FISCHER DORITY

PROFESSIONAL

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July 7, 2003

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 Application of Consolidated Communications Network Services,* Inc.. for a Certificate of Service Authority to Provide Competitive Intrastate, Interexchange Telecommunications Service in the State of Missouri.

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter is the original Application of Consolidated Communications Network Services, Inc. to provided competitive, intrastate, interexchange telecommunications service in the State of Missouri A copy of the attached has been emailed, handdelivered or mailed this date to each party of record.

Thank you for your attention to this matter.

James M. Fischer

Enclosures

Office of the Public Counsel cc:

Dana K. Joyce, General Counsel

BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

In the matter of the Application of)			
Consolidated Communications)			
Network Services, Inc. for a)			
Certificate of Service Authority to Provide)	Case No.		
Competitive Intrastate Interexchange)		·	
Telecommunications Service in Missouri)			

APPLICATION

COMES NOW Consolidated Communications Network Services, Inc. ("CCNSI or Applicant") who requests a Certificate of Service Authority to provide competitive intrastate interexchange telecommunications services between and among locations within the state of Missouri pursuant to Section 392.440, RSMo (2000), an order classifying Applicant as a competitive telecommunications carrier, and an order waiving or suspending certain Commission rules and statutory provisions pursuant to Section 392.420. In support of its request, Applicant provides the following information:

1. Consolidated Communications Network Services, Inc. was incorporated on August 5, 2002, under the laws of the State of Delaware.

Consolidated Communications Network Services, Inc.

121 South 17th Street

Mattoon, IL 61938

Phone: Fax:

217-235-3311

T 11 T

217-234-3119

Toll-Free:

800-500-9000

A copy of Applicant's Articles of Incorporation and Certificate of Authority to transact business in Missouri are attached hereto as Exhibit I and incorporated herein by reference.

¹ All citations to statutory sections are to the 2000 Revised Statutes of Missouri, as currently supplemented, unless otherwise indicated.

2. CCNSI proposes to offer directory assistance services throughout the state of Missouri.

CCNSI has no plans to install or construct transmission facilities in Missouri.

The Company will bill the Customer monthly. The Company's toll free telephone number is 800-500-9000.

3. CCNSI's statutory representation in the state of Missouri is:

National Registered Agents, Inc. 300-B East High Street
Jefferson City, MO 65101

- 4. CCNSI intends to provide resold long distance telecommunications service to business and residential customers on a twenty-four (24) hour a day, seven (7) day a week basis, originating and terminating throughout the state of Missouri.
- 5. CCNSI possesses managerial and technical expertise to provide resale interexchange telecommunications services, as demonstrated in Exhibit II.
- **6.** CCNSI possesses the financial ability to provide the requested services.
- 7. CCNSI's tariff contains the rules and regulations applicable to its customers, a description of the services offered, and a list of rates associated with such services is being filed simultaneously with this application with a forty-five (45) day effective date.
- 8. CCNSI requests classification as a competitive telecommunications company operating within the state of Missouri. CCNSI further requests classification of services described in their tariff as competitive services.

- 9. Applicant will not unjustly discriminate among its customers, which discrimination is prohibited pursuant to Section 392.200.
- 10. Applicant, pursuant to Section 386.570, will comply with all applicable Commission rules except those which are specifically waived by the Commission pursuant to a request filed by the Applicant.
- 11. CCNSI does not offer Operator Services.
- 12. Correspondence or communications pertaining to this application should be addressed to:

Mr. James Fischer
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, MO 65101
Telephone: (573) 636-6758
Facsimile: (573) 636-0383
E-mail: jfischerpc@aol.com

13. Applicant also respectfully requests, pursuant to Section 392.420, that the Commission suspend, waive or modify the application of the following rules and statutory provisions as they relate to the regulation of the applicant:

4 CSR 240-10.020	-	Depreciation and income
4 CSR 240-3.545(2)(C)	-	Posting of exchange rates at central
		operating offices
4 CSR 240-30.040	_	Uniform system of accounts
4 CSR 240-33.030	-	Minimum charge rules
Section 392.210.2	_	Establish uniform system of accounts for
		annual reports
Section 392.240(1)	_	Rates – reasonable average return on
. ,		investment
Section 392.270	-	Property valuation
Section 392.280	_	Depreciation rates
Section 392.290	_	Issuance of securities
Section 392.300.2	-	Acquisition of stock
Section 392.310	_	Issuance of stocks and debt
Section 392.320	-	Stock dividend payment
Section 392.330	-	Issuance of securities, debt, and notes
Section 392.340	-	Reorganization(s)

The above referenced rules and statutory provisions have been waived with regard to other

interexchange carriers in prior cases. These rules or statutory provisions are principally

designed to apply to noncompetitive telecommunications carriers. It would be inconsistent

with the goal and purpose of Section 392.530 to apply them to a competitive

telecommunications carrier such as the Applicant.

14. Applicant has no annual reports or regulatory assessment fees that are overdue in Missouri.

15. Applicant has no pending actions 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 (3) years of the date of this Application.

WHEREFORE, Consolidated Communications Network Services, Inc., respectfully requests

the Commission to grant it a certificate of service authority to offer competitive intrastate

interexchange telecommunications service within the state of Missouri; an order classifying it as a

competitive telecommunications company providing competitive service; an order suspending,

waiving or modifying the above referenced rules and statutory provision as they relate to the

regulation of the Applicant in the state of Missouri, and for such further orders as the Commission

deems appropriate.

Respectfully submitted,

James M. Fischer

Fischer & Dority, P.C.

101 Madison Street, Suite 400

Jefferson City, Missouri 65101

Telephone:

(573) 636-6758

Facsimile:

(573) 636-0383

E-mail:

ifischerpc@aol.com

ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was hand-delivered or mailed, postage prepaid, this _____ day of July 2003, to:

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

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

VERIFICATION

I, Robert J. Currey, first being duly sworn upon oath depose and say I am President of Consolidated Communications Network Services, Inc., a Delaware Corporation; that I have read the above and foregoing petition by me subscribed and know the contents thereof, that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.

those, I believe same to be true.	
	Robert J. Currey - President
	Consolidated Communications Network Services, Inc.
-	7-2-03 Date
	Date
Subscribed and sworn before me this	2nd day of July , 2003
Muy Jo Janke (NOTARY PUBLIC)	My Commission expires on: $7 - 9 - 06$
Official Seal	

Official Seal Mary Jo Frank Notary Public State of Illinois My Commission Expires 07/09/06

EXHIBIT I

Articles of Incorporation and

Certificate of Authority to Transact Business in Missouri



PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF "CONSOLIDATED COMMUNICATIONS NETWORK SERVICES, INC.", FILED IN THIS OFFICE ON THE FIFTH DAY OF AUGUST, A.D. 2002, AT 4 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Warriet Smith Windsor, Secretary of State

AUTHENTICATION: 1921680

DATE: 08-05-02

3550868 8100

020497094

CERTIFICATE OF INCORPORATION

OF

CONSOLIDATED COMMUNICATIONS NETWORK SERVICES, INC.

1

The name of the Corporation is Consolidated Communications Network Services, Inc.

2.

The address of its registered agent in the State of Delaware is in the county of New Castle at 1209 Orange Street, Wilmington, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

3.

The purpose for which the Corporation is organized is to engage in any lawful activity for which corporations may be organized under the General Corporation Law of Delaware, and the Corporation shall have all powers necessary to engage in such acts or activities, including, but not limited to, the powers enumerated in the General Corporation Law of Delaware or any amendment thereto.

4.

The total number of shares of stock which the Corporation shall have authority to issue is one hundred shares (100), all of which shall be common stock of \$.01 par value.

5

The name and mailing address of the Incorporator are: Barrett D. Massey, c/o King & Spalding, 1185 Avenue of the Americas, New York, New York 10036-4003.

6.

The business and affairs of the Corporation shall be managed by the Board of Directors, and the directors need not be elected by ballot unless required by the Bylaws of the Corporation.

7.

The Board of Directors is expressly authorized to adopt, amend or repeal the Bylaws of the Corporation.

8.

The Corporation reserves the right to amend, alter, change or repeal any provision contained in this Certificate of Incorporation, in the manner now or hereafter prescribed by statute, and all rights conferred upon stockholders herein are granted subject to this reservation.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Incorporation this 5th day of August, 2002.

Incorporator

STATE OF MISSOURI



Matt Blunt Secretary of State

CORPORATION DIVISION - CERTIFICATE OF AUTHORITY

WHEREAS. CONSOLIDATED COMMUNICATIONS NETWORK SERVICES, INC.

using in Missouri the name CONSOLIDATED COMMUNICATIONS NETWORK SERVICES, 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 DELAWARE.

NOW, THEREFORE, I, MATT BLUNT, 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 18th day of MARCH, 2003.

Secretary of State

\$155.00

EXHIBIT II

Resumes of Management Personnel

Resumes of Management Personnel

Richard A. Lumpkin, Chairman

Mr. Lumpkin began his telecommunications career with Illinois Consolidated Telephone Co. (ICTC), in Mattoon, Illinois, in 1957. Illinois Consolidated Telephone Co. (ICTC), was founded in 1894 by Mr. Lumpkin's great-grandfather, Iverson A. Lumpkin. Mr. Lumpkin was Chairman and Chief Executive Officer of Consolidated Communications, Inc., the holding company for ICTC, until September 24, 1997, when it merged with McLeodUSA Inc. of Cedar Rapids, Iowa. Mr. Lumpkin remained chairman and CEO of Illinois Consolidated Telephone Company but assumed additional responsibilities as vice chairman and a board member of McLeodUSA.

In 1984, Mr. Lumpkin was named president of the newly-formed holding company, Consolidated Communications Inc. and led the company in establishing non-regulated subsidiaries providing fiber optic-based network services, telemarketing, directory publishing and other telecommunications-related services. Mr. Lumpkin succeeded his late father, Richard Adamson Lumpkin, as chairman and chief executive officer in 1990.

Mr. Lumpkin served in engineering assignments before being appointed treasurer in 1968. He was named vice president operations in 1970 and president in 1977.

Mr. Lumpkin received his BA from Yale in 1957 and his MBA from Harvard in 1963.

Robert J. Currey, President and CEO

Mr. Currey is a telecommunications executive with over 30 years of broad management experience in the telecommunications industry. He was most recently the Vice-Chairman of RCN Corporation where he managed a national telecommunications company. There, he was responsible for Network Engineering, Construction, Facilities, Regulatory, Legal, Human Resources, Investor Relations, Public Relations, Marketing, Information Technology (IT).

Prior to RCN, Mr. Currey was President and CEO of 21st Century Telecom Group from 1998-2000. His responsibilities there included building a start-up telecommunications company while constructing a high capacity fiber optic network and provisioning voice, video and data service to residential and business customers. The company grew from 50 employees to over 700 and from \$1m in revenue to a \$50m. Mr. Currey was Group President at McLeodUSA from 1997-1998.

Mr. Currey has also served previously as President of Consolidated Communications, Inc., from 1990-1997 when it was acquired by McLeodUSA. As President of Consolidated, Mr. Currey was responsible for a company that provided local telephone, facilities based long distance, directory publishing, telemarketing, systems, operator services, paging, cable TV and cellular.

Mr. Currey has also served in executive roles at Citizens Utilities Company, Sprint and Ameritech. He began his career at Michigan Bell In 1970.

Resumes of Management Personnel, (Cont'd.)

Steven Childers, Vice President - Finance

Mr. Childers began his tenure as Vice President – Finance for Consolidated in 2003, after serving as its Director of Corporate Development, and brings 15 years of financial and management experience to Consolidated. Mr. Childers began his career with Consolidated Communications in 1986 as Director of Accounting, and served in that capacity until 1993. From 1993 to 1998, Mr. Childers was President and General Manager of Consolidated Market Response, an integrated teleservices provider. Mr. Childers served in a variety of management roles at McLeodUSA from 1998 to 2002, where he was Vice President of Customer Service, General Manager and Director of Revenue Assurance.

Mr. Childers is a Certified Public Accountant and holds a Bachelor of Science in Business from Eastern Illinois University.

Edward B. Pence, Director Strategic Planning and Regulatory Services

Mr. Pence has been employed by CCNSI or affiliated companies for 22 years. He has held a number of positions in regulatory relations, carrier relations, accounting and marketing for both units providing competitive telecommunications services and units providing noncompetitive services. He holds a B.A. degree from Eastern Illinois University.