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WRITER'S DIRECT EMAIL ADDRESS:

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August 23, 1999

## VIA OVERNIGHT DELIVERY

Dale Hardy Roberts  
Executive Secretary  
Missouri Public Service Commission  
301 W. High Street, Room 530  
Jefferson City, MO 65101

FILED

AUG 25 1999

Missouri Public  
Service Commission

TA-2000-208

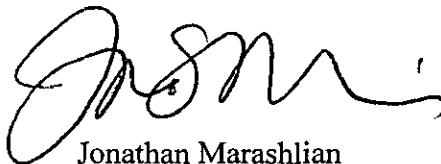
Re: WebNet Communications, Inc.'s Application  
for Authorization to Provide Intrastate Switchless Resale  
of Telecommunications Services

Dear Mr. Hardy:

On behalf of WebNet Communications, Inc., a long distance resale carrier, we transmit herewith an original and fifteen (15) copies of an application for authorization to provide intrastate resale of long distance telecommunications services in Missouri.

An extra copy of this letter and application is also enclosed. Please date-stamp it and return it to the undersigned in the pre-addressed, postage-paid envelope provided. Should any questions arise, kindly contact the undersigned.

Respectfully submitted,



Jonathan Marashlian  
Regulatory Counsel

Enclosures

2000 00152

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF THE STATE OF  
MISSOURI**

TA-2000-208

**APPLICATION FOR AUTHORIZATION TO PROVIDE  
INTRASTATE TELECOMMUNICATIONS RESALE SERVICES  
OF  
WEBNET COMMUNICATIONS, INC.  
3248 PROSPECT STREET, N.W.  
WASHINGTON, D.C. 20007**

**FILED**

AUG 25 1999

Missouri Public  
Service Commission

**REGULATORY COUNSEL:**

**CHARLES H. HELEIN (Local Counsel)  
MISSOURI BAR NO. 18227  
JONATHAN S. MARASHLIAN  
HELEIN & ASSOCIATES, P.C.  
8180 Greensboro Drive, Suite 700  
McLean, VA 22102  
Telephone No. (703)714-1300  
Facsimile No. (703) 714-1330**

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FILED

AUG 25 1999

BEFORE THE  
MISSOURI PUBLIC SERVICE COMMISSION

Docket No. \_\_\_\_\_

Missouri Public  
Service Commission

In the Matter of

WebNet Communications, Inc.

Application for Authorization to

Provide Intrastate

Telecommunications Resale Services

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) TA-2000-208

APPLICATION OF WEBNET COMMUNICATIONS, INC.

WebNet Communications, Inc. ("WebNet" or "Applicant") herewith applies for a certificate of authority under Chapter 392.440, RSMO, to operate as an intrastate reseller of telecommunication services and also applies pursuant to section 392.361 for designation as a competitive telecommunications company. In support of this application, the following is shown:

1. WebNet is incorporated in the Commonwealth of Virginia. A copy of the Applicant's Articles of Incorporation is attached to this petition as Exhibit 1. WebNet is a privately held Subchapter S corporation.
2. The Company's principal offices are located at 3248 Prospect Street, N.W., Washington, D.C. 20007.
3. All questions regarding this application should be directed to Applicant's regulatory counsel at:

Jonathan S. Marashlian  
Helein & Associates, P.C.  
8180 Greensboro Drive, Suite 700  
McLean, Virginia 22102  
Telephone No. (703)714-1313  
Facsimile No. (703) 714-1330

4. The Company officers and directors are as follows:

Officers

M. Howard Lewis	President/CEO/Treasurer
3248 Prospect Street, N.W.	
Washington, D.C. 20007	

Patrick H. Allen	Secretary
3248 Prospect Street, N.W.	
Washington, D.C. 20007	

Director

M. Howard Lewis

5. Applicant is a Subchapter S corporation whose shareholders are:

M. Howard Lewis	100%
3248 Prospect Street, N.W.	
Washington, D.C. 20007	

6. Applicant's Certificate of Authority to transact business as a foreign corporation in the State of Missouri is attached as Exhibit 2.

7. Applicant's registered agent to receive service is listed in Exhibit 3.

8. Applicant proposes to provide presubscribed 1+ long distance services already classified as competitive telecommunications services in the State of Missouri. Applicant also proposed to provide 800/888/877 inbound and calling card service. Applicant does not seek authority to provide services to pay phones. Both WebNet and all of the services to be provided will be subject to sufficient competition to justify a lesser degree of regulation. Such regulation will be consistent with the protection of the ratepayer and promote the public interest.<sup>1</sup>

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<sup>1</sup> Pursuant to its request to be classified as a competitive telecommunications company, WebNet also requests that certain statutory and regulatory requirements be waived, as set forth in

9. Applicant is a switchless reseller which provides interstate, interexchange long distance telephone service using the backbone nationwide and international networks of its underlying carrier, Sprint. Intrastate interLATA and, where permitted, intraLATA telecommunications services will also be offered to the public on a resale basis. Applicant is in the process of filing the requisite applications in all other states to be certified (where required). Applicant proposes to provide service throughout Missouri.

10. Applicant employs no switches or network facilities of its own because those are or will be provided by Applicant's underlying carrier.

11. Because the Company provides no equipment, transmission, or reception facilities, the technical expertise required to directly supervise and manage the underlying network facilities and equipment necessary for call completion and administration is not required. Reliable, high-quality services are assured because Applicant will maintain close and continuous liaison with its underlying carrier. This close contact enables Applicant to coordinate and expedite new service orders, changes, repairs, etc. of the facilities or the equipment of the underlying carrier.

12. Applicant has the financial ability to provide the services it requests the authority to provide. Attached are Applicant's projected Financial Statements. Because Applicant is a start-up company, having been in operation for less than a full year, it is not yet operating at a profit. However, Applicant has the financial resources to fund its operations.

13. The proposed tariff of WebNet is attached as Exhibit 6.

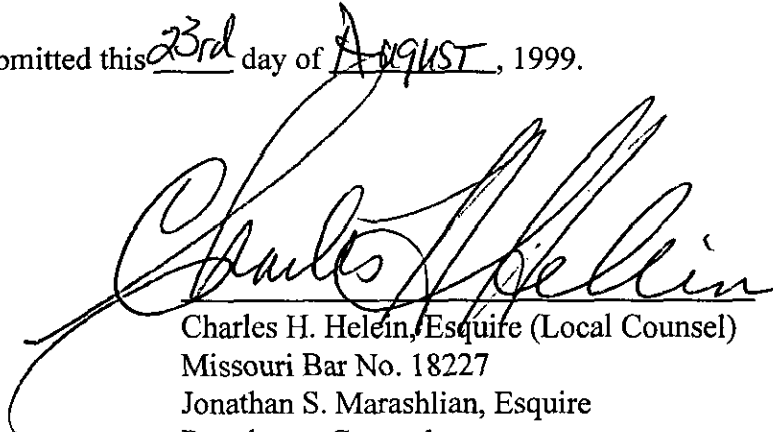
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Exhibit 4 hereto.

14. WebNet submits that the public interest will be served by the approval of this application. For example, WebNet's proposed service will use existing communication facilities more efficiently, and will provide alternative services of the highest quality. Moreover, WebNet's services will provide increased consumer choice in billing options, as well as increasing the diversification and reliability of the supply of intrastate communications services.

WHEREFORE, WebNet Communications, Inc. prays that the Commission authorize it to engage in the resale of intrastate, interexchange telecommunication services to the public as proposed herein and as set forth in the attached tariffs.

Respectfully submitted this 23rd day of AUGUST, 1999.



Charles H. Helein, Esquire (Local Counsel)

Missouri Bar No. 18227

Jonathan S. Marashlian, Esquire

Regulatory Counsel

Helein & Associates, P.C.

8180 Greensboro Drive, Suite 700

McLean, VA 22102

Telephone No: (703) 714-1300

Facsimile No: (703) 714-1330

VERIFICATION

DISTRICT OF COLUMBIA

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Patrick H. Allen, being duly sworn, deposes and says: that he is the Secretary of WebNet Communications, Inc.; that he has read the foregoing petition and knows the contents thereof, and that the same is true of his own knowledge except as to the matters therein stated upon information and belief; and as to those matters he believes them to be true; that he consents to the verified affidavit being used as evidence in this proceeding.

Patrick H. Allen  
Patrick H. Allen, Secretary

Subscribed and sworn to before me this 12 day of August, 1999.

A. G. Queen  
Notary Public

My commission expires: **A. G. QUEEN**  
**Notary Public, District of Columbia**  
**My Commission Expires March 14, 2004**

EXHIBIT 1

WEBNET COMMUNICATIONS, INC. INC .

ARTICLES OF INCORPORATION



# Commonwealth of Virginia



## STATE CORPORATION COMMISSION

*Richmond,* June 4, 1998

*This is to Certify that the certificate of incorporation of*

*WebNet Communications, Inc.*

*was this day issued and admitted to record in this office  
and that the said corporation is authorized to transact its business  
subject to all Virginia laws applicable to the corporation and its  
business. Effective date:*

June 4, 1998



*State Corporation Commission*

*William J. Bridge*  
Clerk of the Commission

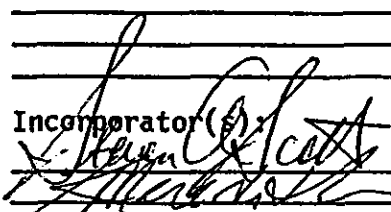
Guide for Articles of Incorporation

Articles of Incorporation of  
WebNet Communications, Inc.

The undersigned, pursuant to Chapter 9 of Title 13.1 of the Code of Virginia, state(s) as follows:

1. The name of the corporation is:  
WebNet Communications, Inc.
2. The number (and classes, if any) of shares the corporation is authorized to issue is (are):  

Number of shares authorized	Class(es)
10,000	Common
_____	_____
_____	_____
3. A. The corporation's initial registered office address, including street and number, is:  
8180 Greensboro Drive, #700, McLean VA 22102  
(Number) (Street) (City or Town) (ZIP Code)
- B. The registered office is located in:  
The City of \_\_\_\_\_ OR the County of Fairfax.
4. A. The name of the corporation's initial registered agent, whose business office is identical with the above-registered office, is:  
Helein & Associates, P.C.
- B. The initial registered agent is (mark appropriate box):  
(1) An individual who is a resident of Virginia and  
[ ] An initial director of the corporation  
[ ] A member of the Virginia State Bar  
OR  
(2) ☒ A professional corporation registered under the provisions of Section 54.1-3902, Code of Virginia.
5. The names and addresses of the initial directors (required if the initial registered agent is an initial director) are:  
Marc Lewis  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Incorporator(s):  

  
\_\_\_\_\_  
Signature(s)

Steven A. Scott  
Kia M. Meredith  
\_\_\_\_\_  
Printed name(s)

EXHIBIT 2

WEBNET COMMUNICATIONS, INC.

AUTHORIZATION TO DO BUSINESS AS A FOREIGN CORPORATION

# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

## CORPORATION DIVISION - CERTIFICATE OF AUTHORITY

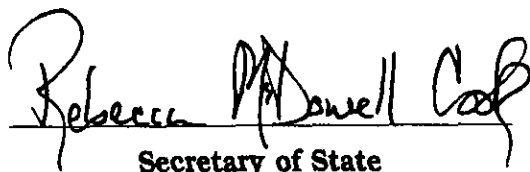
WHEREAS,  
WEBNET COMMUNICATIONS, INC.

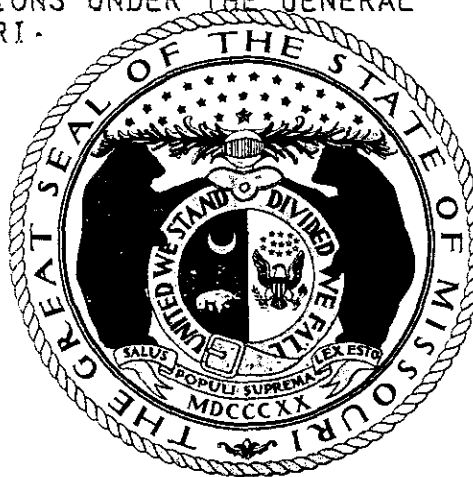
USING IN MISSOURI THE NAME  
WEBNET COMMUNICATIONS, INC.

HAS COMPLIED WITH THE GENERAL AND BUSINESS CORPORATION LAW WHICH GOVERNS FOREIGN CORPORATIONS; BY FILING IN THE OFFICE OF THE SECRETARY OF STATE OF MISSOURI AUTHENTICATED EVIDENCE OF ITS INCORPORATION AND GOOD STANDING UNDER THE LAWS OF THE STATE OF VIRGINIA.

NOW, THEREFORE, I, REBECCA MCDOWELL COOK, SECRETARY OF STATE OF THE STATE OF MISSOURI, DO HEREBY CERTIFY THAT SAID CORPORATION IS FROM THIS DATE DULY AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE, AND IS ENTITLED TO ALL RIGHTS AND PRIVILEGES GRANTED TO FOREIGN CORPORATIONS UNDER THE GENERAL AND BUSINESS CORPORATION LAW OF MISSOURI.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 20TH DAY OF AUGUST, 1999.

  
Secretary of State



\$155.00



# State of Missouri

Rebecca McDowell Cook, Secretary of State

P.O. Box 778, Jefferson City, Mo. 65102

AND CERTIFICATE OF  
AUTHORITY ISSUED

## Corporation Division

### Application for Foreign Corporation

AUG 20 1999

### For a Certificate of Authority

(Submit in duplicate with filing fee of \$155.00)

Rebecca McDowell Cook  
SECRETARY OF STATE

- (1) The corporation's name is WebNet Communications, Inc.  
and it is organized and existing under the laws of Virginia
- (2) The name it will use in Missouri is Same
- (3) The date of its incorporation was 6/4/98, and the period of its duration is Perpetual  
month/day/year
- (4) The address of its principal place of business 3248 Prospect Ave, NW, Wash, DC 20007  
Address City/State/Zip
- (5) The name and address of its registered agent and office in the State of Missouri is Corporation Service Co., d/b/a CSC- Lawyers Incorporating Service Co., 221 Bolivar St., Jefferson City, MO 65101  
Name Address City/State/Zip
- (6) The specific purpose(s) of its business in Missouri are:  
Telecommunications Services

- (7) The name of its officers and directors and their business addresses are as follows:

(Officers)	Name	Address	City/State/Zip
President	<u>M. Howard Lewis</u>	<u>3248 Prospect Ave, NW, Wash, DC 20007</u>	
Vice President			
Secretary	<u>Patrick H. Allen</u>	<u>3248 Prospect Ave, NW, Wash, DC 20007</u>	
Treasurer	<u>M. Howard Lewis</u>	<u>3248 Prospect Ave, NW, Wash, DC 20007</u>	

#### (Board of Directors)

Director	<u>M. Howard Lewis</u>	<u>3248 Prospect Ave, NW, Wash, DC 20007</u>
Director		
Director		
Director		

- (8) The effective date of this document is the date it is filed by the Secretary of State of Missouri, unless you indicate a future date, as follows: \_\_\_\_\_

(Date may not be more than 90 days after the filing date in this office)

In affirmation thereof, the facts stated above are true.

Patrick H. Allen  
(Authorized signature of officer or chairman of the board)

Secretary  
(Title)

8/8/99  
(Date of Signature)

Note: You must have a current certificate of good standing or certificate of existence with this application. This may be obtained from the Secretary of State or other authority that issues corporate charters.

EXHIBIT 3

WEBNET COMMUNICATIONS, INC.

REGISTERED AGENT FOR SERVICE

Corporation Service Company  
d/b/a CSC-Lawyers Incorporating Service Company  
221 Bolivar Street  
Jefferson City, Missouri 65101

## EXHIBIT 4

### WEBNET COMMUNICATIONS, INC.

### REQUEST FOR WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS

Pursuant to its request to be classified as a competitive telecommunications company, WebNet Communications, Inc. hereby requests the Commission to waive compliance with certain statutes and Commission regulations, as set forth below:

#### Statutes

392.240 (1)	-	ratemaking
392.270	-	valuation of property (ratemaking)
392.280	-	depreciation accounts
392.290	-	issuance of securities
392.310	-	stock and debt issuance
392.320	-	stock dividend payment
392.330	-	issuance of securities, debt and notes
392.340	-	reorganizations (s)

#### Commission Rules

4 CSR 240-10.020	-	depreciation fund income
4 CSR 240-30.010(2) (C)	-	rate schedules
4 CSR 240-30.040	-	uniform system of accounts
4 CSR 240-32.030 (1) (B)	-	exchange boundary maps
4 CSR 240-32.030 (1) (C)	-	record keeping
4 CSR 240-32.030 (2)	-	in-state record keeping
4 CSR 240-32.050 (3)	-	local office record keeping
4 CSR 240-32.050 (4)	-	telephone directories
4 CSR 240-32.050 (5)	-	call intercept
4 CSR 240-32.050 (6)	-	telephone number changes
4 CSR 240-32.070 (4)	-	public coin telephone
4 CSR 240-33-030	-	minimum charges rule
4 CSR 240-33.040 (5)	-	financing fees

WebNet submits that its verified application and accompanying exhibits demonstrate WebNet's compliance with the Commission's standards pertaining to applications requesting authority to provide intrastate interexchange telecommunications services, and also demonstrate

that all the services that WebNet proposes to provide in Missouri are competitive telecommunications services. WebNet submits that it should therefore be classified as a competitive company pursuant to Section 392.361 of the Commission's rules, as additional competition in the intrastate interexchange market is in the public interest. Additionally, a waiver of the statutes and rules set forth above should be granted, as the waiver request is reasonable, consistent with prior Commission decisions concerning competitive telecommunications companies, and not detrimental to the public interest.



EXHIBIT 5

WEBNET COMMUNICATIONS, INC.

PROJECTED FINANCIAL STATEMENTS

Profit and Loss Statement  
Twelve Months Projection Beginning: 10/1/99  
For the State of Missouri

Estimated Number of Missouri Customers:	3000
Average monthly long distance bill:	\$29.00
Intrastate/Interstate toll revenue percentage:	50/50
Average intrastate monthly long distance bill:	\$14.50

$3000 \times \$14.50 = \$43,500$

$\$43,500 \times 12 \text{ mo.} = \$522,000$

Gross revenue from intrastate services = \$522,000

Operating Expenses:

Line Charges	\$238,032
Marketing	\$63,474
Billing	\$55,540
Customer Service	\$39,672

Total Expenses	\$396,718
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Net Intrastate First Year Earnings Before Taxes:      \$125,282

EXHIBIT 6

WEBNET COMMUNICATIONS, INC.

PROPOSED TARIFF