

June 29, 2006



Ms. Cully Dale Chief Regulatory Law Judge/Secretary Governor Office Building Records Department 200 Madison Street, Suite 100 Jefferson City, MO 65102-0537

### Missouri Public Bervice Commission

# RE: Case No. CA-2006-0460 – Application of Kentucky Data Link, Inc.

### Dear Ms. Dale,

Enclosed are one original and three (3, copies of an amended application does a Contificate of Service Authority filed by Kentucky Data Link, Inc ("KDL"). KDL is applying to the Missouri Public Service Commission to provide basic local telecommunications service and to classify said services and the company as competitive. Simultaneously with this filing, one copy of this cover letter and one copy of the amended application have been mailed to the Office of Public Counsel.

Please acknowledge receipt of this transmittal by returning a date-stamped copy of the enclosed cover letter duplicate in the self-addressed, stamped envelope included for this purpose.

If you have any questions regarding this submission, please contact me at (812) 456-1216 or you can reach me by e-mail at <u>rrouch@cinergyconi.com</u>. Thank you for your time and attention.

Best regards,

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Rebekah Rouch Regulatory Affairs Specialist

cc: Office of Public Counsel

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

In the matter of the Amended Application of) Kentucky Data Link, Inc. for a ) Certificate of Service Authority to ) Provide Basic Local Telecommunications ) Services in Portions of the State of ) Missouri and to Classify Said Services and ) the Company as Competitive.

Statutes

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Case No. CA-2006-0460

## AMENDED APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY TO PROVIDE BASIC LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE AND FOR COMPETITIVE CLASSIFICATION

Comes now Kentucky Data Link, Inc., by its undersigned counsel, and submits an amended application for authority to provide basic local telecommunications service in portions of the State of Missouri and to classify said service and company as competitive. In support of its application, Kentucky Data Link, Inc. ("KDL or "Applicant") states the following information to amend its original application:

1. KDL does not have any pending action or any final unsatisfied judgments or decisions

against it from any state or federal agency or court which involve customer service or rates.

2. KDL does not have any overdue annual reports or assessment fees.

3. Consistent with the Commission's treatment of other certificated competitive local

exchange telecommunications companies, Applicant requests the following statutes and

regulations be waived for Applicant and its basic local exchange services offerings:

392.210.2 (Uniform System of Acounts)	
392.240.1 (Just and Reasonable Rates)	
392.270 (Valuation of property (ratemaki	ng))
392.280 (Depreciation Accounts)	
392.290 (Issuance of securities)	
392.300.2 (Transfer of Stock)	

392.310	(Stock and debt issuance)
392.320	(Stock dividend payment)
392.330	(Issuance of securities, debts, and notes)
392.340	(Reorganization(s))

Missouri Public Service 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)

4. KDL possesses the necessary financial resources to provide the services described in the application. Pursuant to 4 CSR 240-3.510(1)(D), KDL is filing the required pro forma financial information contemporaneously herewith under seal as Confidential and incorporated herein by reference as Exhibit A.

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

Respectfully submitted,

John Chuang Corporate Counsel Missouri Bar Number – 46878 8829 Bond Street Overland Park, KS 66214

#### AFFIDAVIT

STATE OF INDIANA )

COUNTY OF VANDERBURGH )

Before me, the undersigned Notary Public, on this day personally appeared John Greenbank, President of Kentucky Data Link, Inc., being duly sworn on this oath, deposed and said:

1. My name is John Greenbank. I am President of Kentucky Data Link, Inc., a Kentucky corporation located at 3701 Communications Way, Evansville, IN 47715.

2. John Chuang is Corporate Counsel for Kentucky Data Link, Inc., and as such, is authorized to submit this application on behalf of Kentucky Data Link, Inc.

John Greenbank

President Kentucky Data Link, Inc.

SUBSCRIBED AND SWORN TO before me this  $\frac{1}{2}$  day of June 2006.

NOTARY PUBLIC

Signature

My commission expires:

# Exhibit A

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Exhibit A is filed contemporaneously herewith under seal as Confidential.

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