

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

In the Matter of the Application of	)	
Access Point, Inc. for Expansion of	)	
Certificate of Service Authority to Provide	)	Case No. TA-2010-0020
Basic Local Exchange Telecommunications Service	)	
in the State of Missouri and to Classify said	)	
Service and the Company as Competitive	)	

**APPLICATION TO EXPAND CERTIFICATE
OF BASIC LOCAL SERVICE AUTHORITY**

COMES NOW Access Point, Inc., ("Applicant" or "Access Point"), by its undersigned counsel, and pursuant to sections 392.361, 392.410, 392.420, 392.430, and 392.450 and 392.455 RSMo. and 4 CSR 240-2.060 and 4 CSR 240-3.510, and hereby applies to expand its certificate of basic local telecommunications service authority to include provision of basic local exchange telecommunications service throughout all exchanges in the State of Missouri, as authorized by Section 392.450.3 RSMo.

Pursuant to Sections 392.420, 392.245.5(8) and 392.361, RSMo and 4 CSR 240-32.010(2), Access Point also seeks a waiver of certain Commission rules and statutory provisions. In support of its Application, Access Point states as follows:

1. Access Point, Inc., is a corporation duly organized and existing under and by virtue of the laws of the State of North Carolina, and is duly authorized to conduct business in Missouri. The nature of the Applicant's business is telecommunications. Applicant's principal place of business is 1100 Crescent Green, Suite 109, Cary, North Carolina (NC) 27518. Its telephone number is 919-851-4838 and its toll-free customer service number is 1-800-957-6468.

2. Access Point was previously granted certificate of service authority from the Missouri Public Service Commission to provide interexchange services in Case No. TA-98-106 (Order issued October 15, 1997) and certificate of service authority to provide basic local exchange services in Case No. CA-2008-0336 (Order issued June 2, 2008, effective June 12, 2008). Pursuant to 4 CSR 240-2.060(1)(C), a Certificate of Good Standing to transact business in Missouri, issued by the Missouri Secretary of State, was attached to the Application in Case No. CA-2008-0336, and is hereby incorporated by reference herein pursuant to 4 CSR 240-2.060(1)(G).

3. The certificate of service authority granted in CA-2008-0336 grants Access Point the authority to provide basic local services in the portions of Missouri that are currently served by AT&T-Missouri. Both Access Point and its basic local services have been classified as competitive, in Case No. CA-2008-0336.

4. An officer's verification of the information contained in the Application is attached hereto.

5. All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

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All inquiries or communications regarding the ongoing operations of Access Point should be addressed to:

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6. By this Application, and pursuant to Section 392.450.3 RSMo, Access Point requests an expansion of its certificate of service authority to provide competitive basic local exchange services to residential and business customers throughout all exchanges in the state of Missouri of all incumbent local exchange companies (ILECs). The exchanges in which Access Point seeks authority are listed in the approved tariffs of the ILECs, and will be listed in Applicant's basic local service tariff. Access Point's proposed service areas will follow the respective exchange boundaries of the incumbent LEC and shall be no smaller than an exchange as required by Section 392.455(3) RSMo.

7. Pursuant to this Application, Access Point seeks authority to offer and provide all forms of facilities-based and resold basic local telecommunications service to customers within Missouri as defined in 386.020(4) RSMo.

8. Applicant continues to possess sufficient technical and managerial resources

and abilities to provide basic local telecommunications service as required by Section 392.455(1) RSMo, as found by the Commission in Case No. CA-2008-0336. A listing of Applicant's principal management employees and their qualifications was attached to Access Point's Application in Case No. CA-2008-0336, and has not changed. It is hereby incorporated by reference herein pursuant to 4 CSR 240-2.060(1)(G).

9. Applicant continues to possess the necessary financial resources and abilities to provide the services it proposes as required by Section 392.455(1), RSMo and has the necessary capital to conduct its proposed operations in Missouri, as found in Case No. CA-2008-0336. Based on the prior, recent determination, Access Point seeks a waiver of the requirement that financial data be submitted under 4 CSR 240-3.510(1)(D).

10. Access Point seeks continued classification as a competitive company, including classification of its expanded basic local exchange telecommunications services as competitive, pursuant to Section 392.361 and Section 392.420 RSMo and 4 CSR 240-3.510(1)(A), with the accompanying reduced regulation that accompanies such classification. Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation and that granting this request will allow greater price and service options for telephone users. In the Commission's previous orders granting certificates of service authority, the Commission classified Access Point and its services as competitive.

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

areas in accordance with the law.

12. Applicant is willing to comply with all applicable Commission rules, except those that are waived, in providing basic local service in the expanded service area. Specifically, Access Point will file and maintain tariffs and meet applicable minimum standards established by the Commission. Access Point will make reports to and other informational filings with the Commission as required. Pursuant to Section 392.420 RSMo (see also Section 392.245.5(8)), which provides good cause for this request, Applicant requests the following statutes and regulations, which include the new “standard” waivers permitted by HB 1779, be waived for Access Point and its basic exchange service offerings:

STATUTES

392.210.2	- Uniform System of Accounts
392.240.1	- Just and Reasonable Rates
392.270	- Ascertain Property Values
392.280	- Depreciation Accounts
392.290	- Issuance of Securities
392.300	- Transfer of Assets and Acquisition of Stock
392.310	- Issuance of Stock & Debt
392.320	- Stock dividend payment
392.330	- Issuance of securities, debt and notes
392.340	- Reorganization(s)

REGULATIONS

4 CSR 240-3.550(4)	- Held order records
4 CSR 240-3.550(5)(A)	- Quality of service reports
4 CSR 240-550(5)(C)	- Exchange boundary maps

4 CSR 240-10.020	- Depreciation fund income
4 CSR 240-30.040	- Uniform system of accounts
4 CSR 240-32.060	- Engineering and maintenance
4 CSR 240-32.070	- Quality of service
4 CSR 240-32.080	- Service objectives and surveillance levels
4 CSR 240-33.040(1) through (3) and (5) through (10)	- Billing and payment standards
4 CSR 240-33.045	- Customer bills
4 CSR 240-33.080(1)	- Company name for billing disputes
4 CSR 240-33.130(1), (4) and (5)	- Operator service

13. Applicant is filing a basic local exchange services tariff with a forty-five (45) day effective date contemporaneously with this Application.

14. Applicant submits that the public interest will be served by Commission approval of this Application because Applicant's proposed service will create and enhance competition and expand customer service options, consistent with the legislative goals set forth in the 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.

15. Notwithstanding the provisions of Section 392.500, RSMo., as a condition of certification and competitive classification, Access Point agrees that, unless otherwise ordered by the Commission, Access Point'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) in which Applicant seeks authority to provide service. Additionally, pursuant to the Commission's Report and Order in Case No. TO-99-596, Access Point agrees that if the ILEC in whose service area the

Applicant is operating decreases its originating and/or terminating access service rates, the Applicant 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 access rates.

16. Access Point has no pending or final judgments or decisions against it from any state or federal agency or court that involve customer rates or service.

17. Access Point has no annual report or assessment fees that are overdue.

WHEREFORE, Applicant Access Point, Inc. respectfully requests that the Commission grant it an expanded certificate of service authority to provide basic local telecommunications service as herein requested, classify Applicant and Applicant's proposed basic local services as competitive, and grant waivers of aforesaid statutes and regulations, at the Commission's earliest convenience.

Respectfully submitted,

/s/ William D. Steinmeier

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ATTORNEYS FOR APPLICANT
ACCESS POINT, INC.

CERTIFICATE OF SERVICE

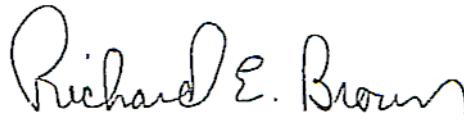
I do hereby certify that a true and correct copy of the foregoing document has been served electronically on the Office of Public Counsel at opcservice@ded.mo.gov and on the General Counsel's office at gencounsel@psc.mo.gov this 14th day of July 2009.

/s/ William D. Steinmeier

William D. Steinmeier

VERIFICATION

Richard E. Brown, being first duly sworn, deposes and says: That he is the Chief Executive Officer and President of Access Point, Inc., the Applicant in the foregoing Application; that he has read the foregoing Application, knows the contents thereof and is authorized to verify the accuracy of same; and that the statements contained in the Application are true to his best knowledge, information and belief.



Richard E. Brown
CEO and President
Access Point, Inc.

SUBSCRIBED AND SWORN to me this 11th day of May, 2009.

Notary Public

