## CURTIS, HEINZ, GARRETT & O'KEEFE, P. C.

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CARL J. LUMLEY PRINCIPAL

CLUMLEY@LAWFIRMEMAIL.COM

August 20, 2010

Lee Fritz
Presiding Commissioner
Callaway County
Callaway County Courthouse
10 East 5<sup>th</sup> Street
Fulton, Missouri 65251

Via Certified Mail Return Receipt Requested 7007 0710 0001 5999 7901

Re:

Socket Telecom, LLC's Application for Video Service Authorization

Dear Commissioner Fritz:

On behalf of our client, Socket Telecom, LLC, pursuant to Section 67.2679 RSMo., we provide notice of our client's intent to provide video service in Callaway County. Enclosed you will find a copy of Socket Telecom, LLC's Application for Video Service Authorization which it has submitted to the Missouri Public Service Commission.

Very truly yours,

Carl J. Lymley

CJL:dn Enclosure

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

In the Matter of the Application of	)	
Socket Telecom, LLC	) 1	
for Video Service Authorization	)	Case No. KA-2011- <u>0</u> 044
	)	

#### APPLICATION

COMES NOW Socket Telecom, LLC, ("Socket") pursuant to §67.2679 RSMo 2000 (Cum. Supp. 2007), and for its Application to the Missouri Public Service Commission ("Commission") states as follows:

- 1. Socket is a certificated competitive local exchange company in the State of Missouri. Socket is a Missouri limited liability company in good standing, with its principal place of business located at 2703 Clark Avenue, Columbia, Missouri 65202 and it can be reached as follows: telephone 573-777-1991 (ext. 551) and facsimile 573-441-1050, email: rmkohly@sockettelecom.com. Socket is an authorized provider of intrastate switched and non-switched local exchange and interexchange telecommunications services in Missouri under certificates granted and tariffs approved by the Commission. Socket is also an authorized provider of interstate telecommunications services in Missouri under the jurisdiction of the Federal Communications Commission. A certificate of good standing to conduct business in Missouri is attached hereto as Exhibit A and incorporated herein by reference.
- 2. Socket seeks a franchise to provide video service in the following political subdivisions, which assess the following video service provider fee:

Political Subdivision	Fee Amount
Boone County (unincorporated areas)	5%
Callaway County (unincorporated areas)	0%
City of Fulton	5%

- 3. Attached is an affidavit signed by an officer or general partner of Socket making the six affirmations required in §67.2679.7 RSMo 2000 (Cum. Supp. 2007).
- 4. All correspondence, pleadings, orders, decisions and communications regarding this proceeding should be sent to:

Carl J. Lumley
Curtis, Heinz, Garrett & O'Keefe, P.C.
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
(314) 725-8789
<a href="mailto:clumley@lawfirmemail.com">clumley@lawfirmemail.com</a>

WHEREFORE, Socket Telecom, LLC requests that the Commission issue its order granting Socket video service authorization for the political subdivisions listed above.

Respectfully submitted,

CURTIS, HEINZ, GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

Carl J. Lumley, #328689 130 S. Bemiston, Suite 200 St. Louis, Missouri 63105 (314) 725-8788 (314) 725-8789 (Fax) clumley@lawfirmemail.com

Attorneys for Socket Telecom, LLC

#### **AFFIDAVIT**

I, <u>John Dupuy</u>, a natural person, do hereby swear and affirm that I am an officer of Socket Telecom, LLC ("Socket"), and that the following are true and correct to the best of my knowledge and belief.

- (1) Socket agrees to comply with all applicable federal and state laws and regulations.
- (2) A list of political subdivisions to be served by Socket is accurately set forth in the application to which this affidavit is attached.
- (3) The location of the principal place of business and the names of the principal executive officers of Socket are:

Principal Place of Business Socket Telecom, LLC 2703 Clark Lane, Columbia, MO 65202 Principal Executive Officers
George A. Pfenenger President

George A. Pfenenger, President & Chief

Executive Office

Carson Coffman, Vice-President

John Dupuy, Vice-President

- (4) Socket has filed or will timely file with the Federal Communications Commission all forms required by that agency prior to offering video service.
- (5) Socket agrees to comply with all applicable regulations concerning use of the public rights-of-way as provided in §67.1830 to 67.1846 RSMo 2000 (Cum. Supp. 2007).
- (6) Socket is legally, financially, and technically qualified to provide video service.

This concludes my affidavit.

John Dupuy, Vice Resident, Socket Telecom, LLC

STATE OF Missouri

COUNTY OF BOONE

Subscribed and sworn before me this 18 day of August

My Commission Expires:

RAMONA BADE
Notary Public, Notary Seal
State of Missouri
Boone County
Commission # 07384456

Notary Public

## **Certificate of Service**

A true and correct copy of the foregoing document was served upon the following parties by either email, fax transmission or U.S. Mail postage paid this 19th day of August, 2010:

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Missouri 65102
gencounsel@psc.mo.gov

Office of Public Counsel P.O. Box 2230 Jefferson City, Missouri 65102 opcservice@ded.mo.gov

/s/ Carl J. Lumley

# 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

### SOCKET TELECOM, LLC LC0050887

was created under the laws of this State on the 11th day of May, 2001, 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 19th day of August, 2010

Secretary of State

S L S

Certification Number: 13108814-1 Reference:

Verify this certificate online at https://www.sos.mo.gov/businessentity/soskb/verify.asp