

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the Application of)	
Fidelity Communications Services I, Inc.)	
For an Expanded Authority to Provide Local)	Case No. _____
Telecommunications Services)	

**APPLICATION FOR EXPANDED AUTHORITY
TO PROVIDE LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE**

Comes now Fidelity Communications Services I, Inc. ("Applicant" or "FCS I"), by its undersigned counsel, and hereby applies pursuant to Sections 392.361, 392.410, 392.420, and 392.430, 392.440, 392.450, 392.451 and 392.455 RSMo, the Federal Telecommunications Act of 1996, 4 CSR 240-2.060 and 4 CSR 240-3.510, for an expanded certificate of service authority to provide basic local telecommunications service in portions of the state of Missouri. FCS I has previously obtained a certificate of service authority from the Commission to provide basic local exchange telecommunications services in Case No. TA-2000-191 and been classified as a competitive company in exchanges served by Embarq Missouri, Inc. ("Embarq"). In this application, FCS I seeks additional authority to provide basic local telecommunications service in the service territories of Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri ("AT&T Missouri") and Windstream Communications, Inc. ("Windstream"). FCS I requests that its basic local service be classified as competitive and that certain statutes and regulations be waived. In support of its application, FCS I states as follows:

1. Applicant is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri. A copy of Applicant's certificate of good standing is attached hereto as **Appendix A**. On December 2, 1999, FCSI was granted a certificate of

service authority to provide basic local telecommunications services in the exchanges served by Embarq in Case No. TA-2000-191.

2. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to the case should be addressed to:

W.R. England, III
Brian T. McCartney
Brydon, Swearngen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456

Dave Beier
Fidelity Communications Services I, Inc.
64 North Clark
Sullivan, MO 63080

3. By this Application, Applicant seeks expanded authority to offer and provide basic local telecommunications service on a facilities-based and resold basis to customers throughout all the exchanges currently served by: (a) AT&T Missouri and (b) Windstream. The specific AT&T Missouri and Windstream exchanges within which Applicant proposes to offer service are listed in the local exchange tariffs of the respective incumbent local exchange providers, and will be listed in Applicant's revised tariff. Applicant's proposed service areas will follow the respective exchange boundaries of the stated incumbent LECs and shall be no smaller than an exchange as required by Section 392.455(3) RSMo.

4. Pursuant to this Application, Applicant proposes to offer and provide all forms of basic local telecommunications service, including (but not limited to): (a) Basic Exchange Services, including local exchange flat rate; (b) Custom and Class Features,

including call waiting, caller ID, call forwarding, etc.; and (c) Ancillary Services such as 911, directory listing, and directory assistance.

5. FCS I continues to possess the technical and managerial expertise and experience necessary to provide the services it proposes. See Case No. TA-2000-191. FCS I has been successfully providing service in the state of Missouri since 2000.

6. FCS I has demonstrated that it possesses the necessary financial resources and abilities to provide the services it proposes as required by Section 392.455(1), RSMo, as evidenced by the FCS I annual reports filed since 2003. Fidelity has access to the necessary capital to conduct its proposed operations in Missouri.

7. Applicant seeks classification of itself and its services as competitive.

8. Applicant will offer basic local telecommunications service as a separate and distinct service in accordance with applicable law. Applicant will give consideration to equitable access for all Missourians, regardless of where they might reside or their income, to affordable telecommunications services in the proposed service areas in accordance with applicable law.

9. Applicant will comply with all applicable Commission rules other than those that are waived by the Commission and is willing to meet all relevant service standards. Additionally, FCS I agrees that, pursuant to Section 392.455(3) & (4) RSMo 2000, its service area shall be no smaller than an exchange. Consistent with the Commission's treatment of other certificated competitive local exchange telecommunications companies, FCS I requests the following statutes and regulations be waived for FCS I and its basic local exchange services offerings.

Statutes
392.210.2
392.240.1
392.270
392.280
392.290
392.300
392.310
392.320
392.330
392.340

Missouri Public Service Commission Rules
4 CSR 240-3.550(5)(C)
4 CSR 240-10.020
4 CSR 240-30.040

10. FCS I already has appropriate tariffs on file with and approved by the Commission. Accordingly, 4 CSR 240-3.510(1)(C), which requires that an application for a certificate of service authority to provide basic local exchange service shall include a proposed tariff with a 45-day effective date, does not appear to be applicable to this filing. Contemporaneously with the filing of this Application, FCS I is filing a revision to its existing tariffs to reflect the expansion of its services.

11. FCS I submits that the public interest will be served by Commission approval of this application because FCS I's proposed services will create and enhance competition and expand customer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Prompt approval of this application also will expand the availability of innovative, high quality and reliable telecommunications services within the State of Missouri.

12. FCS I agrees, notwithstanding the provisions of Section 392.500 RSMo, as a condition of certification and competitive classification, that, unless otherwise ordered by the Commission, FCS I's originating and terminating switched exchange access rates will be no greater than the lowest Commission-approved corresponding access rates in effect for each ILEC within those service area(s) FCS I seeks authority to

provide service. Additionally, pursuant to §392.361.6 RSMo, as amended August 28, 2008, and the Commission's Report and Order in Case No. TO-99-596, FCS I agrees that if the ILEC in whose service area FCS I is operating decreases its originating and/or terminating access service rates, FCS I shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates within thirty (30) days of the ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap on switched exchange access rates.

13. FCS I does not have any 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 a judgment, or decision has occurred within three years of the date of this application. FCS I does not have any overdue annual reports or assessment fees.

WHEREFORE, FCS I respectfully requests that the Commission grant it a certificate of service authority to provide basic local telecommunications services as herein requested, classify FCS I and its proposed services as competitive, and grant a waiver of the aforesaid statutes and regulations.

Respectfully submitted,

/s/ Brian T. McCartney
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been mailed, U.S. Mail postage prepaid, hand-delivered, transmitted by facsimile, or emailed this 29th day of August, 2008, to the following parties:

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

Michael Dandino
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

/s/ Brian T. McCartney_____

VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF FRANKLIN)

I, Dave Beier, being first duly sworn, depose and state that I am the Vice President-Regulatory of Fidelity Communications Services I, Inc., the Applicant in the subject proceeding; that I have read the foregoing Application and know the contents thereof; and that the same is true and correct to the best of my knowledge, information, and belief.

Dave Beier

Dave Beier
Vice President-Regulatory
Fidelity Communications Services I, Inc.

Subscribed and sworn to before me this 28 day of August, 2008.

Hannah Zelch

Notary Public

My Commission Expires: Aug. 8, 2009



STATE OF MISSOURI



Robin Carnahan
Secretary of State

**CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING**

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

**FIDELITY COMMUNICATION SERVICES I, INC.
00472769**

was created under the laws of this State on the 6th day of August, 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 29th day of August, 2008

Robin Carnahan

Secretary of State



Certification Number: 11055328-1 Reference:
Verify this certificate online at <http://www.sos.mo.gov/businessentity/verification>