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March 1, 2004

FILED²

MAR 01 2004

Missouri Public
Service Commission

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: Case No. TC-2004-0310

Dear Judge Roberts:

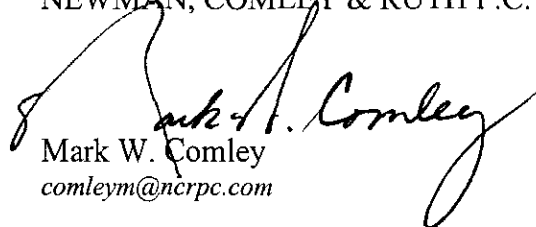
Please find enclosed for filing in the referenced matter the original and five copies of a
Answer of Respondent.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel
Robert S. Berlin
Mark S. Michael

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

FILED²

MAR 01 2004

**Missouri Public
Service Commission**

The Staff of the Missouri Public Service
Commission,

Complainant,

v.

Secured Technologies, L.C.

Respondent.

Case No. TC-2004-0310

ANSWER TO COMPLAINT

Comes now **Secured Technologies, L.C.**, Respondent in the above-captioned complaint, by and through its attorneys, and submits its answer to the complaint, paragraph by paragraph:

1. Admitted.
2. Section 386.390.1, RSMo 2000, speaks for itself and no answer is required to this paragraph. If an answer is deemed required for paragraph 2, Respondent denies the same.
3. Rule 4 CSR 240-2.070(1) speaks for itself and no answer is required to this paragraph. If an answer is deemed required for paragraph 3, Respondent denies the same.
4. Paragraph 4 contains conclusions of law and citations to Missouri case authority all of which speak for themselves and no answer is required to this paragraph; however, if an answer is deemed required for paragraph 4, Respondent denies the same.
5. Respondent admits that by law and Commission rule, telecommunications companies are required to file an annual report with the Commission on or before April 15 of each year. Unless otherwise admitted herein, Respondent denies each and every allegation of paragraph 5.
6. Respondent admits that by law and by Commission rule, telecommunications

companies are required to file an annual report with the Commission on or before April 15 of each year. Unless otherwise admitted herein, Respondent denies each and every allegation of paragraph 6.

7. Denied.

8. Respondent admits that as of the date of the complaint, it had not filed an annual report for calendar year 2002 on the Commission's approved "Annual Report form." Further answering, however, Respondent states that it filed with the Commission and its Staff a statement of its revenue for year 2002 and timely responded to the Commission's Notice of Assessment by paying all assessments due for calendar year 2002. Moreover, Respondent is in all respects considered an active foreign limited liability company in good standing with the Office of the Secretary of State for the State of Missouri. Otherwise, Respondent denies each and every allegation of paragraph 8.

9. Section 392.210.1, RSMo, speaks for itself and therefore no answer is required for this paragraph; however, if an answer is deemed required for paragraph 9, Respondent states by way of answer and defense that it has substantially complied with the requirements of the Commission and therefore is not in default. Unless otherwise admitted herein, Respondent denies each and every allegation of paragraph 9.

10. Respondent further answers that its failure to file a completed Commission Annual Report form was inadvertent, unintentional and not in disobedience to the orders or rules of the Commission, but rather was the result of innocent oversight and mistake. Moreover, Respondent did not receive adequate notice that it had failed to timely file its annual report and was given no opportunity to cure its failure, if any, to file its annual report. Lastly, the information Respondent supplied to the Commission was substantially the same as that which could be found in the Commission's own annual report form. Respondent has substantially complied with the

requirements of applicable statutes and rules of the Commission.

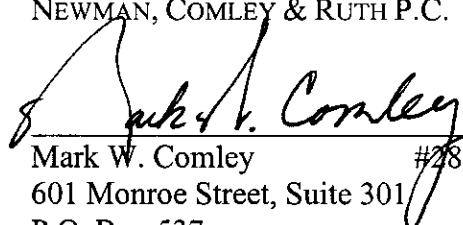
11. By way of further answer and defense, Respondent states that it filed with the Commission a motion to accept its 2002 annual report out of time on February 24, 2004. The motion has been assigned Case No. XE-2004-0433. Calculation of daily penalties, if any, (and Respondent denies that any penalties are due), should conclude on the date of filing of the motion, if not before.

WHEREFORE, having fully answered the complaint, Respondent respectfully requests that the Commission dismiss the same, and discharge Respondent.

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By:


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Attorneys for Respondent

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, to bob.berlin@psc.mo.gov, and Office of Public Counsel at opcservice@ded.state.mo.us, on this 1st day of March, 2004.

