFICE 9th AND WASHINGTON P. 0. BOX 547 TRENTON, MISSOURI 64683-0547 660-359-2244 FAX 660-359-2116 SPRINGFIELD OFFICE (11) S. GLENSTONE P.O. BOX 4929 SPRINGFIELD, MISSOURI 65808-4929 417-864-6401 FAX 417-864-4967 PRINCETON OFFICE 207 NORTH WASHINGTON PRINCETON, MISSOURI 64673 660-748-2244 FAX 660-748-4405 0000260

SMITHVILLE OFFICE 119 E. MAIN STREET P.O. BOX 654 SMITHVILLE, MISSOURI 64089 816-532-3895 FAX 816-532-3899

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Dale Hardy Roberts 09/17/99 Page 2

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Thank you for seeing this filed, and I would appreciate all considerations the Staff and Commission can give with respect to the request for expedited treatment.

Sincerely, Traig S. Johnson

CSJ:skl Enclosure CC: General Counsel Office of Public Counsel

## BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

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SEP 1 7 1999

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

Missouri Futon Service Commission

In the Matter of the Application of Alma Long Distance, L.L.C. for a Certificate of Service Authority to Provide IntraLATA and InterLATA Interexchange and Basic Interexchange Telecommunications Services.

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Case No. TA-2000-240

## APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY REQUEST FOR EXPEDITED TREATMENT

Comes now Alma 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 (ALD) is a limited liability company authorized to do business in the State of Missouri, as shown by the Certificate of Organization and Articles of Organization attached hereto as Appendix 1, which reflect ALD's authorization to do business in Missouri.

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 (573) 634-7822 fax



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Oral Glasco Alma Long Distance, L.L.C. P.O. Box 206 South County Road Alma, MO 64001 (660) 674-2297 (660) 674-2613 fax

3. ALD's parent company, Alma Telephone Company, has filed an Application for Modification of its intraLATA Toll Dialing Parity Plan approval in TO-99-524. The purpose of the Application for Modification, and this Application for Authority, is in part to change the default provisions of that ILDP to assure customers not selecting a 1+ intraLATA carrier are defaulted to ALD, 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 Alma plans to implement intraLATA toll dialing parity in Alma exchanges.

4. ALD seeks authority to provide intraLATA interexchange and basic interexchange telecommunications service. ALD is in all respects fit qualified, and capable of providing the service for which authority is herein requested. ALD possesses sufficient technical, and managerial resources and abilities to provide intraLATA interexchange telecommunications service.

5. ALD will comply with all applicable statutes and Commission rules, regulations, decisions, and orders governing the provision of ALD's services.

6. Attached hereto are ALD's proposed tariffs setting forth the initial terms and conditions under which ALD 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 20, 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 Plan of Alma Telephone Company, and to

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assure that ALD is authorized to provide toll service immediately after termination of the PTC Plan in the Alma exchange.

7. ALD 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, ALD 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. ALD 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

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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 Alma 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 Alma customer from reaching AT&T by dial around if they so choose.

10. ALD 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 Alma's intraLATA Toll Dialing Parity Implementation Plan can be implemented by October 20, 1999.

WHEREFORE, ALD 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.

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## ANDERECK, EVANS, MILNE PEACE & BAUMHOER

By:

Craig S. Johnson MOBar #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 ALMA LONG DISTANCE, L.L.C.

#### CERTIFICATE OF SERVICE

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

Johnson

#### VERIFICATION

STATE OF MISSOURI

COUNTY OF Cole

Oral Glasco states that he is the General Manager of Alma Long Distance, L.L.C., and also of Alma Telephone Company, that he is familiar with the contents of this Application, that it is true to the best of his information and belief, and that the filing of said application with the Missouri Public Service Commission is an authorized act on behalf of Alma Long Distance, L.L.C. and also of Alma Telephone Company.

liaco Oral Glasco

day of Subscribed and sworn to before me this 16





SANDRA K. LAWRENCE Notary Public - Notary Seal STATE OF MISSOURI

Notary Public

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# Rebecca McDowell Cook Secretary of State

CERTIFICATE OF ORGANIZATION

LIMITED LIABILITY COMPANY

WHEREAS,

ALMA LONG DISTANCE, L.L.C.

FILED ITS ARTICLES OF ORGANIZATION WITH THIS OFFICE ON THE 14TH DAY OF SEPTEMBER, 1999, AND THAT FILING WAS FOUND TO CONFORM TO THE MISSOURI LIMITED LIABILITY COMPANY ACT;

NOW, THEREFORE, I, REBECCA MCDOWELL COOK, SECRETARY OF STATE, STATE OF MISSOURI, BY VIRTUE OF AUTHORITY VESTED IN ME BY LAW, DO CERTIFY AND DECLARE THAT ON THE 14TH DAY OF SEPTEMBER, 1999, THE ABOVE ENTITY IS A LIMITED LIABILITY COMPANY, ORGANIZED IN THIS STATE AND ENTITLED TO ANY RIGHTS GRANTED TO LIMITED LIABILITY COMPANIES.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 14TH DAY OF\_SEPTEMBER, 1999.

Secretary of State

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HONORABLE REBECCA McDOWELL COOK SECRETARY OF STATE STATE OF MISSOURI P. O. BOX 778 JEFFERSON CITY, MISSOURI 65102

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#### ARTICLES OF ORGANIZATION

#### 1. The name of the limits liability company is: ALMA 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:

Oral Glasco 206 S. County Road Alma, MO 64001

- 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, MQ 65102

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

IN AFFIRMATION THEREOF, THE FACTS STATED ABOVE ARE TRUE:

ALMA LONG DISPANCE, L.L.C. Organizer

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