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New York  
San Francisco  
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June 19, 2003

**Via Federal Express**

Mr. Dale H. Roberts  
Executive Secretary  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, Missouri 65102-0360

**FILED<sup>3</sup>**

**JUN 20 2003**

**Missouri Public  
Service Commission**

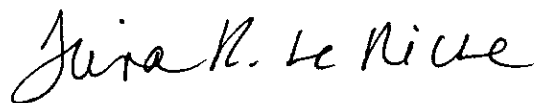
RE: In the Matter of the Application of Rystec, Inc. for a Certificate of Authority to Provide Competitive Intrastate Resold and Facilities-Based Interexchange Services and Non-Switched Local Exchange Telecommunications Services throughout the State of Missouri  
Case No. XA-2003-0498  
Tariff No. YX-2003-2008

Dear Mr. Roberts:

Please find enclosed the original and nine copies of 1) an Amended Application for Certificate of Service Authority to Provide Intrastate Interexchange Services and Non-Switched Local Exchange Services for Competitive Classification filed by Rystec, Inc. and 2) a replacement page for the Missouri Interexchange and Local Exchange Telecommunications Tariff of Rystec, Inc. Please replace page 2 of the Tariff with this page.

Thank you for your assistance in this matter.

Very truly yours,



Trina R. LeRiche

TRL/lsc  
Enclosures  
cc: Office of Public Counsel  
Office of General Counsel

FILED<sup>3</sup>

JUN 20 2003

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Missouri Public  
Service Commission

In the Matter of the Application of )  
Rystec, Inc. for a Certificate of )  
Authority to Provide Competitive Intrastate ) Case No. XA-2003-0498  
Resold and Facilities-Based )  
Interexchange Services )  
and Non-Switched Local Exchange )  
Telecommunications Services )  
throughout the State of Missouri. )

**AMENDED APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY TO  
PROVIDE INTRASTATE INTEREXCHANGE SERVICES AND NON-SWITCHED  
LOCAL EXCHANGE SERVICES FOR COMPETITIVE CLASSIFICATION**

COMES NOW Rystec, Inc. ("Rystec" or "Company") and hereby applies for (1) a Certificate of Service Authority to provide intrastate interexchange services and non-switched local exchange services, pursuant to Mo. Rev. Stat. §§ 392.410 and 392.440, (2) designation as a competitive telecommunications carrier pursuant to Mo. Rev. Stat. § 392.361.3, and (3) waiver of certain Commission rules and statutory provisions pursuant to Mo. Rev. Stat. §§ 392.420 and 392.651. In support of its Amended Application, Rystec provides the following:

1. Rystec was organized under the laws of the State of Missouri on October 25, 2002. Rystec's principal office is located at:

Rystec, Inc.  
515 Second Street  
Branson, MO 65616  
Telephone: 417-339-9144  
Facsimile: 417-339-9158  
Email: m.rys@rystec.com

2. A copy of Rystec's Articles of Incorporation is attached as **Exhibit A**.
3. A Certificate of Corporate Good Standing for Rystec is attached as **Exhibit B**.
4. Correspondence and communications concerning this Amended Application and tariff may be directed to Rystec's Regulatory Consultant:

Stacey A. Klinzman  
Director-Regulatory Compliance  
Miller Isar, Inc.  
7901 Skansie Avenue, Suite 240  
Gig Harbor, Washington 98335  
Telephone: 253.851.6700  
Facsimile: 253.851.6474  
Email: sklinzman@millerisar.com

and to Rystec's in-state counsel:

Mark P. Johnson, Esq.  
Trina R. LeRiche, Esq.  
Sonnenschein Nath & Rosenthal  
4520 Main Street, Suite 1100  
Kansas City, Missouri 64111  
Telephone: 816.460.2400  
Facsimile: 816.531.7545  
Email: mjohnson@sonnenschein.com  
tleriche@sonnenschein.com

5. Rystec requests authority to provide interexchange (switched and non-switched services) and non-switched local exchange telecommunications services throughout the state of Missouri to business and residential subscribers. These services will be offered twenty-four (24) hours per day, seven (7) days a week, at rates, terms and conditions established by Rystec. Rystec intends to provide data communications services only. Rystec will do business as Rystec, Inc.

6. Rystec submits that the public interest will be served by Commission approval of its Amended Application for a Certificate of Service Authority because Rystec's proposed services will create and enhance competition and expand customer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996 and Mo. Rev. Stat. Chapter 392. Prompt approval of this Amended Application also will expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

7. Rystec possesses the technical and managerial expertise and experience necessary to provide the services it proposes. Descriptions of the backgrounds of Rystec's management team, which demonstrate its extensive experience and expertise, are attached hereto and incorporated herein by reference as **Exhibit C**.

8. Rystec's proposed tariff containing the rates, terms, and conditions applicable to its proposed provision of service in Missouri, with a forty-five (45) day effective date, is attached as **Exhibit D** to this Amended Application.

9. Rystec requests that the Commission grant it the waivers of statutory and regulatory requirements that are normally granted for competitive local exchange and interexchange carriers in Missouri. Rystec will provide competitive telecommunications services and as such the requested waivers are appropriate. Mo. Rev. Stat. §§ 392.361 and 392.420.

10. Rystec requests competitive classification for the services described in its proposed tariff, in that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation, consistent with protection of ratepayers and promotion of the public interest. Mo. Rev. Stat. § 392.361.4.

11. Rystec requests classification as a competitive telecommunications company on the basis that all telecommunications services which it proposes to offer should be classified as competitive telecommunications services. Mo. Rev. Stat. § 392.3613.

12. Rystec is a privately held corporation with the financial ability to provide quality, continuous data telecommunications services. However, as a start-up company with no historical performance data, Rystec requests waiver of the requirement of presentation of twelve months of financial data under Mo. Rev. Stat. § 392.455(1).

13. Rystec will comply with Mo. Rev. Stat. § 392.200, and will not unjustly discriminate among its customers.

14. Pursuant to Mo. Rev. Stat. § 386.570, Rystec will comply with all applicable Commission rules, except those specifically waived by the Commission in response to Rystec's request herein.

15. Rystec respectfully requests, pursuant to Mo. Rev. Stat. § 392.420, that the Commission suspend, waive or modify the application of the following rules and statutory provisions, to Rystec as a competitive local exchange and interexchange company:

Missouri Commission Rules

4 CSR 240-10.020	Depreciation fund income.
4 CSR 240-30.040	Uniform system of accounts.
4 CSR 240-33.030	Inform customers of lowest price.
4 CSR 240.3.545(2)(c)	Posting of Rate Schedules

Missouri Statutes

Section 392.210.2	Uniform System of Accounts.
Section 392.240(1)	Just and Reasonable Rates.
Section 392.270	Ascertain Property Values.
Section 392.280	Depreciation Accounts.
Section 392.290	Issuance of Securities.
Section 392.300.2	Acquisition of Stock.
Section 392.310	Issuance of Stocks and Debt.
Section 392.320	Stock Dividend Payment.
Section 392.330	Issuance of Securities, Debts, and Notes.
Section 392.340	Reorganizations.

The above-referenced rules and statutory provisions have been waived with regard to other competitive local and interexchange carriers in prior cases. These provisions primarily are designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Mo. Rev. Stat. § 392.530 to apply these provisions to a competitive telecommunications carrier such as Rystec.

16. No public utility will be affected by granting the requested waivers.
17. Rystec has no annual reports or regulatory assessment fees that are overdue in Missouri.
18. Rystec has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. Furthermore, no action, judgment or decision involving customer service or rates has occurred within three (3) years of this Amended Application's filing date.

WHEREFORE, Rystec, Inc. respectfully requests the Commission to grant it a Certificate of Authority to provide interexchange and non-switched local exchange telecommunications services in the state of Missouri; classify Rystec's telecommunications services as competitive; classify Rystec as a competitive telecommunications company; waive certain statutory and regulatory requirements; approve Rystec's proposed tariff; and grant such other relief as the Commission deems appropriate.

Respectfully submitted,

SONNENSCHN NATH & ROSENTHAL

By: *Trina R. LeRiche*  
Mark P. Johnson MO Bar #30740  
Trina R. LeRiche MO Bar #46080  
4520 Main Street, Suite 1100  
Kansas City, Missouri 64111  
Phone: 816.460.2400  
Fax: 816.531.7545  
Email: mjohnson@sonnenschein.com  
Tleriche@sonnenschein.com

ATTORNEYS FOR RYSTEC, INC.

STATE OF MISSOURI  
COUNTY OF JACKSON

) SS:

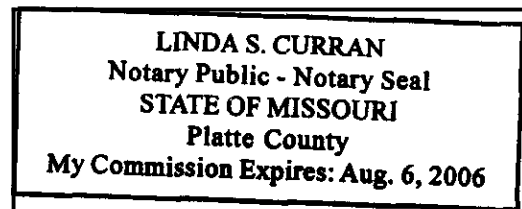
1. My name is Trina R. LeRiche, and I am an attorney for Rystec, Inc. ("Rystec"). In that capacity, I am authorized to verify the statements contained in Rystec's Amended Application for Certificate of Authority to Provide Intrastate Resold and Facilities-Based Interexchange Services and Non-Switched Local Exchange Services Throughout Missouri and for Competitive Classification, and the information contained therein, on behalf of Rystec.

Trina R. LeRiche

Subscribed and sworn to before me this 19th day of June, 2003.

Zinda S. Curran  
Notary Public

8/6/06

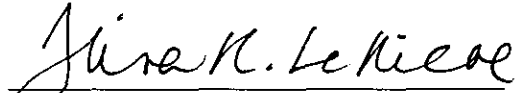


**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been mailed, postage prepaid, this 19<sup>th</sup> day of June, 2003, to:

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

General Counsel  
Missouri Public Service Commission  
200 Madison Street  
P.O. Box 360  
Jefferson City, Missouri 65102

  
Attorneys for Rystec, Inc.