

CURTIS, OETTING, HEINZ, GARRETT & O'KEEFE, P. C.
ATTORNEYS AT LAW

130 SOUTH BEMISTON, SUITE 200
ST. LOUIS, MISSOURI 63105
(314) 725-8788
FAX (314) 725-8789

CARL J. LUMLEY
PRINCIPAL

CLUMLEY@COHGS.COM

FILED⁴

DEC 02 2002

November 27, 2002

Missouri Public
Service Commission

Secretary of the Commission
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

Via Federal Express
8337 3665 3894

Re: 3U Telecom Application for Certificate of Service Authority

Dear Secretary of the Commission:

Enclosed please find for filing with your office an original and nine (9) copies of the Application for Interexchange Certificate of Service Authority and Competitive Classification of 3U Telecom, Inc. Upon your receipt, please file stamp the extra copy received and return to the undersigned in the enclosed, self-addressed, stamped envelope. If you have any questions, please contact us.

Very truly yours,


Carl J. Lumley

CJL:dn

Enclosure

cc. Parties of Record (W/Enclosure)

FILED⁴

DEC 02 2002

STATE OF NEVADA)

COUNTY OF CLARK)

SS.

Missouri Public
Service Commission

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

APPLICATION OF 3U TELECOM INC.)
FOR A CERTIFICATE OF SERVICE)
AUTHORITY TO PROVIDE)
INTEREXCHANGE SERVICES.)

Docket No. _____

APPLICATION FOR INTEREXCHANGE CERTIFICATE
OF SERVICE AUTHORITY
AND COMPETITIVE CLASSIFICATION

3U TELECOM INC. ("3U Telecom" or "Applicant"), pursuant to Sections 392.410, 392.430 and 392.440 of the Revised Statutes of Missouri and 4 CSR 240-2.060, hereby applies to the Missouri Public Service Commission ("Commission") for a Certificate of Service Authority authorizing 3U Telecom to provide and resell interexchange telecommunications services in the State of Missouri and for competitive classification of the company and its services. In support thereof, the following is respectfully shown:

1. **Name and Address.** The full legal name, address, and telephone number of the corporation at its principal office is:

3U TELECOM INC.
1802 N Carson Street
Suite 212-2683
Carson City, NV 89701
702-260-4399

702-260-9143
andrieu@3u.net

2. **Corporate Registration.** 3U Telecom is a Corporation which was duly organized under the laws of Nevada on March 27, 2002. 3U Telecom is qualified to transact business in the State of Missouri. A copy of 3U Telecom's Certificate of Authority for Missouri is attached as Exhibit "A".

3. **Scope of Proposed Services.** 3U TELECOM INC. wants to offer, in the entire state of Missouri, a direct long distance telephone service (interexchange) at very low rates to business and residential customers, with fair second-by-second billing increments and no call setup fee. 3U TELECOM's service will also have no monthly fee and no minimum usage. Customers subscribed to 3U TELECOM will be able to use our service for all their long distance calls (intrastate, interstate and international). The service will only be available through presubscribed access (PIC) and not through dial around or dial through codes. The service is post-paid, meaning that customers will receive a monthly detailed bill (through mail or email) that has to be paid by credit-card, electronic funds transfer or check.

4. **Commission Correspondence.** All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to the case should be addressed to:

Carl J. Lumley
Leland B. Curtis
Curtis, Oetting, Heinz, Garrett & O'Keefe, P.C.
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
(314) 725-8789 (FAX)
clumley@cohgs.com
lcurtis@cohgs.com

Herve R Andrieu, Vice President
3U TELECOM INC
1802 N Carson Street
Suite 212-2683
Carson City, NV 89701
(702) 260 4399
(702) 260-9143 (FAX)
andrieu@3u.net

Notice, correspondence, communications, orders, decisions, and other papers may be served upon 3U Telecom, Inc.'s attorneys and such service shall be deemed to be service upon 3U Telecom, Inc. in this matter.

5. **Public Interest Considerations.** The entry of Applicant into the resale and provision of interexchange telecommunications business in Missouri will enhance competition in the provision of telecommunications services within the State of Missouri and offer consumers an array of competitively-priced enhanced service options. Applicant will commence service through resale. By enhancing competition, Applicant will bring significant benefits to telecommunications users within the State of Missouri. Applicant's fair one-second billing increment is unique. While other long-distance companies bill per 6 or 30 or 60 seconds or even 20 minutes, Applicant offers a comprehensive and fair billing process,

meaning that customers will only pay for what they really use. That simple concept combined with great rates will convince people to choose our services, as more than 1 million already did in Europe. Accordingly, Applicant anticipates that its proposed service will increase consumer choice through innovative, diversified and reliable service offerings. Applicant is fit, financially able, and in good faith intends to provide its service to the Missouri public as soon as it receives the requisite authority. Thus, grant of Applicant's petition will promote the public interest in the State of Missouri.

6. **Pending Action or Unsatisfied Judgments Statement.** 3U TELECOM INC. does not have any pending action 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 years of the date of the application.

7. **Proposed Tariff and Description of Service.** 3U Telecom's tariff, attached as Exhibit "B", contains a detailed description of 3U Telecom's proposed service.

8. **Annual Report or Assessment Statement.** 3U TELECOM INC. does not have any annual report or assessment fees overdue.

9. **Listing of Waivers.** 3U TELECOM INC. requests waivers of statutes 392.210.2, 392.240(1), 392.270, 392.280, 392.290, 392.300.2, 392.310, 392.320, 392.330, 392.340 and rules 4 CSR 240-10.020, 4 CSR 240-30.010(2)(C), 4 CSR 240-30.040 and 4 CSR 240-33.030.

10. **Competitive Company.** 3U TELECOM INC. requests to be classified as a competitive telecommunications company providing competitive services.

WHEREFORE, 3U Telecom respectfully requests the Commission to issue the Certificate of Service Authority authorizing 3U Telecom to provide, under tariff filed herewith, interexchange telecommunications services within the State of Missouri, and classify 3U Telecom and its services as competitive.

Respectfully submitted,

By: 

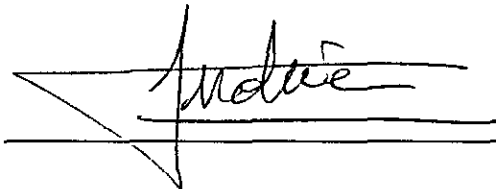
Carl J. Lumley, #32869
Leland B. Curtis, #20550
CURTIS, OETTING, HEINZ,
GARRETT & O'KEEFE, P.C.
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
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lcurtis@cohgs.com

Attorneys for 3U Telecom, Inc.

STATE OF NEVADA)
) SS.
COUNTY OF CLARK)

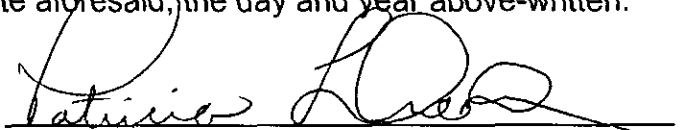
VERIFICATION

I, HERVE R. ANDRIEU, first being duly sworn, state on my oath that I am over the age of twenty-one years, sound of mind, and the Vice President of 3U Telecom, Inc. I am authorized to act on behalf of 3U Telecom, Inc., regarding the foregoing application. I have read the application and I am informed and believe the matters contained therein are true. Further, I hereby confirm that Carl J. Lumley and Leland B. Curtis of Curtis, Oetting, Heinz, Garrett & O'Keefe, P.C. are authorized to sign all pleadings and documents necessary to receive the approval of the Missouri Public Service Commission of the foregoing application, and to represent 3U Telecom, Inc., in this proceeding.



On this 26 day of NOVEMBER, 2002, before me, a Notary Public, personally appeared Herve R. Andrieu, and being first duly sworn upon his oath stated that he is over twenty-one, sound of mind and the Vice President of applicant 3U Telecom, Inc., and that he signed and foregoing document as Vice President, and the facts contained therein are true and correct according to the best of his information, knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year above-written.



Notary Public

My Commission Expires: MARCH 6, 2004



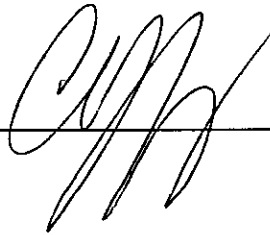
PATRICIA L. ANCONA
Notary Public - Nevada
My appt. exp. Mar. 6, 2004
No. 91-0844-1

Certificate of Service

A true and correct copy of the foregoing document was mailed this
27 day of November, 2002, by placing same in the U.S.
Mail, postage paid to:

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

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

A handwritten signature in cursive script, appearing to be 'CJP', is written over a horizontal line.

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Application of 3U TELECOM INC.

**CERTIFICATE OF AUTHORITY
TO TRANSACT BUSINESS**

**EXHIBIT
A**

No. F00511057

STATE OF MISSOURI



Matt Blunt
Secretary of State

CORPORATION DIVISION

CERTIFICATE OF CORPORATE RECORDS


3U TELECOM INC.

using in Missouri the name

3U TELECOM INC.

I, MATT BLUNT, Secretary of State of the State of Missouri and Keeper of the Great Seal thereof, do hereby certify that the annexed pages contain a full, true and complete copy of those certain original documents on file and of record in this office for which certification has been requested.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 26th day of SEPTEMBER, 2002.


Secretary of State



No. F00511057

STATE OF MISSOURI



Matt Blunt
Secretary of State

CORPORATION DIVISION - CERTIFICATE OF AUTHORITY

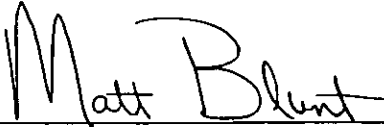
WHEREAS,
3U TELECOM INC.

using in Missouri the name
3U TELECOM INC.

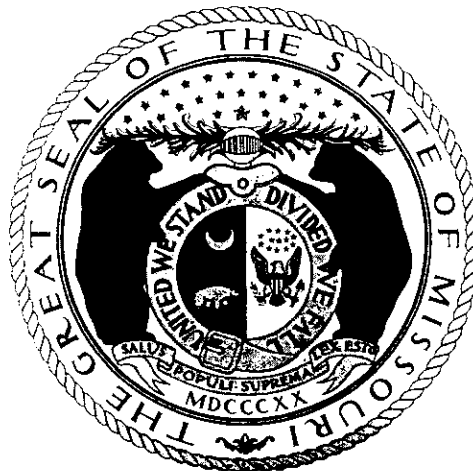
has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of NEVADA.

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 15th day of JULY, 2002.


Secretary of State

\$155.00





State of Missouri

Matt Blunt, Secretary of State

Corporations Division
P.O. Box 778, Jefferson City, MO 65102

James C. Kirkpatrick State Information Center
600 W. Main Street, Rm 322, Jefferson City, MO 65101

FILED

Application for Certificate of Authority For a Foreign For-Profit Corporation

(Submit in duplicate with filing fee of \$155.00)

JUL 15 2002

Matt Blunt
SECRETARY OF STATE

1. The corporation's name is 3U TELECOM INC.
and it is organized and existing under the laws of Nevada
2. The name it will use in Missouri is 3U TELECOM INC.
3. The date of its incorporation was March 27, 2002, and the period of its duration is Perpetual
month/day/year
4. The address of its principal place of business 1802 N. Carson St., Ste. 212-2683 Carson City, NV
Address City/State/Zip 89701
5. The name and address of its registered agent and office in the State of Missouri is
Jeff City Filing, Inc. 222 E. Dunklin Jefferson City, MO 65101
Name Address City/State/Zip
- ✓ 6. The specific purpose(s) of its business in Missouri are: LONG DISTANCE TELEPHONE SERVICE
7. The name of its officers and directors and their business addresses are as follows:
(Officers) Name Address City/State/Zip
President Johannes Gottschalk 1802 N. Carson St. Carson City, NV 89701
Vice President _____
Secretary Herve Andrieu- Same As Above
Treasurer Herve Andrieu- Same As Above
(Board of Directors)
Director Udo Graul- 1802 N. Carson St, Ste. 212-2683 Carson city, NV
Director _____ 89701
Director _____
8. The effective date of this document is the date it is filed by the Secretary of State of Missouri, unless you indicate a future date, as follows:
(Date may not be more than 90 days after the filing date in this office)

✓ In affirmation thereof, the facts stated above are true.

(Authorized Signature)

(Printed Name)

(Title)

(Date)

Note: You must submit current original certificate of good standing or certificate of existence with this application. This may be obtained from your Secretary of State or other authority that issues corporate charters.

SECRETARY OF STATE



CERTIFICATE OF EXISTENCE WITH STATUS IN GOOD STANDING

I, DEAN HELLER, the duly elected and qualified Nevada Secretary of State, do hereby certify that I am, by the laws of said State, the custodian of the records relating to filings by corporations, limited-liability companies, limited partnerships, limited-liability partnerships and business trusts pursuant to Title 7 of the Nevada Revised Statutes, which are either presently in a status of good standing or were in good standing for a time period subsequent of 1976 and am the proper officer to execute this certificate.

I further certify that the records of the Nevada Secretary of State, at the date of this certificate, evidence, **3U TELECOM INC.**, as a corporation duly organized under the laws of Nevada and existing under and by virtue of the laws of the State of Nevada since March 27, 2002, and is in good standing in this state.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office, in Carson City, Nevada, on July 1, 2002.

Dean Heller

DEAN HELLER
Secretary of State

By *William M. Conner*

Certification Clerk

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

Application of 3U TELECOM INC.

**PROPOSED TARIFF AND
DESCRIPTION OF SERVICE**

A square label with a thick black border. Inside the border, the words "EXHIBIT" and "B" are centered and stacked vertically.

**EXHIBIT
B**