

STEWART & KEEVIL, L.L.C.
ATTORNEYS AT LAW

CHARLES BRENT STEWART
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1001 CHERRY STREET
SUITE 302
COLUMBIA, MISSOURI 65201-7931

ORIGINAL

TELEPHONE (573) 499-0635
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January 27, 2003

FILED²

JAN 27 2003

Missouri Public
Service Commission

Missouri Public Service Commission
Attn: Secretary of the Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

Re: ExOp of Missouri, Inc. d/b/a Unite
Request For USF Eligibility Designation

Dear Mr. Roberts:

Please find enclosed for filing an original and eight (8) copies of the *Application of ExOp of Missouri, Inc. d/b/a Unite for Designation As Eligible Carrier Pursuant to Section 254 of the Telecommunications Act of 1996* with respect to the Platte City, Missouri exchange.

Copies of this filing have been sent this date to the General Counsel's Office and the Office of the Public Counsel. Thank you.

Sincerely,


Brent Stewart

CBS/bt

Enclosures

cc: General Counsel's Office
Office of the Public Counsel
Rachel Reiber

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
JAN 27 2003

Missouri Public
Service Commission

In the Matter of the Application of)
ExOp of Missouri, Inc. d/b/a Unite for)
Designation as a Telecommunications)
Company Eligible for Federal Universal)
Service Support in the Platte City Exchange)
Pursuant to § 254 of the)
Telecommunications Act of 1996.)

Case No. _____

APPLICATION FOR DESIGNATION AS ELIGIBLE CARRIER
PURSUANT TO § 254 OF THE TELECOMMUNICATIONS ACT OF 1996

Comes now ExOp of Missouri, Inc. d/b/a Unite ("ExOp" or "Applicant") pursuant to § 254 of the Telecommunications Act of 1996 (the "Act"), Federal Communications Commission ("the FCC") regulations 47 C.F.R. § 54.201, *et seq.*, and 4 CSR 240-2.060, and hereby requests that the Missouri Public Service Commission ("the Commission") designate Applicant as a telecommunications carrier eligible under the provisions of 47 C.F.R. 54.201(d) to receive federal universal service support for the telecommunications services it provides in the Platte City, Missouri exchange. In support of its application, Applicant respectfully states as follows:

1. Pursuant to 4 CSR 240-2.060(1)(A) and (H), ExOp is a Missouri corporation with its principal place of business located at 303 North Jefferson, P.O. Box 891, Kearney, Missouri 64060, telephone number (816) 903-3967, fax number (816) 903-3900. ExOp also is a "telecommunications company", as that term is defined by section 386.020(51) RSMo 2000, certificated by the Commission in Case No. TA-97-193 to provide competitive basic local telecommunications services within ExOp's certificated service area. ExOp received Commission approval of ExOp's interconnection agreement with incumbent carrier Sprint Missouri, Inc. in Case No. TO-98-382, and pursuant to its

Commission-approved tariffs, ExOp currently provides basic local telecommunications service exclusively through the use of its own facilities in the Kearney and Platte City, Missouri exchanges.

2. Pursuant to 4 CSR 240-2.060(1)(B) and (E), relevant documents from the Missouri Secretary of State's Office are attached hereto and incorporated herein as **Appendix A.**¹

3. Pursuant to 4 CSR 240-2.060(1)(I), all correspondence, communications, pleadings, notices, orders and decisions relating to this application should be addressed to:

Charles Brent Stewart
STEWART & KEEVIL, L.L.C.
1001 Cherry Street, Suite 302
Columbia, MO 65201
(573) 499-0635
(573) 499-0638 (fax)
Stewart499@aol.com

with a copy sent to:

Rachel Lipman Reiber
Vice President of Regulatory and Government Affairs
ExOp of Missouri, Inc. d/b/a Unite
4740 Grand, Suite 200
Kansas City, Missouri 64112-2254

4. Pursuant to 4 CSR 240-2.060(1)(K), Applicant states that it has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of this Application.

¹ On January 23, 2003 Applicant applied to the Commission pursuant to 4 CSR 240-2.060(16) for recognition of its change of name from ExOp of Missouri, Inc. to ExOp of Missouri, Inc. d/b/a Unite. The adoption notices and revised title sheets submitted with that filing bear an effective date of February 24, 2003.

5. Pursuant to 4 CSR 240-2.060(1)(L), Applicant states that it has no annual reports or assessment fees overdue.

6. Pursuant to 4 CSR 240-2.060(1)(M), the notarized verification of Rachel Lipman Reiber, Applicant's Vice President of Regulatory and Governmental Affairs, is attached hereto.

7. Section 214(e)(1) of the Act states that a carrier may be designated as an eligible telecommunications carrier ("ETC") and therefore receive universal service support so long as the carrier throughout its service area:

- a. Offers the services that are supported by federal universal service support mechanisms under 254(c) of the Act.
- b. Offers such services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another ETC; and
- c. Advertises the availability of and charges for such services using media of general distribution.

8. Section 54.201(b) of the FCC's rules² states that the Commission shall on its own motion or upon request, designate a common carrier as an "eligible telecommunications carrier" so long as the carrier meets the requirements of 47 C.F.R. 54.201(d).

9. On May 15, 2001, the Commission in Case No. TA-2001-251 designated ExOp as an eligible carrier under the provisions of 47 U.S.C. Section 254 and 47 C.F.R. 54.201(d) to receive federal universal service fund support with respect to ExOp's Kearney, Missouri exchange. In its Order, the Commission limited ExOp's designation

² 47 C.F.R. 54.201.

as an ETC to the Kearney exchange, where ExOp was providing qualifying telecommunications services at the time the application was made to the Commission. In limiting its ETC designation to the Kearney exchange, the Commission concluded that Section 214(e)(1) of the Telecommunications Act requires that a carrier both offer and advertise the services in question throughout its designated service area upon designation.

10. In addition to the Kearney, Missouri exchange, ExOp now currently offers and advertises local exchange service in the Platte City exchange. As a fully facilities-based competitive local exchange company ("CLEC"), ExOp embodies the main goals of the universal service provisions of the Act by providing advanced telecommunications services to customers through the exclusive use of its own lines and equipment.

11. Section 54.201 of the FCC's rules state that a commission shall designate more than one common carrier as an ETC for a service area designated by the state commission so long as the additional requesting carrier meets the requirements of 54.201(d) and the state commission finds that designation is in the public interest.

12. ExOp, through its own facilities, offers in the Platte City, Missouri exchange all of the services supported by federal universal service support under § 254(c) of the Act. Specifically, ExOp offers the following services:

- a. Voice grade access to the public switched network;
- b. Local usage;
- c. Dual tone multi-frequency signaling or its functional equivalent;
- d. Single-party service or its functional equivalent;
- e. Access to emergency services;
- f. Access to operator services;

- g. Access to interexchange service;
- h. Access to directory assistance;
- i. Toll limitation for qualifying low-income consumers.

13. ExOp advertises the availability of and charges for such services using media of general distribution within its Platte City, Missouri service area, as evidenced by the documentation attached hereto and incorporated herein as **Appendix B**.

14. Applicant acknowledges that 47 C.F.R. § 54.405 requires all eligible telecommunications carriers to make Lifeline Services (as defined in 47 C.F.R. § 54.401) available to qualifying low-income consumers. Lifeline consists of a retail, local telephone service offering to qualifying low-income consumers under which the consumer pays a reduced charge for telephone service. The federal assistance program providing for the 50 percent waiver of the initial installation charge, up from \$30.00 and the interest free deferred schedule of payment for the remaining installation charge is known as "Link-Up." Applicant hereby states that it will provide Lifeline and Link-Up service to qualifying low-income consumers in its service area in accordance with the Commission's rules.

15. Pursuant to 47 C.F.R. § 54.401(c), the FCC has stated that eligible telecommunications carriers may not collect a service deposit in order to initiate Lifeline service, if the qualifying low-income consumer voluntarily elects toll blocking from the carrier, where available. If toll blocking is unavailable, the carrier may charge a service deposit. If designated by the Commission as an eligible telecommunications carrier within the Platte City exchange, ExOp will comply with this rule.

WHEREFORE, on the basis of the foregoing, Applicant ExOp of Missouri, Inc. d/b/a Unite respectfully requests that the Commission designate Applicant as a telecommunications carrier eligible under the provisions of 47 C.F.R. 54.201(d) to receive federal universal service support with respect to the Platte City, Missouri exchange, find that such designation is in the public interest, and for such other orders as are deemed reasonable and necessary in this matter.

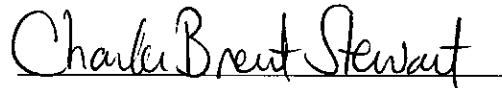
Respectfully submitted,



Charles Brent Stewart, MoBar#34885
STEWART & KEEVIL, L.L.C.
1001 Cherry, Street, Suite 302
Columbia, MO 65201
(573) 499-0635
(573) 499-0838 fax
Stewart499@aol.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing Application, with Appendices, was sent to the General Counsel's Office and the Office of the Public Counsel by placing same in the United States Mail, first class postage prepaid, or by hand-delivery, this 27th day of January, 2003.



AFFIDAVIT

State of Missouri)
)
County of Jackson)

I, Rachel Lipman Reiber, of lawful age, duly sworn, state and allege the following:

I am the Vice President of Regulatory and Government Affairs for ExOp of Missouri, Inc. d/b/a Unite.

I have read the Application for Designation as Eligible Carrier Pursuant to Section 254 of the Telecommunications Act of 1996.

The facts contained within the Application for Designation as Eligible Carrier Pursuant to Section 254 of the Telecommunications Act of 1996, are true and correct to the best of my knowledge.


Rachel Lipman Reiber

Subscribed and sworn before me, this 24th day of January, 2003.


Notary Public



ExOp of Missouri, Inc. d/b/a Unite
USF Designation-Platte City
January 27, 2003

APPENDIX A

MISSOURI SECRETARY OF STATE DOCUMENTS

No. 00429604

STATE OF MISSOURI



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

EXOP OF MISSOURI, INC.

was incorporated under the laws of this State on the 2nd
day of AUGUST, 1996, 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
21st day of JANUARY, 2003.


Secretary of State





State of Missouri
Matt Blunt, Secretary of State

No. X **395379**

Corporations Division

Registration of Fictitious Name

(Submit in duplicate with filing fee of \$7)

(Must be typed or printed)

FILED

AUG 20 2001

Matt Blunt
SECRETARY OF STATE

This information is for the use of the public and gives no protection to the name. There is no provision in this Chapter to keep another person or business from adopting and using the same name. (Chapter 417, RSMo.)

We, the undersigned, are doing business under the following name, and at the following address:

Business name to be registered: Unite
Business Address: 303 North Jefferson
(P.O. Box alone not acceptable)
City, State and Zip Code: Kearney, MO 64060

The parties having an interest in the business, and the percentage they own are (if a business entity is owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed):

429604

Name of Owners, Individual or Business Entity	Street and Number	City	State and Zip Code	If listed, Percentage of ownership must equal 100%
ExOp of Missouri, Inc.	303 North Jefferson	Kearney	MO 64060	100%

Return to: Secretary of State
Corporations Division
P.O. Box 778
Jefferson City, Mo. 65102

(Over)

The undersigned, being all the parties owning interest in the above company, being duly sworn, upon their oaths each did say that the statements and matters set forth herein are true.

Individual
Owners
Sign Here

{

X _____ X _____
X _____ X _____
X _____ X _____

FILED

AUG 20 2001

Matthew Blunt
SECRETARY OF STATE

If
Business Entity
Is
Owner,
Authorized
Person
Execute
Here

{

EXOP OF MISSOURI, INC.

Business Name

Authorized Signature

Kevin Anderson

Printed Name

CEO/President

Title

State of Missouri

County of Jackson

ss

I, Linda C. Howell, A Notary Public, do hereby certify that on 08/08/01
month/day/year

personally appeared before me Kevin Anderson, and being duly sworn by me, acknowledged that
he/she signed as his/her own free act and deed the foregoing document in the capacity therein set forth and declared that the statements
therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

(Notarial Seal or Stamp)

Linda C. Howell
Notary Public

My commission expires _____ Linda C. Howell
Notary Public-Notary Seal-
State of Missouri
My County of Commission _____ Jackson County

My Commission Expires: May4, 2004

* * * * * BILLING INFORMATION * * * * *

WE HAVE RECEIVED YOUR \$10.00 FEE FOR
THIS ABSTRACT. THANK YOU.

* * * * * MAIL TO * * * * *

BRENT STEWART

OFFICE OF THE SECRETARY OF STATE
P. O. BOX 778
JEFFERSON CITY, MISSOURI 65102

JAN 21, 2003 MATT BLUNT
SECRETARY OF STATE (573) 751-4153
REGISTRATION OF FICTITIOUS NAME

THIS NAME IS FILED WITH THE SECRETARY OF STATE AS A FICTITIOUS NAME AS
REQUIRED BY SECTION 417.200 RSMO 1969. IT WAS REGISTERED ON AUG 20, 2001 AND
HAS NOT BEEN CANCELLED. THE PRINCIPAL OWNERS ARE LISTED BELOW AND ON
SUBSEQUENT PAGES AS NECESSARY.

NUMBER X00395379

NAME UNITE

ADDRESS 303 NORTH JEFFERSON
KEARNEY MO 64060

OWNERS 429604-EXOP OF MISSOURI INC 100.00%
303 N JEFFERSON KEARNEY MO 64060
AND
PERCENT
OF
OWNERSHIP

* * * * * BILLING INFORMATION * * * * *

WE HAVE RECEIVED YOUR \$10.00 FEE FOR
THIS ABSTRACT. THANK YOU.

* * * * * MAIL TO * * * * *

BRENT STEWART

OFFICE OF THE SECRETARY OF STATE
P. O. BOX 778
JEFFERSON CITY, MISSOURI 65102

JAN 21, 2003 MATT BLUNT
SECRETARY OF STATE (573) 751-4153

ABSTRACT OF CORPORATE RECORD

CHARTER NUMBER 00429604 STATE OF INCORPORATION MISSOURI
NAME OF CORPORATION EXOP OF MISSOURI, INC.

NAME EXOP OF MISSOURI, INC.
IN PARENT
STATE

FORMER NAME NOT APPLICABLE

NAME CHANGED ON	N/A	EXTENSION DATE	N/A
FILING DATE	AUG 2, 1996		
DATE OF INCORPORATION	AUG 2, 1996	CHARTER EXPIRES	PERPETUAL
REGISTERED AGENT	CSC-LAWYERS INCORPORATING SRV.		
REGISTERED OFFICE	221 BOLIVAR STREET		
	JEFFERSON CITY	MO	65101
AGENT CHANGED ON	SEP 5, 2002	AGENT RESIGNED ON	N/A
ANNUAL REPORT FILED ON	FEB 22, 2002		
STATUS	ACTIVE - IN GOOD STANDING		

ExOp of Missouri, Inc. d/b/a Unite
USF Designation-Platte City
January 27, 2003

APPENDIX B

SPRINT YELLOW PAGES ADVERTISING LOCAL NEWSPAPER ADVERTISING



KCI Regional

April 2002

Area Code 816/975

Includes Complete business
and residential listings for

Agency

Candle Point

Deafield

DeKalb

Edgerton

Leeds for

Springs

Farley

Ferretview

Gower

Holt

Kearney

KCI International

Airport

Lathrop

Lawson

Plant City

Plant City

Russville

Sunnyvale

Trumble

Weston

The Best RED Yellow Pages

Super savings
start here!

T 200 TELEPHONE

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A UtiliCorp United Company

The Convenience of One. One Bill. One Call. Simply One.



Local & Long Distance Telephone Service

- Crystal-clear technology
- Keep your existing phone number



Digital TV

- Affordable alternative to expensive cable and satellite providers
- 140+ ALL digital channels



High Speed Internet Access

- E-mail, shop, bank, research, play games and more without tying up your phone line
- Uninterrupted and always-on connection

The best entertainment and communication value *plus* friendly, local customer service and the timesaving convenience of one monthly bill!

Unite is also your single source for all your communication needs: Centrex Business System, High Speed DSL, Telephone, E-mail and more!

Service 816-903-3733

816-903-3967

Customer Service Center
303 W. Jefferson, Kearney, MO

uniteone.com

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UNITE

303 W. Jefferson Kearney

Fax

(See Advertisement Page 200)

TELEPHONE CONSULTANTS

See Communications Consultants

TELEPHONE DIRECTORY ADVERTISING

See Advertising-Directory & Guide

ATS TELECOM

Sales • Service • Installation

- Major Phone Systems (Comidal & Nortel)
- Computer & Telephone Cabling
- Voice Mail & Paging
- Fiber Optic

18940 Hwy 273 Platte City 858-

DATA TEL COMMUNICATIONS

SMALL TO LARGE BUSINESS COMMUNICATIONS SYSTEMS

- Voice Mail
 - Telephone Systems
 - ISDN
 - Computer Cabling
- Sales and Service
Over 20 Yrs Experience

DATA TEL COMMUNICATIONS

888-809-7734

1803 South Belt Hwy St Joseph

Toll Free

888 809-

PROGRESSIVE TELECOM INC 1828 Frederick St Joseph

Toll Free

877

DATA TEL COMMUNICATIONS

1803 South Belt Hwy St Joseph Toll Free ... 888

TELEPHONE INTERVIEWING & SELLING SERVICES

See Market Research & Analysis

J CAMPGROUND PAYPHONE 14116 Scott Rd

TELEVISION ADVERTISING

See Advertising Agencies & Counselors

TELEVISION ANTENNAS & SYSTEMS

See Satellite Equipment & Systems

The Landmark Newspaper

P.O. Box 410
252 Main
Platte City, MO 64079
Phone/fax 816-858-2313

Invoice

DATE	INVOICE #
11/27/2002	4628B

BILL TO

Unite
303 N. Jefferson
Kearney, MO 64060

P.O. NO.

TERMS

PROJECT

Net 15

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	Nov. 7, 2002 - 2x6 Display Ad	75.00	75.00
2	Nov. 14, 21, 2002 - 1/4 Page Displad Ad	229.00	458.00
1	Nov. 28, 2002 - 2x6 Display Ad	75.00	75.00
<i>Delivered on Baller 12-6-02 Platte City</i>			
		Total	\$608.00

PLATTE COUNTY CITIZEN

331 MAIN STREET
PO BOX 888
PLATTE CITY, MO 64079
(816) 858-5154

BILL TO

Unit
303 N. Jefferson
Kearney, MO 64060

P.O. NO.

TERMS

PROJECT

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	4x10.5 ad run 1/8 MO SALES TAX	294.00 7.225%	294.00 0.00
<i>David M. Baller</i> <i>1-10-03</i> <i>Platte City</i>		<i>604000-9150</i>	
Total			\$294.00

Now You Have A Choice!

At Unite we know how important it is for your business to run as efficiently as possible.

That's why we offer Local & Long Distance Phone Service and High Speed DSL Internet Access at rates your company can afford.

And Unite's low prices aren't temporary specials or short term discounts — our customers save year after year!

Local & Long Distance Phone Service

Keep your current phone number

Brand new state-of-the-art telecommunications infrastructure

High Speed DSL Internet Access

Uninterrupted and always-on

Dedicated connection between your business and Unite



Switching is easy!
FREE Connection! FREE Installation!
Unbelievable Prices.
No Contracts.
Call 903-SAVE today!

Platte City's New Hometown Provider —
Located at 301 Marshall Road!

Unite

Everyone at Unite would like to
thank the Platte City business
community for their overwhelming
support and patronage!



Unite values your business and looks forward to providing you with top-notch hometown customer care in 2003. We're committed to providing you with affordable Local & Long Distance Phone Service and High Speed DSL Internet Access for years to come.

Haven't switched to Unite yet?

Call us for a FREE examination of your current operations. We'll design a telecommunications solution that delivers a viable answer to all your business demands! Plus, your business can keep its current phone number!

Switching is easy!

FREE Connection! FREE Installation!

Unbelievable Prices.

No Contracts.

Call 903-SAVE today!



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