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November 15, 2002

VIA FEDERAL EXPRESS

Dale Roberts Chief Regulatory Law Judge/Secretary Missouri Public Service Commission 200 Madison St., Suite 100 P.O. Box 360 Jefferson City, MO 65102

RE: <u>APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY</u> <u>TO PROVIDE SHARED TENANT SERVICES IN THE STATE OF</u> <u>MISSOURI</u>

Dear Mr. Roberts:

Enclosed in this package please find an original and fourteen (14) complete copies of an Application for Certificate of Service Authority to Provide Shared Tenant Services in the State of Missouri.

Also enclosed is an additional photocopy of the Application. Please date-stamp the photocopy and return it to us in the enclosed self-addressed stamped envelope.

We would greatly appreciate expedited consideration.

Thank you for your attention herein. Please contact me with any and all questions or comments so that I may discuss them with you and my client to facilitate the Application's approval.

truly yours Geatha

DWG/pg Enclosure cc: Office of Public Counsel (w/ encl.) General Counsel (w/ encl.) SBC Communications, Inc. (Legal Department) (w/ encl.)

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE MISSOURI

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In the matter of the application of ST. ANTHONY'S MEDICAL CENTER for a certificate of service authority to provide Shared Tenant Services within the State of Missouri

Case No. _____

APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY TO PROVIDE SHARED TENANT SERVICES IN THE STATE OF MISSOURI

COMES NOW St. Anthony's Medical Center ("Applicant"), a Missouri not-for-profit corporation, by and through its undersigned counsel, and files herewith this verified Application for Certificate of Authority to Provide Shared Tenant Services in the State of Missouri. In support of its request, Applicant states as follows:

<u>1.</u> Applicant is St. Anthony's Medical Center, a Missouri not-for-profit corporation.

A Certificate of Corporate Good Standing from the Missouri Secretary of State's Office is attached hereto as Exhibit 1.

2. The legal name and principal offices of Applicant are: St. Anthony's Medical Center, 10010 Kennerly Road, St. Louis, Missouri 63128. Correspondence or communications pertaining to this Application should be addressed to:

> David W. Gearhart Lewis, Rice & Fingersh, L.C. 500 North Broadway, Suite 2000 St. Louis, Missouri 63102.

3. Applicant is an individual doing business under its own name.

4. Applicant proposes to provide Shared Tenant Services ("STS") in the State of Missouri under the jurisdiction of the Missouri Public Service Commission ("Commission")

pursuant to Sections 392.410 and 392.520, RSMo. 2000. Applicant requests a Certificate of Service Authority to install, own, operate, control, manage and maintain Shared Tenant Services for one location.

5. Applicant agrees that the Certificate of Service Authority will authorize only the provision of Shared Tenant Services in the State of Missouri and does not authorize the provision of any other telecommunications services.

6. Applicant agrees to notify tenants in advance of subscribing to STS that local exchange access may not be immediately available if STS is terminated at the location.

7. Applicant agrees to notify the Commission if STS is discontinued at a location, and state the date notice was given to the Local Exchange Company.

8. Applicant requests that this Certificate of Service Authority be made applicable to additional locations which may be served by the Applicant in the future. However, the Applicant must update paragraph four (4) of this Application and file additional continuation sheets at least sixty (60) days prior to the anticipated establishment of STS at each additional location. The Applicant recognizes that this paragraph eight (8) in no way constitutes a waiver of the single building or less requirement.

9. Applicant agrees to provide annual reports to the Commission listing all premises served and other information required by the Commission.

10. Applicant agrees to comply with all Commission rules and regulations which are applicable to providers of Shared Tenants Services.

11. Applicant understands that an authorization to provide Shared Tenant Services is not transferable.

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12. Applicant understands that providing Shared Tenant Services without a Certificate of Service Authority, or in violation of the terms and conditions prescribed for the provision of such service, may subject the Applicant to penalties as provided by laws.

13. Applicant further agrees to notify the Missouri Public Service Commission if, for any reason, Applicant ceases to provide Shared Tenant Services in the State of Missouri.

14. Unless and until otherwise ordered by the Commission, Applicant agrees to pay its annual apportioned share of general regulatory expenditures that are charged to telephone companies pursuant to Section 393.370, RSMo. 1996.

15. Applicant agrees to cooperate with Staff in providing additional information which may be needed to process this Application. In addition, Applicant agrees to maintain the following information, and understands that it may be required to supply that information to the Commission or its Staff at a later date:

- A. A complete description of all proposed telecommunications services to be offered at each location.
- B. A complete description of any non-telecommunications services offered at each location.
- C. A copy of the contract(s) the Applicant intends to use with its tenants.
- D. A copy of the contract(s) the Applicant intends to sign with the Local Exchange Company.
- E. A description of the type of STS technology to be used at each location (i.e., type of PBX, partitioned, etc.).
- F. An annual listing of any STS related complaints from tenants which would also specify the nature of the complaint.
- G. Description of the form of interconnection used to provide toll service to the tenants (e.g., direct trunks to the interexchange carrier).
- H. A copy of the notice used by the Applicant to notify tenants that local exchange access line service may not be immediately available if STS is terminated at the location.

- I. Rates charged by the Applicant at each location.
- J. The total number of tenants and corresponding stations served at each location.

16. The location to be served consists of three adjoining medical professional buildings. The Heart and Ambulatory Center is located at 10010 Kennerly Road, St. Louis, Missouri 63128. Buildings "A" and "B" are located at 10004 Kennerly Road, St. Louis, Missouri 63128.

- 17. The premises consist of physician and medical offices.
- 18. The name and address of the building owner is:

St. Anthony's Medical Center 10010 Kennerly Road St. Louis, Missouri 63128

- 19. A Local Exchange Company does not own the building's Riser Cable.
- 20. The name and address of the owner of the Riser Cable is: St. Anthony's Medical

Center, 10010 Kennerly Road, St. Louis, Missouri 63128.

21. The inside wiring does conform with the Local Exchange Company's standards.

22. The Local Exchange Company would have access to cabling to serve tenants

requesting direct services from them.

23. The owner of the cable would not charge the Local Exchange Company for the

use of this cabling.

24. Consistent with the Commission's treatment of other certificated Shared Tenant

Services providers, Applicant requests that the following statutes and regulations be waived:

392.220	File tariffs with the Commission.
392.230	Charges for short and long distance service.
392.370(4)	Submission of cost information.
392.370(5)	Application of 392.220 and 392.230 for transitionally competitive services
392.390(3)	Separation reports.
392.500	Changes in rates.

392.240(1)	Rates-reasonable average return on investment.

- 392.270 Property Valuation.
- 392.280 Depreciation rates.
- 392.290 Issuance of stocks and bonds.
- 392.310 Issuance of stocks and bonds.
- 392.320 Issuance of stocks and bonds.
- 392.330 Issuance of stocks and bonds.
- 392.340 Reorganization.

4 CSR 240-10.020	Issuance on depreciation fund investments.
4 CSR 240-30.010(2)(C)	Posting exchange rates in central office.
4 CSR 240-30.040	Uniform systems of accounts.
4 CSR 240-32.030(1)(B)	Exchange boundary maps.
4 CSR 240-32.030(1)(C)	Record of access lines.
4 CSR 240-32.030(2)	Telephone directories.
4 CSR 240-32.070(4)	Coin telephones.
4 CSR 240-33.030	Inform customers of lowest priced services.
4 CSSR 240-33.040(5)	Finance fee.

WHEREFORE, Applicant respectfully requests that the Missouri Public Service Commission grant its Certificate of Service Authority to Applicant to install, own, operate, control, manage and maintain Shared Tenant Services in the State of Missouri as described above.

Respectfully submitted,

David W. Gearhart, #50292 LEWIS, RICE & FINGERSH, L.C. 500 North Broadway, Suite 2000 St. Louis, Missouri 63102

(314) 444-7600 (314) 615-1394 facsimile

Attorneys for St. Anthony's Medical Center

STATE OF MISSOURI)) SS COUNTY OF ST. LOUIS)

The undersigned, being duly sworn upon his oath, deposes and states that he is the <u>CHECTIVE VICE PRESES</u> for St. Anthony's Medical Center and the facts and matters stated in the foregoing Application for a Certificate of Service Authority to Provide Shared Tenant Services in the State of Missouri true and correct to the best of his knowledge, information and belief.

ST. ANTHONY'S MEDICAL CENTER

By:

John/P. McGuire Executive Vice President & Chief Financial Officer

Subscribed and sworn to before me this 15 day of November, 2002.

M. Kothe Notary Public

My Commission expires:

KELLY M. KOTHE Notary Public – State of Missouri County of Jefferson My Commission Expires Aug 13, 2003



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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was mailed U.S. postage prepaid this 15th day of November, 2002 to:

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

General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson, MO 65102

SMC Communications, Inc. Legal Department 101 West High Street Jefferson City, MO 65102



Matt Blunt Secretary of State

CORPORATION DIVISION CERTIFICATE OF CORPORATE GOOD STANDING

I, MATT BLUNT, Secretary of State of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

ST. ANTHONY'S MEDICAL CENTER

No.

was incorporated under the laws of this State on the 23rd day of JULY, 1971, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 14th day of NOVEMBER, 2002.

Secretary of State

