

**Craig S. Johnson**  
**Attorney at Law**

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1648-A East Elm St.  
Jefferson City, MO 65101

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[craig@csjohnsonlaw.com](mailto:craig@csjohnsonlaw.com)

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(573) 632-1900 tel  
(573) 634-6018 fax

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September 16, 2005

Colleen Dale  
Secretary  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**FILED<sup>2</sup>**  
SEP 19 2005  
Missouri Public  
Service Commission

Re: Application of Unite Private Networks, LLC for Certificates of Service Authority

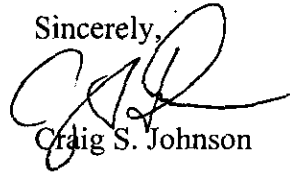
Dear Secretary Dale:

Enclosed for filing please find an original and three copies of the above referenced application. I am electronically sending copies to Staff Counsel and OPC.

Please let me know of the case number assigned. I would also like to obtain EFIS filing authority on behalf of Applicant.

Thank you for your attention.

Sincerely,



Craig S. Johnson

cc: Dan Joyce  
Michael Dandino  
Dennis Devoy

BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI

**FILED<sup>2</sup>**

SEP 19 2005

Missouri Public  
Service Commission

In the Matter of the Application )  
Of Unite Private Networks, L.L.C. )  
For Certificates of Service Authority )  
To Provide Interexchange )  
Telecommunications Service throughout )  
Missouri, to provide non-basic local )  
Telecommunications Service throughout )  
Missouri, and to provide Basic Local )  
Telecommunications Services in the )  
Service areas of Southwestern Bell, )  
Century Tel, Spectra, and Sprint. )

Case No. \_\_\_\_\_

**APPLICATION**

Comes now Unite Private Networks, LLC, (hereinafter "Applicant"), a Missouri limited liability corporation, and pursuant to § 392.410 RSMo 2003, § 392.420-.450 RSMo 2000, § 392.361 RSMo 2000, 4 CSR 240-2.060(1) and (4), and 4 CSR 240-3.510 files this verified application requesting that the Missouri Public Service Commission (hereinafter "Commission") issue an order that grants to Applicant certificates of service authority to provide interexchange telecommunications services throughout Missouri, to provide non-basic local or unswitched telecommunications service throughout Missouri, and to provide basic local telecommunications services as a CLEC in the Missouri service areas of Southwestern Bell Telephone Company, Century Tel of Missouri, Spectra Communications, and Sprint Missouri, Inc.

In support of these Applications, Applicant states as follows:

1. Applicant is a Missouri limited liability corporation with its principal office and place of business at 303 N. Jefferson, Kearney, MO 64060. Applicant is authorized to do business in the State of Missouri. Attached hereto, marked Appendix A

and incorporated herein by reference is a Certificate of Good Standing from the Missouri Secretary of State.

2. All communications, notices, orders and decisions respecting this

Application and proceeding should be addressed to:

Craig S. Johnson  
Attorney at Law  
1648-A East Elm  
Jefferson City, MO 65101  
(573) 632-1900  
(573) 634-6018 (fax)  
craig@csjohnson.law

with a copy to:

Dennis Devoy  
Chief Financial Officer  
Unite Private Networks  
303 N. Jefferson  
Kearney, MO 64060  
(816) 903-3936  
(816) 903-3900 fax

3. Applicant is engaged in the provisioning of private network services in other states, and wishes to do so in Missouri. Applicant desires certificates of service authorities to provide interexchange service in Missouri, non-basic local or non-switched local service in Missouri, and basic local service within the service areas of ILECs that are not small rural ILECs. Applicant desires competitive classification of itself and its services.

4. Applicant requests a certificate of service authority to provide interexchange services in the state of Missouri.

5. Applicant requests a certificate of service authority to provide unswitched or non-basic local services in the state of Missouri.

6. Applicant requests a certificate of service authority to provide basic local services in the service areas of Southwestern Bell Telephone, CenturyTel of Missouri, Spectra Communications, and Sprint Missouri Inc.

7. Applicant requests that it be granted Competitive Classification status pursuant to 392.361 RSMo, 392.420 RSMo, and 4 CSR 240-3.510 for purposes of the authority requested herein. The extent of competition, which exists in the local markets of Southwestern Bell Telephone Company, Century Tel of Missouri, Spectra Communications, and Sprint Missouri Inc. is such that a lesser degree of regulation of the services of Applicant is justified and in the public interest.

8. Pursuant to 392.361 RSMo, Applicant requests waiver of the following statutes and rules as a competitive alternative local exchange company:

**Statutory Provisions**

§ 392.210.2	uniform system of accounts
§ 392.240.1	rates-rentals-service & physical connections
§ 392.270	valuation of property (ratemaking)
§ 392.280	depreciation accounts
§ 392.290	issuance of securities
§ 392.300.2	acquisition of stock
§ 392.310	stock and debt issuance
§ 392.320	stock dividend payment
§ 392.330	issuance of securities, debts and notes
§ 392.340	reorganization

**Commission Rules**

4 CSR 240-10.020	depreciation fund income
4 CSR 240-30.040	uniform system of accounts
4 CSR 240-3.550(5)(c)	exchange boundary maps

9. Applicant will be providing interexchange and non-basic local services pursuant to tariffs. Applicant will be providing basic local services pursuant to tariffs. Applicant has not yet obtained an approved interconnection agreement upon which any basic local services must be structured. Applicant agrees that, once it is in a position to do so, it will submit to the Commission for approval tariffs which must become effective in order for Applicant to provide service under the certificates requested herein. Applicant requests a temporary waiver of the requirement of 4 CSR 240-3.510(1) that proposed tariffs accompany this Application.

10. The character of the business anticipated to be performed by Applicant is to provide local and basic local services, and exchange access service, to customers within the state of Missouri, as a competitive alternative local exchange company, and as a provider of private networks systems and/or services.

11. Applicant 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 years of the date of this Application.

12. Applicant has no annual report or assessment fees which are overdue.

13. Applicant states that, in accordance with 392.450, 392.451, and 392.455 RSMo, and Commission Rule 4 CSR 240-3.510(1)(C), it will file and maintain tariffs with the Commission in the same manner and form as required of the ILECs with whom Applicant intends to compete, it will meet the minimum service standards required by the Commission of the ILECs with whom Applicant intends to compete, it will offer all Commission-determined essential local telecommunications services throughout the

service areas of any small ILECs with whom Applicant intends to compete, including two way switched voice service comprised of single line service including touch-tone dialing, access to local emergency services, access to basic local operator services, access to basic local directory assistance, standard intercept service, equal access to interexchange carriers, one standard white pages directory listing, and toll blocking or toll control for qualifying low-income customers, it will advertise the availability of such essential services and the charges therefore using media of general distribution, it will make such reports to and other information filings with the Commission as is required of ILECs with whom Applicant intends to compete, it will comply with the same rules and regulations the Commission imposes on ILECs with whom Applicant intends to compete, it will offer services in the geographic areas which will be no smaller than the exchange boundaries of the incumbent local exchange telecommunications company, that it will offer basic local telecommunications service as a separate and distinct service, and that it will provide equitable access to affordable telecommunications service for all Missourians regardless of where they live or their income, subject to the terms of the certificates, interconnection agreements, and tariffs that Applicant will be required to adhere to.

14. Applicant is in all respects fit, qualified, and capable of providing the services for which service authority is requested herein. Applicant possesses sufficient technical, managerial, and financial resources and abilities to provide the services for which service authority is requested herein, as demonstrated by its past operations as an alternative or competitive local exchange telecommunications company.

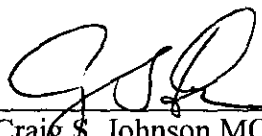
15. Granting of the Application is in the public interest in that it increases competition and increases the number of available LECs in portions of northern Missouri, as well as increasing the variety of telecommunications service available.

WHEREFORE, Applicant respectfully requests that the Commission grants it certificates of authority to provide interexchange telecommunications services throughout Missouri, to provide non-basic local or unswitched telecommunications service throughout Missouri, and to provide basic local telecommunications services as a CLEC in the Missouri service areas of Southwestern Bell Telephone Company, Century Tel of Missouri, Spectra Communications, and Sprint Missouri, Inc., along with the competitive classifications, waivers, and other relief set forth above.

Respectfully submitted,

**LAW OFFICE OF CRAIG S.  
JOHNSON**

By:

  
Craig S. Johnson, MO Bar #28179  
1648-A East Elm  
Jefferson City, MO 65101  
(573) 632-1900  
(573) 634-6018 (fax)  
craig@csjohnson.law


**ATTORNEY FOR UNITE  
PRIVATE NETWORKS**

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by electronic mail this 16th day of September, 2005, to the following parties:

General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102

General Counsel  
Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102

  
Craig S. Johnson



VERIFICATION

I, Dennis Devoy, Chief Financial Officer of Unite Private Networks, L.L.C., hereby verify and affirm that I have read the foregoing Application and that the statements contained herein are true and correct to the best of my information and belief.

Dennis R. Devoy

Dennis Devoy

STATE OF MISSOURI           )  
ss.                                )  
COUNTY OF CLAY            )

Subscribed and sworn to me, a Notary Public, on this 7th day of September 2005.



Christine E. Christensen

Notary Public

My Commission expires April 11, 2009



Robin Carnahan  
Secretary of State

CORPORATION DIVISION  
CERTIFICATE OF GOOD STANDING

ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the record  
my office and in my care and custody reveal that

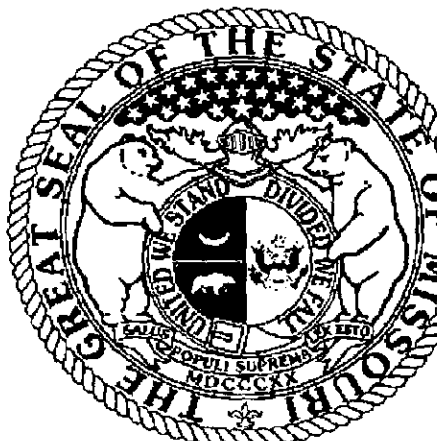
UNITE PRIVATE NETWORKS, L.L.C.  
LC0557395

as created under the laws of this State on the 17th day of December, 2003, 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 7th day of  
September, 2005

*Robin Carnahan*

Secretary of State



Approved A



**State of Missouri**  
**Office of the Secretary of State**  
**Secretary of State, Robin Carnahan**  
**Statement**

**Invoice Number: 5682148**

**Invoice Date: 09/07/2005 07:44 AM**

**Billing Information**

Johnson, Craig S., AttorneyatLaw  
1648-A East Elm  
Jefferson City, MO 65101

Product Description	Certification Number	Order Date	Qty	Pages	Item Cost	Extended	Amount Due
JEFF-Existence - Certified Good Standing Re: 8008112 Unite Private Networks, L.L.C. - Limited Liability Company Contact: Johnson, Craig S., AttorneyatLaw Shipped Via: Online		09/07/2005	1	1	10.00	10.00	Paid

Account #: 21386	Credit Balance as of 09/07/2005:	\$0.00	
Payment Details:			Invoice Total: \$10.00
E-Payment, M Acct XXXXXXXXXXXXXXX0813, Auth: 652790			Payment Total: \$10.00
Contact(s): Johnson, Craig S., AttorneyatLaw			Amount Due: \$0.00

Include invoice number on all correspondence and send to:

**UCC Inquiries:** Missouri Secretary of State's Office  
P.O. Box 1159  
Jefferson City, Missouri 65102

To discuss payment for UCC items call:  
(866) 223-6535 Toll Free

**Corporation Inquiries:** Missouri Secretary of State's Office  
P.O. Box 1366  
Jefferson City, Missouri 65102

To discuss payment for Corporation Items call:  
(866) 223-6535 Toll Free

**Commission Inquiries:** Missouri Secretary of State's Office  
P.O. Box 784  
Jefferson City, Missouri 65102

To discuss payment for Commission Items call:  
(866) 223-6535 Toll Free