

Telecommunications
E Commerce
Technology
Corporate & Finance
Trademarks
Proprietary Rights
Complex Litigation
General Business Law

The Helein Law Group, P.C.

8180 Greensboro Drive
Suite 700
McLean, VA 22102

(703) 714-1300 (Telephone)
(703) 714-1330 (Facsimile)
mail@thlglaw.com

FILED²

FEB 19 2004

Missouri Public
Service Commission

Writer's Direct Dial Number

Writer's E-mail Address

(703) 714-1301

chh@thlglaw.com

February 18, 2004

Via Federal Express

Secretary of the Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102-0360

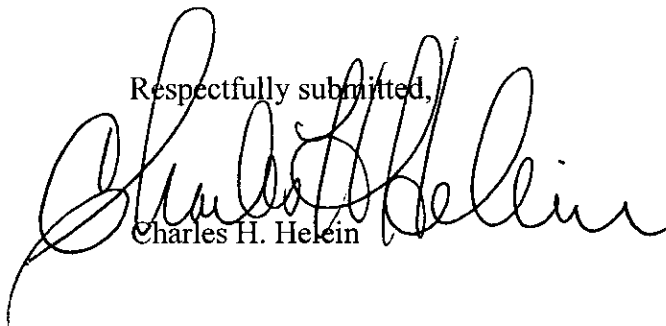
***Re: Staff of the Missouri Public Service Commission v. New Century
Telecom, Inc. – Case No. TC-2004-0325***

Dear Sir or Madam:

On behalf of New Century Telecom, Inc. ("NCT"), enclosed please find NCT's response, in the form of a Notice of Satisfaction, to the complaint filed in the above-referenced proceeding.

An extra copy of this filing is also enclosed. Please date stamp this copy and return to the undersigned in the provided postage-prepaid envelope.

Respectfully submitted,



Charles H. Helein

Enclosure

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

FEB 19 2004

Missouri Public
Service Commission

The Staff of the Missouri Public Service)
Commission,)
)
Complainant,)
)
v.)
)
New Century Telecom, Inc.)
)
Respondent.)
_____)

Case No. TC-2004-0325

NOTICE OF SATISFACTION

COMES NOW New Century Telecom, Inc. ("NCT"), by and through undersigned counsel, and files this Notice of Satisfaction in response to the January 30, 2004 Complaint filed by the Staff of the Missouri Public Service Commission ("Staff"). In support of this Notice of Satisfaction, NCT states as follows:

1. On January 30, 2004, Staff filed a Complaint against NCT seeking damages against for NCT's failure to file its 2002 Annual Report. See Complaint at ¶¶ 6-10.
2. Staff indicated that as of the date of the Complaint, NCT had not filed its 2002 Annual Report with the Public Service Commission. *Id.* at ¶ 9.
3. Staff also took notice that, per the Office of the Secretary of State of Missouri official web site, NCT had not yet filed its 2003 annual report with the Secretary of State. *Id.* at ¶ 2.
4. On February 4, 2004, the Missouri Public Service Commission sent NCT by certified mail a Notice of Complaint advising of the filing of Staff's Complaint.

5. Pursuant to 4 CSR 240-2.070(7), NCT has 30 days from the date of the Notice of Complaint to either satisfy the matter complained of or answer the complaint.

6. On or about February 6, 2004, NCT filed its completed 2002 Annual Report with the Missouri Public Service Commission. *See Exhibit A.*

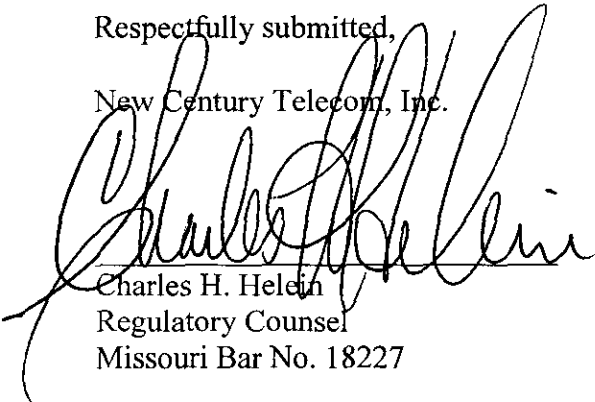
7. On or about February 6, 2004, NCT filed its 2003 Annual Registration Report with the Missouri Secretary of State. *See Exhibit B.*

8. By these actions, NCT has satisfied the matters complained of in Staff's Complaint.

WHEREFORE, based on the above, New Century Telecom, Inc. respectfully requests that the Commission dismiss the Complaint, with prejudice, and grant it any and all such other relief that the Commission deems appropriate and necessary.

Respectfully submitted,

New Century Telecom, Inc.



Charles H. Helein
Regulatory Counsel
Missouri Bar No. 18227

The Helein Law Group LLP
8180 Greensboro Drive, Suite 700
McLean, VA 22102
Tel: 703-714-1300
Fax: 703-714-1330
Email: chh@thlglaw.com

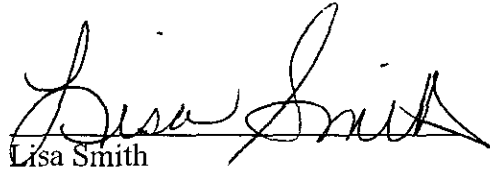
Certificate of Service

This is to certify that I have on this 17~~th~~ day of February, 2004, served upon those persons listed below a true and correct copy of the foregoing **Notice of Satisfaction** by depositing a copy of same in the United States Mail in a properly addressed envelope with sufficient postage thereon to insure delivery to:

Secretary of the Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102-0360

Robert S. Berlin
Assistant General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102

John Coffman, Esq.
Office of the Public Counsel
P.O. Box 7800
Jefferson City, Missouri 65102


Lisa Smith

INFOCORP., INC.

135 Copper Mill Drive
Warrenton, VA 20186
(540) 428-1086 (Telephone)

(Writer's Direct Dial Number)
(540) 428-1086

(Writer's E-mail Address)
jane.scott@infocorpcom.com

February 6, 2004

VIA FEDERAL EXPRESS

Missouri Public Service Commission
Manager of the Data Center
200 Madison Street, Suite 100
Jefferson City, MO 65102-0360

Re: 2002 Annual Report

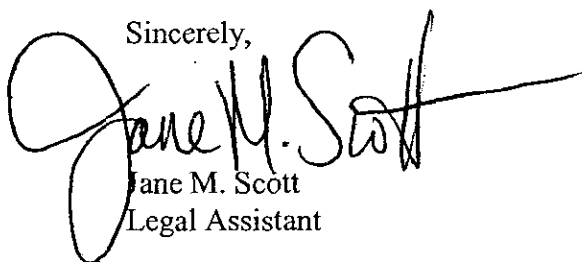
Dear Sir or Madam:

Enclosed please find the completed 2002 Annual Report being submitted for and on behalf of *New Century Telecom*.

Please date stamp and return the extra copy of this transmittal in the self-addressed and postage pre-paid envelope provided for this purpose.

Please direct all inquiries or correspondence related to this filing to the attention of the undersigned. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane M. Scott", with a long horizontal flourish extending to the right.

Jane M. Scott
Legal Assistant

Enclosures

New Century Telecom, Inc.

(Full Company Name)

INTEREXCHANGE TELECOMMUNICATIONS CARRIER

ANNUAL REPORT

TO THE

MISSOURI PUBLIC SERVICE COMMISSION

For Period Ending December 31, 2002

IXC Annual Report of New Century Telecom, Inc.

for the year ended December 31, 2002

1. State in full the exact 'certificated' name of the Interexchange Telecommunications Carrier:
(Do not abbreviate; yet include any Commission approved fictitious name, if applicable.)

New Century Telecom, Inc.

2. Effective date of certification by the MO Public Service Commission and associated case number:

Date (e.g. 00/00/0000): Dec. 25, 1996

Case No: TA-97-184

3. Was the company certificated in Missouri under any other name(s)? If yes, please provide all names and time periods involved since the original certification:

No

4. State the name, title, street address, telephone number, fax number, and e-mail address* of the individual completing/verifying this Annual Report:

Charles H. Helein, President

8180 Greensboro Drive, Suite 700

McLean, VA 22102

T- 888-255-1752, F- 888-443-5346 mail@newcenturytelecom.com

(*) To facilitate electronic sending of the Annual Report form next year.

5. State the name, title, street address, telephone number, fax number, and e-mail address of the company's regulatory contact person(s):

Same As Above

6. Please provide a listing of all mergers, consolidations, and reorganizations, completed during the last year.

N/A

7. Please Provide the following information concerning Total Company and gross intrastate operating revenues (i.e., Missouri Specific) Revenues for the Calendar Year 2002

Revenues:

Operating Revenues* from Telecommunication Services

Total Company	MO Specific
47,338	400

MO Specific should match Statement of Revenue
(FY-2005 Mo.PSC Assessment)

8. Type of Missouri tax return filed (i.e. MO-1065, MO-1120A, MO-1120S, MO-NRP, MO-NRS etc.):

MO-1120S

9. Missouri Taxpayer ID:

16847377

* Missouri Revised Statutes §386.020(53)

(53) "Telecommunications service", the transmission of information by wire, radio, optical cable, electronic impulses, or other similar means. As used in this definition, "information" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds, or any other symbols. Telecommunications service does not include:

(a) The rent, sale, lease, or exchange for other value received of customer premises equipment except for customer premises equipment owned by a telephone company certificated or otherwise authorized to provide telephone service prior to September 28, 1987, and provided under tariff or in inventory on January 1, 1983, which must be detariffed no later than December 31, 1987, and thereafter the provision of which shall not be a telecommunications service, and except for customer premises equipment owned or provided by a telecommunications company and used for answering 911 or emergency calls;

(b) Answering services and paging services;

(c) The offering of radio communication services and facilities when such services and facilities are provided under a license granted by the Federal Communications Commission under the commercial mobile radio services rules and regulations;

(d) Services provided by a hospital, hotel, motel, or other similar business whose principal service is the provision of temporary lodging through the owning or operating of message switching or billing equipment solely for the purpose of providing at a charge telecommunications services to its temporary patients or guests;

(e) Services provided by a private telecommunications system;

(f) Cable television service;

(g) The installation and maintenance of inside wire within a customer's premises;

(h) Electronic publishing services; or

(i) Services provided pursuant to a broadcast radio or television license issued by the Federal Communications Commission;

10. In an effort to update our Electronic Filing & Information system (EFIS) with current company contact and address information please provide the following information. Either verify the information through EFIS and initial in space provided or complete each sub-type and the Data Center Staff will update as required.

a. Official Representative of the Company:

Information contained in EFIS is current: _____

Name: Charles H. Helein initials _____
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-5346
E-mail address: mail@newcenturytelecom.com

b. Consumer Services:

Information contained in EFIS is current: _____

Name: Charles H. Helein initials _____
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-5346
E-mail address: mail@newcenturytelecom.com

c. Individual to receive statement of revenue (assessment):

Information contained in EFIS is current: _____

Name: Charles H. Helein initials _____
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-5346
E-mail address (*): mail@newcenturytelecom.com

(*) To facilitate electronic sending of the statement of revenue next year.

In addition provide specific contacts for areas (d. through m.) if applicable on the following pages. In lieu of additional contacts being provided, designate if a, b, or c, above should be identified as the contact.

d. Tariff:

Information contained in EFIS is current: _____

Name: Charles H. Helein initials _____
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-5346
E-mail address: mail@newcenturytelecom.com

IXC Annual Report of

New Century Telecom, Inc.

for the year ended December 31, 2002

10. continued

e. CFO/Comptroller:

Information contained in EFIS is current: _____

Name: Deborah Bagarus initials _____
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1762
Fax number: 888-443-6346
E-mail address: mail@newcenturytelecom.com

f. Technical:

Information contained in EFIS is current: _____

Name: N/A initials _____
Street/ PO Box: _____
City, State, Zip: _____
Telephone number: _____
Fax number: _____
E-mail address: _____

g. Surveillance:

Information contained in EFIS is current: _____

Name: N/A initials _____
Street/ PO Box: _____
City, State, Zip: _____
Telephone number: _____
Fax number: _____
E-mail address: _____

h. In-House Attorney:

Information contained in EFIS is current: _____

Name: Charles H. Helein, c/o The Helein Law Group, P.C. initials _____
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-6346
E-mail address: mail@newcenturytelecom.com

i. Attorney:

Information contained in EFIS is current: _____

Name: Same As Above initials _____
Street/ PO Box: _____
City, State, Zip: _____
Telephone number: _____
Fax number: _____
E-mail address: _____

IXC Annual Report of

New Century Telecom, Inc.

for the year ended December 31, 2002

10. continued

j. Consultant:

Information contained in EFIS
is current: _____

initials

Name: N/A
Street/ PO Box: _____
City, State, Zip: _____
Telephone number: _____
Fax number: _____
E-mail address: _____

k. Other:

Information contained in EFIS
is current: _____

initials

Name: N/A
Street/ PO Box: _____
City, State, Zip: _____
Telephone number: _____
Fax number: _____
E-mail address: _____

l. Area Contact Entry:

Information contained in EFIS
is current: _____

initials

Name: Charles H. Helein
Street/ PO Box: 8180 Greensboro Drive, #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-5346
E-mail address: mail@newcenturytelecom.com

m. Carrier Billing Relations:

Information contained in EFIS
is current: _____

initials

Name: Charles H. Helein
Street/ PO Box: 8180 Greensboro Dr., #700
City, State, Zip: McLean, VA 22102
Telephone number: 888-255-1752
Fax number: 888-443-5346
E-mail address: mail@newcenturytelecom.com

IXC Annual Report of New Century Telecom, Inc

for the year ended December 31, 2002

VERIFICATION

The foregoing report must be verified by the oath of the President, Treasurer, General Manager or Receiver of the company. The oath required may be taken before any person authorized to administer an oath by the laws of the State in which the same is taken.

OATH

State Of Virginia
County Of Fairfax } ss:

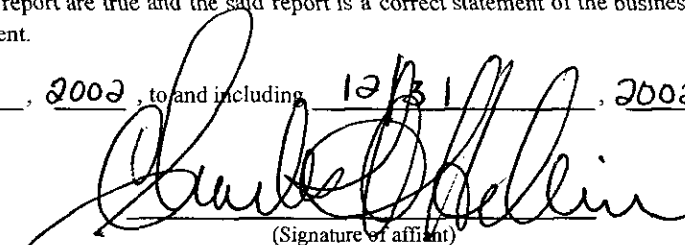
New Century Telecom, Inc. makes oath and says that
(Insert here the name of the affiant)

s/he is President
(Insert here the official title of the affiant)

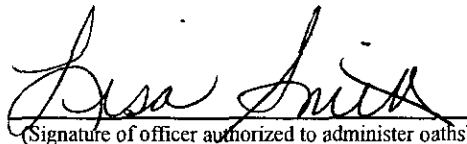
of Charles H. Helein
(Insert here the exact legal title or name of the respondent)

that s/he has examined the foregoing report; that to the best of his or her knowledge, information, and belief, all statements of fact contained in the said report are true and the said report is a correct statement of the business and affairs of the above-named respondent.

1/1, 2002, to and including 12/31, 2002


(Signature of affiant)

Subscribed and sworn before me, a Notary Public in and for the
State and county above named, this 6th day of February, 2004
My Commission expires 3/1, 2006


(Signature of officer authorized to administer oaths)

Missouri Revised Statutes § 392.210

Original must be mailed to:
Manager of the Data Center
MoPSC, 200 Madison Street, Suite 100
P.O. Box 360, Jefferson City, MO 65102-0360

Matt Blunt Secretary of State
2003 ANNUAL REGISTRATION REPORT
 BUSINESS

REPORT DUE BY: 04/30/2003

ANNUAL REPORT MONTH:

January

F00430166

NEW CENTURY TELECOM, INC.

JAMES F. HELEIN

10014 ALDRED DR.

ST. LOUIS, MO 63128

PRINCIPAL PLACE OF BUSINESS OR
CORPORATE HEADQUARTERS:

8180 Greensboro Dr

STREET

McLean VA 22102

CITY/STATE

ZIP

If changing the registered agent and/or registered office address, please check the appropriate box(es) and fill in the necessary information.



The new registered agent

IF CHANGING THE REGISTERED AGENT, AN ORIGINAL WRITTEN CONSENT FROM THE NEW REGISTERED AGENT MUST BE ATTACHED AND FILED WITH THIS REGISTRATION REPORT.



The new registered office address

Must be a Missouri address, PO Box alone is not acceptable. This section is not applicable for Banks, Trusts and Foreign Insurance.

OFFICERS

NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT
ACCEPTABLE). (MUST LIST PRESIDENT AND SECRETARY BELOW)

PRES Karyn Bartel

STREET/RT 8180 Greensboro Dr

CITY/STATE/ZIP McLean VA 22102

V-PRES

STREET/RT

CITY/STATE/ZIP

SECY Karyn Bartel

STREET/RT 8180 Greensboro Dr

CITY/STATE/ZIP McLean VA 22102

TEAS

STREET/RT

CITY/STATE/ZIP

NAMES AND ADDRESSES OF ALL OTHER OFFICERS AND DIRECTORS ARE ATTACHED

BOARD OF DIRECTORS

NAME AND PHYSICAL ADDRESS (P.O. BOX ALONE NOT
ACCEPTABLE). (MUST LIST AT LEAST ONE DIRECTOR BELOW)

NAME Karyn Bartel

STREET/RT 8180 Greensboro Dr

CITY/STATE/ZIP McLean VA 22102

NAME

STREET/RT

CITY/STATE/ZIP

NAME

STREET/RT

CITY/STATE/ZIP

NAME

STREET/RT

CITY/STATE/ZIP

The undersigned understands that false statements made in this report are punishable for the crime of making a false
declaration under Section 575.060 RSMo. Photocopy or stamped signature not acceptable.

Authorized party or officer sign here

Please print name and title of signer:

NAME

TITLE

REGISTRATION REPORT FEE IS:

- ☒ \$45.00 If filed on or before 4/30
☐ \$60.00 If filed on or before 5/31
☐ \$75.00 If filed on or before 6/30
☐ \$90.00 If filed on or before 7/31

**WHEN THIS FORM IS ACCEPTED BY THE SECRETARY OF STATE,
BY LAW IT WILL BECOME A PUBLIC DOCUMENT AND ALL
INFORMATION PROVIDED IS SUBJECT TO PUBLIC DISCLOSURE**

E-MAIL ADDRESS (OPTIONAL)

REQUIRED INFORMATION MUST BE COMPLETE OR THE REGISTRATION REPORT WILL BE REJECTED

MAKE CHECK PAYABLE TO DIRECTOR OF REVENUE

RETURN COMPLETED REGISTRATION REPORT AND PAYMENT TO THE SECRETARY OF STATE - P.O. BOX 1366, JEFFERSON CITY, MO 65102

NEW CENTURY TELECOM, INC.

BB&T
BRANCH BANKING & TRUST
MCLEAN, VA 22102
68-531/560

4120

2/6/2004

PAY TO THE ORDER OF Director of Revenue, State of Missouri

\$ **45.00

Forty-Five and 00/100***** DOLLARS

Director of Revenue, State of Missouri
Secretary of State

PO Box 1366
Jefferson City, MO 65102

MEMO

Karlyn L Bartlett

⑈004120⑈ ⑆056005318⑆5136293895⑈

NEW CENTURY TELECOM, INC.

Director of Revenue, State of Missouri
Licenses and Permits

2/6/2004

4120

45.00

BB&T

45.00