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November 23, 1999

FILED

NOV 23 1999

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

Missouri Public
Service Commission

RE: Case No. TA-2000-340
Application of NetLojix Telecom, Inc., for a Certificate of Service Authority to Provide
Interexchange Telecommunications Services

Dear Mr. Roberts:

Enclosed please find an original and fourteen copies of the Interexchange
Telecommunications Service Application of NetLojix Telecom, Inc., for filing with the
Commission.

Thank you for your assistance in processing this filing. A copy is being served on the
Office of Public Counsel. If there are any questions, please call me at 634-8109.

Sincerely,


Mary Ann (Garr) Young

Enclosure

cc: Office of Public Counsel
Mr. Kemal Hawa, Swidler Berlin

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FILED

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

NOV 23 1999

Missouri Public
Service Commission

Application of)
)
NetLojix Telecom, Inc.)
)
For a Certificate of Service Authority)
To Provide Interexchange Telecommunications)
Services in the State of Missouri and for)
Competitive Classification)

Case No. TA-2000-340

APPLICATION

NetLojix Telecom, Inc. ("NetLojix" or "Applicant"), by its undersigned counsel and pursuant to §§ 392.410, 392.420, 392.430, and 392.440 RSMo., hereby submits its application for a Certificate of Interexchange Service Authority to operate as a reseller of intrastate interexchange telecommunications services in the State of Missouri. Additionally, pursuant to §§ 392.361, 392.430, and 392.440 RSMo., NetLojix requests that it be classified as a competitive telecommunications company. NetLojix also requests Commission waiver of certain rules and statutory provisions pursuant to §§ 392.420 RSMo. In support thereof, NetLojix provides the following information:

I. QUALIFICATIONS

1. Applicant's legal name is NetLojix Telecom, Inc. Applicant may be reached at its principal place of business:

501 Bath Street
Santa Barbara, CA 93101
Telephone: (805) 884-6300
Facsimile: (805) 884-6311

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2. Correspondence or communications pertaining to this Application should be directed to Applicant's attorneys of record:

Mary Ann Garr Young
William D. Steinmeier, PC
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
Telephone: (573) 634-8109
Facsimile: (573) 634-8224

Kemal M. Hawa, Esq.
Paul W. Garnett, Esq.
Swidler Berlin Shereff Friedman, LLP
3000 K St., N.W., Suite 300
Washington, D.C. 20007-5116
Telephone: (202) 424-7500
Facsimile: (202) 424-7645

with a copy to:

Michael D. Ussery
Chief Financial Officer and Chief Accounting Officer
NetLojix Telecom, Inc.
8721 Airport Freeway
Fort Worth, TX 76180
Telephone: (817) 788-3077
Facsimile: (817) 788-3355

3. Questions concerning the ongoing operations of Applicant following certification should be directed to:

Michael D. Ussery
Chief Financial Officer and Chief Accounting Officer
NetLojix Telecom, Inc.
8721 Airport Freeway
Fort Worth, TX 76180
Telephone: (817) 788-3077
Facsimile: (817) 788-3355

4. NetLojix is organized under the laws of the State of Delaware. A copy of NetLojix's Certificate of Incorporation and its Certificate of Authority to transact business in the state of Missouri as a foreign corporation are attached hereto as Exhibit A. NetLojix is a wholly owned subsidiary of NetLojix Communications, Inc.^{1/}, a publicly traded Delaware corporation.

5. Applicant's registered agent in the state of Missouri is:

CT Corporation System
120 South Central Avenue
Clayton, MO 63105

6. Applicant seeks authority to provide resold intrastate interexchange telecommunications services to subscribers to and from all points in the State of Missouri and, therefore, seeks statewide authorization.

7. Applicant's services will be available on a full-time basis, twenty-four (24) hours a day, seven (7) days a week. Applicant proposes initially to provide resold intrastate interexchange telecommunications services, including direct dialed 1 + service, inbound/outbound message telecommunications service, switched and dedicated services, toll free service and post-paid calling service to and from all points within the State of Missouri. Customers will be billed either directly by NetLojix or charges will be incurred on the customer's regular home or business telephone bill pursuant to billing and collection agreements established by NetLojix or its intermediary with the applicable telephone company. NetLojix is filing its proposed tariff, which describes its services and rates and which carries a forty-five (45) day effective date as required by 4 CSR 240-060(4) H, concurrently with this Application.

^{1/} NetLojix Communications, Inc. was originally named AvTel Communications, Inc. The name change took effect September 15, 1999.

8. NetLojix is in the process of applying for authorization, where required, to provide intrastate resold interexchange services nationwide. Currently, NetLojix, through application, registration or deregulations, is authorized to provide such services in Indiana, Iowa, Michigan, Montana, New Jersey and Utah. NetLojix has not been denied authority to provide telecommunications services in any state.

9. NetLojix's management personnel are well qualified to execute its business plan, having extensive managerial, financial, and technical telecommunications experience.

10. NetLojix has access to the financing and capital necessary to conduct the telecommunications operations as specified in this Application. As a wholly owned subsidiary, NetLojix will rely upon the financial resources of its corporate parent, NetLojix Communications, Inc. ("NetLojix Communications"), and with access to the substantial financial resources of its parent, NetLojix is financially capable of conducting the telecommunications services for which authority is sought herein.

12. NetLojix's toll-free number for customer inquiries is 1-877-NETLOJIX.

II. CLASSIFICATION AS A COMPETITIVE TELECOMMUNICATIONS COMPANY AND WAIVER OF CERTAIN REGULATORY REQUIREMENTS

NetLojix also seeks classification of its proposed telecommunications services as competitive, with accompanying reduced regulation, pursuant to §§ 392.361, 392.420 RSMo. NetLojix further requests classification of services described in its tariff as competitive pursuant to § 392.361 RSMo. with accompanying reduced regulation. Applicant, respectfully requests, pursuant to § 392.420 RSMo., that the Commission suspend, waive, or modify the application of the following rules and statutory provisions as they relate to the regulation of the applicant interexchange company.

Regulations

4 CSR 240-10.020	-	Depreciation of fund income.
4 CSR 240-30.010(2)(C)	-	Posting of exchange rates at central operating offices.
4 CSR 240-30.040	-	Uniform System of Accounts
4 CSR 240-32.030(1)(B)&(C)-	-	Exchange area maps and record of access lines.
4 CSR 240-32.030(2)	-	In-state record keeping.
4 CSR 240-32.050(3)-(6)	-	Information concerning local service tariffs, maps, directories, intercept and telephone numbers.
4 CSR 240-32.070(4)	-	Coin telephone availability.
4 CSR 240-33.030	-	Information regarding lowest price available.
4 CSR 240-33.040(5)	-	Financing fee.

Statutes

Section 392.240(1)	-	Rates - Average return on investment.
Section 392.270	-	Property valuation.
Section 392.280	-	Depreciation accounts.
Section 392.290	-	Issuance of stocks and bonds.
Section 392.310	-	Issuance of stock.
Section 392.320	-	Stock dividends.
Section 392.330	-	Issuance of securities, debts and rates.
Section 392.340	-	Capitalization reorganization.

13. The above-referenced rules and statutory provisions have been waived with regard to other interexchange carriers in prior cases. These rules or statutory provisions are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Section 392.530 to apply them to a competitive telecommunications carrier such as Applicant.

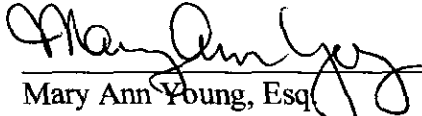
14. NetLojix will comply with all orders and regulations of the Commission applicable to providers of resold intrastate interexchange telecommunication services.

III. PUBLIC INTEREST CONSIDERATIONS

The entry of NetLojix into the telecommunications business in Missouri will serve the public interest by creating greater competition in the interexchange marketplace and permitting customers to achieve increased efficiencies and cost savings. NetLojix's proposed intrastate services will enhance the services available to consumers and increase consumer choice through innovative, diversified, and reliable service offerings. Consumers will benefit both directly as a result of the competitively priced service options available from NetLojix and also indirectly as NetLojix's presence increases the incentives for other telecommunications providers to operate more efficiently, reduce prices, and offer more innovative services. Approval of this Application, therefore, will serve the public interest of the State of Missouri.

WHEREFORE, NetLojix Telecom, Inc. requests that the Missouri Public Service Commission grant the requested Certificate of Interexchange Service Authority, authorizing it to provide resold intrastate interexchange telecommunications services, classify Applicant's proposed services as competitive, and grant a waiver of the statutes and regulations referenced above.

Respectfully submitted,



Mary Ann Young, Esq.
William D. Steinmeier, PC
2031 Tower Drive
Jefferson City, MO 65109
Telephone: (573) 634-8109
Facsimile: (573) 634-8224
Missouri Bar Number: 27951

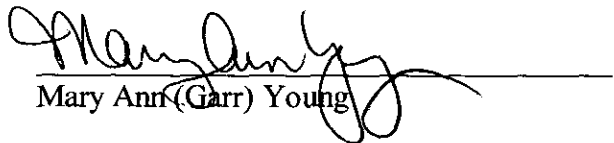
Kemal M. Hawa, Esq.
Paul Garnett, Esq.
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K St., N.W., Suite 300
Washington, D.C. 20007-5116
Telephone: (202) 424-7500
Facsimile: (202) 424-7645

Counsel for NetLojix Telecom, Inc.

Dated: November 23, 1999

Certificate of Service

I hereby certify that a copy of this document has been hand delivered or mailed by first class mail, postage prepaid, to the Office of Public Counsel, on the 23rd day of November 1999.



Mary Ann (Garr) Young

LIST OF EXHIBITS

EXHIBIT A Certificate of Incorporation
 Certificate of Authority to Transact Business

VERIFICATION

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

CORPORATION DIVISION

CERTIFICATE OF CORPORATE GOOD STANDING - FOREIGN CORPORATION

I, REBECCA MCDOWELL COOK, 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

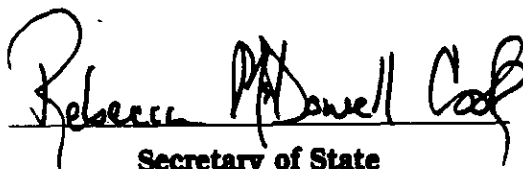
NETLOJIX TELECOM, INC.

USING IN MISSOURI THE NAME

NETLOJIX TELECOM, INC.

A DELAWARE CORPORATION FILED ITS EVIDENCE OF INCORPORATION WITH THIS STATE ON THE 3RD DAY OF NOVEMBER, 1999, 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 4TH DAY OF NOVEMBER, 1999.


Secretary of State

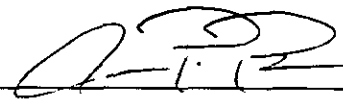


VERIFICATION

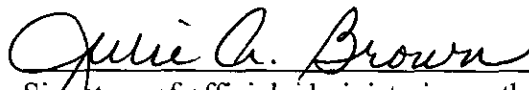
VERIFICATION

STATE OF California
COUNTY OF Santa Barbara

I, James P. Pisani, declare under penalty of perjury that I am authorized to make this verification on behalf of NetLojix Telecom, Inc., the Applicant in the subject proceeding; that I have read the foregoing information and know the contents thereof; that the same are true of my knowledge, except as to matters which are therein stated on information or belief, and as to those matters I believe to be true.


James P. Pisani
President
NetLojix Telecom, Inc.

Sworn and subscribed before me this 18 day of Oct 1999.


Signature of official administering oath

My commission expires: 7/26/2001

