

**WILLIAM D. STEINMEIER, P.C.**

2031 TOWER DRIVE  
JEFFERSON CITY, MISSOURI (MO) 65109

WILLIAM D. STEINMEIER  
ATTORNEY AT LAW  
GOVERNMENTAL CONSULTANT  
(573) 659-8672  
FAX (573) 636-2305

MAILING ADDRESS:  
POST OFFICE BOX 104595  
JEFFERSON CITY, MISSOURI (MO)  
65110-4595

MARY ANN YOUNG  
ATTORNEY AT LAW  
OF COUNSEL  
(573) 634-8109  
FAX (573) 634-8224

August 21, 2003

**FILED<sup>3</sup>**

**AUG 21 2003**

Mr. Dale Hardy Roberts  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Missouri Public  
Service Commission**

**RE: Case No. CA-2004-0067**

Application of Now Acquisition Corporation for Certificate of Service  
Authority to Provide Basic Local Exchange Telecommunications Services  
in Portions of Missouri

Dear Mr. Roberts:

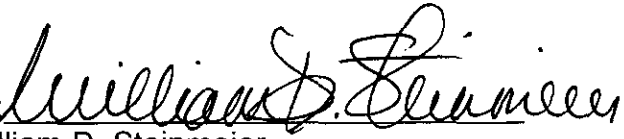
Enclosed for filing on behalf of Now Acquisition Corporation, please find an original and five (5) copies of a **"MOTION FOR LEAVE TO AMEND APPLICATION"** in the above-styled case.

Please see that this filing is brought to the attention of the appropriate Commission personnel.

Thank you for your cooperation and assistance in this matter.

Sincerely,

WILLIAM D. STEINMEIER, P.C.

By:   
William D. Steinmeier

Enclosures

cc: General Counsel  
Office of Public Counsel  
Patrick D. Crocker  
Mary Ann (Garr) Young

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

**FILED**<sup>3</sup>  
AUG 21 2003

Missouri Public  
Service Commission

In the Matter of the Application of )  
)  
**NOW ACQUISITION CORPORATION** )  
)  
For a Certificate of Service Authority to Provide )  
Basic Local Telecommunications Services in )  
Portions of the State of Missouri and for )  
Competitive Classification )

Case No. CA-2004-0067

**MOTION FOR LEAVE TO AMEND APPLICATION**

NOW COMES Now Acquisition Corporation ("NAC" or "Applicant"), by and through its undersigned counsel, and hereby moves for leave to amend its Application for Certificate of Service Authority filed herein on July 25, 2003, pursuant to 4 CSR 240-2.080(20). In support of this Motion for Leave to Amend, Applicant states as follows:

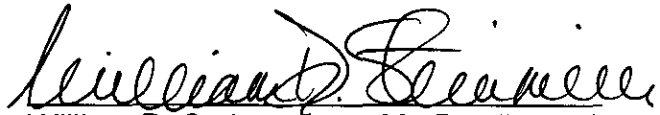
1. Applicant NAC plans to provide basic local exchange service under the certificate requested in this case not only on a "resale" basis, but also on a UNE-P basis. Therefore, NAC hereby requests leave to amend its Application in this case by simply deleting the word "resale" or "resold," or any other reference to service being provided on that basis, wherever such word or reference appears in the Application. NAC further requests leave to amend its Application by changing the reference to "resale agreements" in the last line of paragraph numbered 3, to "interconnection agreements."
2. The words "resale" and "resold" do not appear in the style of the case, nor do they appear in the description of authority sought in this case in the "Notice of Applications" published by the Commission on July 29, 2003. Likewise, orders issued by the Commission granting certificate

of service authority to provide basic local telecommunications services in Missouri do not designate whether such service is to be "resold," or "facilities-based" (including UNE-P). Therefore, this amendment should not affect the legal efficacy of the notice previously published by the Commission in this case.

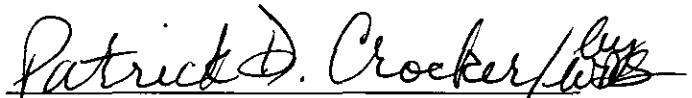
3. NAC desires to proceed with the instant Application, and related applications for approval of a transfer of assets (Case No. XM-2004-0065) and for an interexchange certificate of service authority (Case No. XA-2004-0066), as expeditiously as possible. The transfer transaction is being overseen by the federal Bankruptcy Court. NAC prays this Motion for Leave to Amend will not hinder the Commission's expeditious processing of these cases, and gratefully acknowledges the Commission's and Staff's patience and accommodation of NAC to date.

WHEREFORE, Applicant NOW ACQUISITION CORPORATION respectfully requests leave of the Commission to amend its Application in this case as described above, and requests that the Commission grant it a certificate of service authority to provide basic local telecommunications service as herein requested, classify Applicant and its proposed services as competitive, grant waivers of the statutes and regulations delineated in the Application, and approve its proposed tariffs.

Respectfully submitted,



William D. Steinmeier, Mo.Bar #25689  
Mary Ann (Garr) Young, Mo.Bar #27951  
WILLIAM D. STEINMEIER, P.C.  
2031 Tower Drive  
P.O. Box 104595  
Jefferson City, MO 65110-4595  
Tel.: (573) 659-8672  
Fax: (573) 636-2305  
Email: [wds@wdspsc.com](mailto:wds@wdspsc.com)  
[Myoung0654@aol.com](mailto:Myoung0654@aol.com)

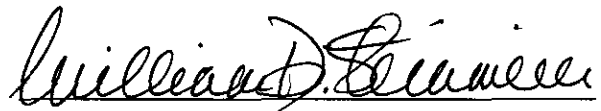


Patrick D. Crocker, MI Bar #P43527  
Early, Lennon, Crocker & Bartosiewicz, PLC.  
900 Comerica Building  
Kalamazoo, MI 49007  
Tel.: (269) 381-8844  
Fax: (269) 381-8822  
Email: [pcrocker@earlylennon.com](mailto:pcrocker@earlylennon.com)

ATTORNEYS FOR APPLICANT  
NOW ACQUISITION CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion for Leave to Amend Application was sent to the PSC's General Counsel's Office and the Office of the Public Counsel by placing same in the United States Mail, first class postage prepaid, or by hand-delivery, this 21st day of August, 2003.



William D. Steinmeier