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September 9, 1999

FILED<sup>2</sup>

SEP 9 1999

Missouri Public  
Service Commission

Dale Hardy Roberts  
Executive Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102-0360

Re: Ellington Telephone Company d/b/a McCormack - Missouri  
- Case No. ~~TD~~-2000-200  
-TA-

Dear Mr. Roberts:

At the request of Staff, enclosed for substitution regarding the above referenced tariff filing, please find three copies of the following revised tariff sheets:

PSC Mo. No. 1 Original Sheet 1  
PSC Mo. No. 1 Original Sheet 2  
PSC Mo. No. 1 Original Sheet 3  
PSC Mo. No. 1 Original Sheet 8  
PSC Mo. No. 1 Original Sheet 9  
PSC Mo. No. 1 Original Sheet 11

PSC Mo. No. 1 Original Sheet 24  
PSC Mo. No. 1 Original Sheet 27  
PSC Mo. No. 1 Original Sheet 29  
PSC Mo. No. 1 Original Sheet 37  
PSC Mo. No. 1 Original Sheet 39  
PSC Mo. No. 1 Original Sheet 47

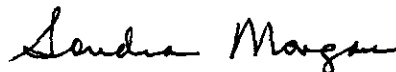
Also at the request of Staff, enclosed for substitution please find a revised page 3 of the Application in this matter.

If you have any questions regarding this filing, please contact me at (573) 635-7166.  
Thank you for your attention to this matter.

Sincerely yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



Sondra B. Morgan

SBM/k

Enclosures

cc: Office of Public Counsel  
Mr. Dee McCormack

200000184

ELLINGTON TELEPHONE COMPANY  
d/b/a McCormack - Missouri

PSC Mo. No. 1  
Original Sheet 1

**INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE**

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**REGULATIONS AND SCHEDULE OF CHARGES  
APPLICABLE TO INTRASTATE LONG DISTANCE MESSAGE  
TELECOMMUNICATIONS SERVICE FURNISHED BY**

**ELLINGTON TELEPHONE COMPANY.  
d/b/a/ McCormack - Missouri**

**BETWEEN POINTS WITHIN THE STATE OF MISSOURI, AS SPECIFIED HEREIN.  
SERVICE IS PROVIDED BY MEANS OF WIRE, RADIO, TERRESTRIAL OR  
SATELLITE FACILITIES OR ANY COMBINATION THEREOF,  
AS SPECIFIED HEREIN.**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service and facilities for telecommunications services provided by Ellington Telephone Company, d/b/a McCormack - Missouri within the State of Missouri. This tariff is on file with the Missouri Public Service Commission and copies may be inspected during normal business hours, at the Company's principal place of business.

Ellington Telephone Company, d/b/a McCormack - Missouri operates as a competitive telecommunications company as defined by Case No. TA-2000-200 within the State of Missouri.

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Issued: August 30, 1999

Effective: October 14, 1999

Issued by: Dee McCormack  
Ellington Telephone Company  
d/b/a/ McCormack - Missouri  
200 College Avenue  
Ellington, MO 63638

**INTRASTATE LONG DISTANCE MESSAGE TELECOMMUNICATIONS SERVICE**

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**WAIVER OF RULES AND REGULATIONS**

Pursuant to Case No. TA-2000-200 the following statutes and rules have been waived for purposes of offering telecommunications services as set forth herein:

**STATUTES**

Section 392.240(1)	Rates-reasonable average return on investment.
Section 392.270	Property valuation.
Section 392.280	Depreciation rates.
Section 392.290	Issuance of stocks and bonds.
Section 392.310	Issuance of stocks and bonds.
Section 392.320	Issuance of stocks and bonds.
Section 392.330	Issuance of stocks and bonds.
Section 392.340	Reorganization.

**COMMISSION RULES**

4 CSR 240-10.020	Income on depreciation fund investments.
4 CSR 240-30.010(2)(C)	Posting exchange rates at central offices.
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)	Records kept within state.
4 CSR 240-30.040	Uniform System of Accounts.
4 CSR 240-32.050(3-6)	Telephone directories.
4 CSR 240-32.070(4)	Coin directories.
4 CSR 240-33.030	Inform customers of lowest priced service.
4 CSR 240-33.040(5)	Finance fee.

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2. DEFINITIONS (continued)

Cancellation of Order: A Customer-initiated request to discontinue processing a service order, either in part or in entirety, prior to its completion.

Commission: The Missouri Public Service Commission.

Company: The term "Company" denotes Ellington Telephone Company, d/b/a McCormack - Missouri

Customer: The term "Customer" denotes the person who or the firm or corporation that orders, cancels or amends Service, is responsible for the payment of charges, and is responsible for compliance with the Company's regulations and this tariff.

Customer Dialed Calling Card Call: A Calling Card Call which does not require the intervention of an operator.

Customer-Provided Equipment: All equipment and facilities provided by the Customer and/or Authorized User, other than those provided by the Company.

Dedicated Access Line or Service: The generic term for a service in which the Customer's traffic passes over an access line connecting the Customer's premises to a Company switch, the line which is used solely for that Customer's traffic.

Direct Dial Call: A call for which charges are billed to the originating telephone number.

Disconnection: The disconnection of a circuit, dedicated access line or port connection being used for existing service.

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2. DEFINITIONS (continued)

Domestic Message Telecommunications Service: Denotes the furnishing of station-to-station direct dial domestic switched network services to the Customer for the completion of long distance voice and dial up low speed data transmissions over voice grade channels from the Customer's premises to other domestic points as specified herein.

FCC: Federal Communications Commission.

Holiday: Any of the following Federally recognized holidays: New Year's Day (January 1st), Memorial Day, Independence Day (July 4<sup>th</sup>), Labor Day, Thanksgiving, and Christmas Day (December 25<sup>th</sup>). Calls on Holidays are billed at Off-Peak rates.

Interexchange Carrier (IXC): A long distance telecommunications carrier.

Local Exchange Carrier (LEC): A company which provides telecommunications service within a Local Exchange Area.

Normal Business Hours: Normal business hours are the period between 9:00 AM and 5:00 PM, Central Time Zone, Monday through Friday, excluding Holidays.

Off Peak: The time period from 8:00 PM up to, but not including, 8:00 AM Monday through Friday, and from 8:00 PM Friday up to, but not including, 8:00 AM Monday. Calls on Holidays are billed at Off-peak rates.

Peak: The time period from 8:00 AM up to, but not including, 8:00 PM, Monday through Friday.

Point(s) of Presence: Location(s) where the Company maintains, through its own facilities or through arrangements with other carriers, an operations center for purposes of providing long distance service.

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**3. REGULATIONS**

**3.1 Undertaking of the Company**

**3.1.1 Scope**

The Company undertakes to provide telecommunication Services in accordance with the terms and conditions set forth in this tariff.

**3.1.2 Shortage of Facilities**

The Company's Service is subject to availability of suitable facilities. The company reserves the right to limit the length of communications or to discontinue furnishing Service when necessary because of lack of satellite or other transmission medium capacity or because of any force majeure condition.

**3.1.3 Liability of the Company**

- A. Except as stated in this Section 3.1.3, the Company shall have no liability for damages of any kind arising out of or related to events, acts, rights or privileges contemplated in this tariff. This tariff does not limit the liability of the Company for willful misconduct.
- B. The liability of the Company for damage resulting in whole or in part from, or arising in connection with, the furnishing of Service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects or misrepresentation shall not exceed the dollar amount of the call in which the Service disruption occurred. Such dollar amount shall be credited on the Customer's next billing cycle.

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3. REGULATIONS (continued)

3.6 Billing and Payment Regulations (continued)

- A. The Company may require a deposit if the customer is unable to establish a good credit rating, or if the customer has undisputed charges in two (2) out of the last twelve (12) billing periods which have become delinquent. The deposit shall not exceed estimated charges for two months service based on the average bill during the preceding twelve months or in the case of new applicants, two months average monthly bill for all subscribers within a customer class. The deposit shall bear interest at a rate of 9% simple interest per annum, and will be returned upon satisfactory payment of all undisputed charges during the last 12 billing periods, or discontinuance of service.
- B. At the time an application for service is made, an applicant may be required to pay an amount equal to at least one month's service and/or service connection charges, which will be applicable to the customer's account on the first bill rendered.
- 3.6.6 In the event that a check or draft tendered by a customer is returned, a fee of \$10.00 will apply. The fee will be assessed when a check or instrument issued by a Customer is returned without payment for any reason whatsoever, unless the return is bank error, in which case documentary evidence is required to waive the fee.
- 3.6.7 All stated charges in this tariff are computed by the Company exclusive of any federal, state, or local use, excise, gross receipts, sales, or privilege taxes, duties, fees, or similar liabilities (other than general income or property taxes), including Universal Service Fund assessments, whether

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3. REGULATIONS (continued)

3.7.2 Limitation Allowances

No credit allowances will be made for:

- A. Interruptions due to the negligence of, or noncompliance with the provisions of this tariff by the Customer, Authorized User or other common carrier providing service connected to the Service of the Company.
- B. Interruptions of Service due to the failure or malfunction of facilities, power or equipment provided by the Customer, authorized user, or other common carrier providing service connected to the Service offered by the Company.
- C. Interruptions of Service during any period in which the Company is not given access to the premises at which the Company-provided Service is interrupted or terminated.
- D. Interruptions of Service that occur or continue due to the Customer's failure to authorize replacement of any element of special construction.
- E. Interruptions of Service during any period when the Customer or Authorized User has relinquished Service to the Company for maintenance purposes or for implementation of a Customer order for a change in Service.

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3. REGULATIONS (continued)

3.8 Equipment (continued)

- A. The through transmission of signals generated by Customer-provided equipment or for the quality of, or defects in, such transmission;
- B. The reception of signals by Customer-provided equipment; or
- C. Network control signaling where such signaling is performed by Customer-provided network control signaling equipment.

3.9 Determination and Rendering of Charges

- 3.9.1 For billing purposes, Service will be deemed to be started on the day the Service and its associated equipment, if any, is installed. Where billing is based upon Customer usage, billing for all usage commences on the date usage begins.
- 3.9.2 Subject to the Company's right to terminate or suspend Service as otherwise provided in this tariff, the minimum service period is thirty (30) days. Termination by the Customer is effective as of the end of the next business day after receiving the Customer's request to cancel Service.
- 3.9.3 All monthly recurring charges are billed one month in advance. Initial and final month's billing, when the service period is less than one month, will be prorated one-thirtieth (1/30th) of the month's recurring charge for each day the Service was rendered or equipment was provided.
- 3.9.4 Usage charges are billed monthly for the preceding billing period. For periods less than the monthly billing period, minimum usage charges are

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4. SERVICE OFFERINGS (continued)

4.5 Operator Services (Continued)

2. Provide for the prominent posting or display, on or near the telephones to be utilized by end users, of material setting forth the name of the carrier, complaint procedures, instructions on reaching the LEC operator as well as other interexchange carriers, and procedures for emergency calls.

4.6 Dedicated Interexchange Digital Private Line Service

- 4.6.1 Digital transmission facilities between Company service points, when connected with dedicated access to customer locations, allow for communications between locations of the customer or his authorized user. These combined facilities are utilized on a dedicated (non-switch) basis between two or more customer locations, as specified by the customer.

4.7 Promotions

Company may upon Commission approval, offer customers specific rate incentives during specified promotional periods. Company will provide written notice to the Commission at least 7 days prior to the commencement of a promotional program specifying the terms of the promotion, the specific service offered, the location, and the beginning and ending dates of the promotional period.

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5. RATES

5.1 Rate Periods

5.1.1 Rates are applicable based on time of the day (standard or daylight savings), and day of the week, and are associated with Service offered on Dial Station-to-Station and Person-to-Person basis for Domestic Direct Dialed Calls, Inbound Toll Free (800/888/877) Calls, and Company issued Calling Card Calls. Peak and Off-Peak rates apply to the types of Services offered by the Company, unless otherwise specifically designated in this tariff. The rate charged is determined by the day and time (standard or daylight savings) at the originating service point. When a connection is established in one rate period and ends in another rate period, the rate for each rate period applies to the portion of the connection occurring within that rate period.

5.1.2 The rate periods are:

- A. Peak Period - the time period from 8:00 AM to, but not including, 8:00 PM Monday through Friday.
- B. Off-Peak Period - all other time periods other than Peak Period.
- C. Holiday Rate Period - for the following Federal observed holidays, the Off-Peak rates will apply:
  - 1. New Year's Day (January 1<sup>st</sup>)
  - 2. Memorial Day
  - 3. Independence Day (July 4<sup>th</sup>)
  - 4. Labor Day
  - 5. Thanksgiving
  - 6. Christmas Day (December 25<sup>th</sup>)

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5. RATES (continued)

5.5 Operator Service Rates (continued)

		<u>0+ Rate</u>	<u>0- Rate</u>
5.	Person-to-Person	\$4.50	\$5.50
6.	Station-to-Station	\$2.30	\$3.30

5.6 Dedicated Interexchange Digital Private Line Service

5.6.1 Voice Grade Facility

- A. Two point effective two/four wire grade analog or 64 Kbps digital interface (digitalized voice or otherwise compatible 64 Kbps bit stream facility)

Rate: \$ ICB

5.6.2 DS1/1.544 Mbps Facility

- A. Two point digital interface operating at 1.544 Mbps, which may be furnished on either a channelized or non-channelized basis

Rate: \$ ICB

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