

# FISCHER DORITY

REGULATORY CONSULTANTS

James M. Fischer  
Larry W. DORITY

Attorneys at Law  
Regulatory & Governmental Consultants

101 Madison, Suite 400  
Jefferson City, MO 65101  
Telephone: (573) 636-6753  
Fax: (573) 636-0383

October 25, 2004

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, Missouri 65102

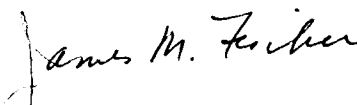
RE: In the Matter of the Joint Application of Advanced TelCom, Inc. and Shared Communications Services, Inc. and Eschelon Telecom, Inc. For Expedited Approval of a Change in Ownership of Authorized Telecommunications Providers, Case No. XM-2005-0111.

Dear Mr. Roberts:

Earlier today, I filed an Application And Motion For Expedited Treatment, Or In The Alternative, An Order Declining Jurisdiction Over The Proposed Transaction (the "Applicaton") in the above-referenced case. Unfortunately, in the scanning process, I inadvertently scanned into the Application an incorrect page 13. The correct page 13 to this Application is attached to this letter, and I would respectfully request that it be inserted by interlineation into the Application in the above-referenced matter, and that the original page 13 filed earlier today be considered deleted. A copy of this letter and the attachment has been emailed, hand-delivered or mailed this date, to each party of record.

Thank you for your attention to this matter.

Sincerely,

  
James M. Fischer

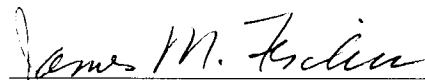
Enclosure

cc: Office of the Public Counsel  
Dan Joyce, General Counsel

## **XI. CONCLUSION**

The Applicants respectfully request that the Commission grant approval for the transfer of control of Advanced TelCom, Inc. and Shared Communications Services, Inc. from Advanced TelCom Group, Inc. to Eschelon Operating Company, the direct subsidiary of Eschelon Telecom, Inc., as set forth above, and for such other and further relief the Commission determines is appropriate, on or before December 31, 2004. In the alternative, since the Applicants do not believe that the Commission has jurisdiction over the proposed transaction since it is the stock of the parent (ATI) of the regulated company, and not the regulated company (SCS) that is being purchased, the Applicants would respectfully request that the Commission issue its Order Declining Jurisdiction over the proposed transaction.

Respectfully submitted,



James M. Fischer, Esq. MBN 27543  
FISCHER & DORITY, P.C.  
101 Madison Street, Suite 400  
Jefferson City, Missouri 65101  
Telephone: (573) 636-6758  
Facsimile: (573) 636-0383  
E-mail: [jfischerpc@aol.com](mailto:jfischerpc@aol.com)

Counsel for Eschelon Telecom, Inc., Advanced  
TelCom, Inc. and Shared Communications Services,  
Inc.

Dated: October 25, 2004