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July 29, 2003

FILED²

JUL 29 2003

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: Corban Communications, Inc.
Case No. XA-2004-0045

Dear Judge Roberts:

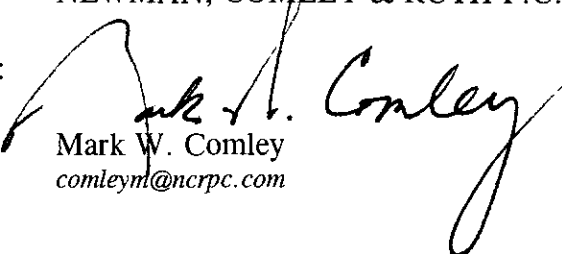
Please find enclosed for filing in the referenced matter the original and five copies of a First Amended Application for Certificate of Service Authority and for Competitive Classification. This application is being filed without the exhibits referenced therein. I would ask that the exhibits filed with the application on July 16, 2003 be used with this first amended application.

Would you please bring this filing to the attention of the appropriate Commission personnel. 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
General Counsel's Office
Richard Blunk
Sarah Buyak

FILED²

JUL 29 2003

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

Application of)	
)	
Corban Communications, Inc.)	Case No. XA-2004-0045
)	
For a Certificate of Service Authority to Provide)	
Interexchange and Non-Switched Local)	
Telecommunications Services in the State of Missouri)	
and for Competitive Classification)	

**FIRST AMENDED APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
AND FOR COMPETITIVE CLASSIFICATION**

Corban Communications, Inc. (Corban or "Applicant"), by its undersigned counsel, hereby applies, pursuant to §§ 392.410, 392.430, 392.440, 392.450, and 392.455, RSMo. 2000; 4 CSR 240-2060(4), and the Federal Telecommunications Act of 1996 Pub. L. No. 104-104, 100 Stat. 56, approved February 8, 1996, for a Certificate of Service Authority to provide resold and facilities-based interstate and intrastate interexchange telecommunications services (including voice and data such as internet) and non-switched local telecommunications services in the State of Missouri. Additionally, pursuant to §§ 392.420 and 392.361, RSMo. 2000 the Applicant requests that said services and the company be classified as competitive and to waive certain statutes and regulations. In support of its application, Corban provides the following information.

I. INTRODUCTION

1. Applicant's legal name is Corban Communications, Inc. and it maintains its principal place of business at:

901 Jupiter
Plano, Texas 750754
972/633-4660
972/398-2379 FAX

2. Correspondence or communications pertaining to this application should be directed

to:

Mark W. Comley
Newman, Comley & Ruth, P.C.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, Missouri 65102
Telephone: (573) 634-2266
Facsimile: (573) 636-3306

with a copy to:

Richard Blunk
Staff Attorney
Corban Communications, Inc.
901 Jupiter Road
Plano, Texas 75074
Telephone (972) 633-4660
Facsimile (972) 398-2379

3. Questions concerning the ongoing operations of Corban Communications, Inc. and

all its subsidiaries following certification provided above should be directed to:

David R. Kaltenbach
901 Jupiter Road
Plano, Texas 75074

4. Applicant's registered agent in the State of Missouri is:

CT Corporation System
120 South Central Ave, Suite 400
Clayton, Missouri 63105

II. QUALIFICATIONS

5. Corban Communications, Inc., a corporation organized under the laws of Texas on April 15, 1999. As of July 17, 2000, Corban Communications, Inc. is authorized to transact business in the State of Missouri. Corban Communications, Inc.'s Certificate of Good Standing and a copy of its Certificate of Authority to Transact Business in Missouri are attached hereto as **Exhibit 1** and **Exhibit 2**, respectively.

6. Corban is financially qualified to provide resold interstate and intrastate interexchange and non-switched local telecommunications services in the State of Missouri. Corban has access to the financing and capital necessary to conduct the telecommunications services as specified in this application. Corban will rely upon its existing personnel and resources, both technological and financial, to provide intrastate telecommunications services.

7. Corban has the managerial and technical qualifications to provide interstate and intrastate telecommunications services in Missouri. Corban's management team has considerable experience in network operations, financial analysis/accounting, marketing, sales, customer service, training, regulatory, and other relevant areas. Attached hereto as **Exhibit 3** is a description of the telecommunications experience and expertise of Corban's key management personnel. As the biographical information of Corban's key personnel reflects, these individuals have substantial experience in running major telecommunications operations. Each member of Corban's management team will draw upon his own experience, as well as the collective experience of the entire management team, to ensure that Corban is managed and operated effectively, efficiently, and profitably. **Exhibit 3** describes the technical and managerial experience of Corban's personnel in greater detail.

8. Applicant is currently authorized to provide competitive interstate and intrastate interexchange telecommunications services in the following states: Arkansas, Colorado, Idaho, Iowa, Indiana, Kentucky, Mississippi, Montana, Nebraska, Tennessee, Texas, Utah, Washington & Wyoming. Applicant will also make application to provide such services in Alabama, California, Georgia, Illinois, Kansas, Missouri, Nevada, New York, Ohio, Oklahoma, Oregon, Pennsylvania & South Dakota.

9. As a non-dominant common carrier, Corban is not required to hold Federal Communications Commission authorization to provide domestic interstate telecommunications services. Furthermore, Applicant has never been denied any request for authority to provide telecommunications services.

III. PROPOSED SERVICES

10. Corban proposes to provide resold and facilities-based interstate and intrastate interexchange telecommunications services (including voice and data such as internet) throughout the State of Missouri and, therefore, seeks statewide authorization.

11. In addition to the provision of resold and facilities-based interstate and intrastate interexchange telecommunications services, Corban also seeks the authority to provide non-switched local telecommunications services to its Missouri business customers. Such private line services will be provided within local exchanges.

12. Corban intends to provide the telecommunications services detailed herein over its own facilities, through the use of unbundled network elements purchased from other certified carriers, through the resale of the services of other carriers, or through some combination thereof as determined by market conditions.

13. Applicant will offer services pursuant to its tariff. Applicant's proposed tariff is attached as **Exhibit 4** bearing a 45-day effective date, as required by 4 CSR 240-060(4) C.

IV. WAIVER OF CERTAIN REGULATORY REQUIREMENTS

14. Corban respectfully requests that the Commission suspend, waive, or modify the application of the following rules and statutory provisions consistent with the Commission's treatment of other competitive interexchange and non-switched local telecommunications service carriers:

Statutes

392.210.2	-	Uniform System of Accounts
392.240(1)	-	Just & Reasonable Rates
392.270	-	Ascertain Property Values
392.280	-	Depreciation Accounts
392.290	-	Issuance of Securities
392.300.2	-	Acquisition of Stock
392.310	-	Issuance of stock and debt
392.320	-	Stock dividend payment
392.330	-	Issuance of securities, debts & notes
392.340	-	Reorganizations

Regulations

4 CSR 240-10.020	-	Depreciation fund income
4 CSR 240-30.010 (2)(C)	-	Rate schedules should be posted at central office
4 CSR 240-30.040	-	Uniform system of accounts
4 CSR 240-33.030	-	Inform customers of lowest price

15. The above-referenced statutory provisions or regulations, or previous versions thereof, have been waived with regard to other interexchange carriers in Case Nos. TO-99-0142, TO-99-259, TO-90-128, and/or Case No. TA-91-237. These statutory provisions or regulations are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of §392.530 to apply them to a competitive telecommunications carrier such as

Applicant.

16. Corban will comply with all orders and regulations of the Commission applicable to providers of interstate and intrastate interexchange and non-switched local telecommunication services.

17. Applicant will not unjustly discriminate among its subscribers, as prohibited by Section 392.200 RSMo.

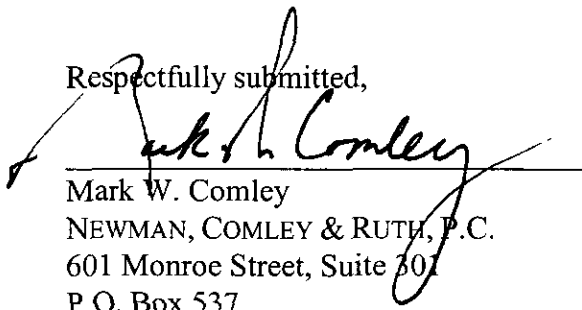
V. PUBLIC INTEREST CONSIDERATIONS

18. Corban submits that the public interest will be served by Commission approval of this Application. Applicant's proposed services will create and enhance competition and expand customer service options, consistent with the legislative goals set forth in Chapter 392 of the Missouri Revised Statutes and the Federal Telecommunications Act of 1996. Approval of this Application also will expand the availability of innovative, high quality, reliable and competitively-priced telecommunications services in the State of Missouri. Through use of Applicant's owned and leased facilities, and through access to many facilities-based carriers operating nationwide, Corban will be able to select the most economical and efficient interexchange and non-switched local telecommunications services on a route-specific basis and, thus, can provide customers, i.e. other telecommunication providers, with a better combination of price, quality, and customer services than other carriers. Accordingly, Corban anticipates that its proposed service will provide its customers with better quality services and will increase choice through innovative, diversified, and reliable service and equipment offerings. Thus, the granting of Corban's application would promote the public interest in the State of Missouri.

WHEREFORE, Applicant, Corban Communications, Inc., requests that the Missouri Public

Service Commission grant the requested Certificate of Authority to provide interstate and intrastate interexchange and non-switched local telecommunications services in the State of Missouri, classify its services and Applicant as competitive and grant a waiver of the statutes and regulations referenced above.

Respectfully submitted,

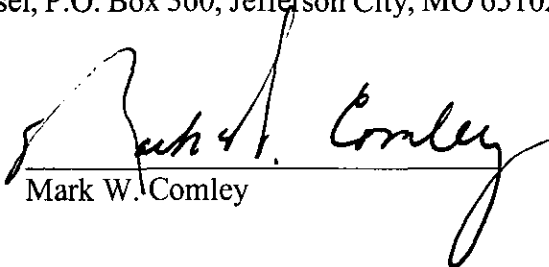


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Jefferson City, Missouri 65102
Telephone: (573) 634-2266
Facsimile: (573) 636-3306

Attorneys for Corban Communications, Inc.

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, or hand delivered, to Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102, and General Counsel, P.O. Box 360, Jefferson City, MO 65102 on this 29th day of July, 2003.

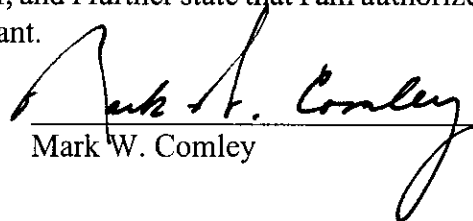


Mark W. Comley

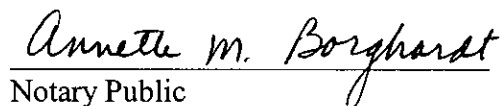
ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for Corban Communications, Inc., Applicant in the above captioned proceeding; that I have read the above and foregoing Application and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant.


Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 29th day of July, 2003.


Notary Public

My Commission expires:

