

STEWART & KEEVIL, L.L.C.
ATTORNEYS AT LAW

CHARLES BRENT STEWART
JEFFREY A. KEEVIL

1001 CHERRY STREET
SUITE 302
COLUMBIA, MISSOURI 65201-7931

ORIGINAL

TELEPHONE (573) 499-0635
FACSIMILE (573) 499-0638

December 21, 2001

FILED²

DEC 21 2001

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/ Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102

Re: WESTON TELECOMMUNICATIONS, L.L.C.
Interexchange/ NON-Switched Local Exchange Application


TA-2002-300

Dear Mr. Roberts,

Please find enclosed for filing an original and eight copies of WESTON TELECOMMUNICATIONS, L.L.C.'s Application For Interexchange and Non-Switched Local Exchange Authority and Competitive Classification. This Application includes as Appendix B to the Application Applicant's proposed tariff bearing a 45 day effective date. Also please find enclosed an additional five copies of Applicant's proposed tariff for the Commission's tariff file.

A copy of this filing have been sent to the General Counsel's Office and the Office of the Public Counsel. Thank You.

Sincerely,



John Dowe Miller

JDM/nt

Enclosure

cc: General Counsel's Office
Office of the Public Counsel
Patrick Crocker

200200523

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

FILED²
DEC 21 2001
Missouri Public
Service Commission

In the Matter of the Application of)
WESTON TELECOMMUNICATIONS, L.L.C.)
for a Certificate of Service Authority to Provide)
Intrastate Interexchange and Non-Switched)
Local Exchange Telecommunications Services)
within the State of Missouri and for Competitive)
Classification.)

Case No. TA-2002-300

**APPLICATION FOR INTEREXCHANGE AND
NON-SWITCHED LOCAL EXCHANGE AUTHORITY
AND COMPETITIVE CLASSIFICATION**

Comes now WESTON TELECOMMUNICATIONS, L.L.C. ("Applicant" or "WESTON TELECOMMUNICATIONS, L.L.C."), by and through counsel, and pursuant to Sections 392.361, 392.410, 392.420, 392.430, 392.440 RSMo 2000, and 4 CSR 240-2.060(6), files this Verified Application requesting that the Missouri Public Service Commission (hereinafter "the Commission") issue an order that:

- (a) grants Applicant a certificate of service authority to provide intrastate resold, interexchange and non-switched local exchange telecommunications services, as herein more specifically defined, pursuant to Chapter 392 RSMo;
- (b) grants competitive status to Applicant and Applicant's requested services; and
- (c) waives certain Commission rules and statutory provisions pursuant to Sections 392.420 and 392.361 RSMo 2000, consistent with the Commission's past treatment of other certificated providers of competitive interexchange/dedicated private line telecommunications services.

In support of its request, Applicant states that:

1. Applicant is a foreign limited liability company formed and operating under the laws of the State of Ohio and is duly authorized to transact business in the State of Missouri. Pursuant to the relevant provisions of 4 CSR 240-2.060, a certificate of authority from the Missouri Secretary of State's Office is attached hereto and incorporated herein by reference as **Appendix A**. Applicant's principal place of business is Summit II, 3046

Brecksville Road, Richfield, OH 44286. Pursuant to 4 CSR 240-2.060 (1) (H), Applicant states that Applicant is a telecommunications company seeking to provide the telecommunications services herein specified.

2. All communications, notices, orders and decisions respecting this Application and proceeding should be addressed to:

Charles Brent Stewart
Stewart & Keevil, L.L.C.
Suite 302
1001 Cherry Street
Columbia, Missouri 65201
(573) 499-0635
(573) 499-0638 (fax)
Stewart499@aol.com

Patrick D. Crocker
Early, Lennon, Crocker & Bartosiewicz, P.L.C.
900 Comerica Building
Kalamazoo, Michigan 49007-4752
(616) 381-8844
(616) 349-8525 (fax)

with a copy to:

Robert Mocas, President
WESTON TELECOMMUNICATIONS, L.L.C.
Summit II, 3046 Brecksville Road
Richfield, OH 44286
(330) 659-6700

Questions concerning Applicant's ongoing operations should be directed to Mr. Mocas at the above address and phone number. Questions regarding Applicant's proposed tariff should be directed to John Miller in Mr. Stewart's office.

3. By this Application, Applicant proposes to provide various types of intrastate interexchange and non-switched private line telecommunications services throughout the state of Missouri on a resold basis. At this time Applicant is seeking authority to provide non-switched, dedicated private line services. Specifically, Applicant seeks authority to provide a full range of "1+" interexchange services, MTS, out-WATS, in-WATS, and Calling Card Services, and where appropriate, non-switched local exchange/private line services. Applicant provides

telecommunications services to primarily residential customers. Applicant combines high quality transmission services with very competitive rates, flexible end user billing, professional customer service and excellent reporting to create a unique blend which meets individualized needs of such customers. Applicant intends to engage in "switchless resale". Applicant will arrange for the traffic of underlying subscribers to be routed directly over the networks of Applicant's network providers. Pursuant to 4 CSR 240-2.060(6)(C), Applicant's proposed tariff bearing an effective date of February 4, 2002, is attached hereto and incorporated herein by reference as **Appendix B**.

4. Applicant requests that it and all its services proposed herein be classified as competitive. Applicant's proposed services herein fall within the category of the types of services which have routinely been authorized by the Commission for numerous other competitive carriers upon verified application without the need for evidentiary hearings. Applicant's proposed services will be subject to sufficient competition to justify a lesser degree of regulation; granting this Application will allow greater price and service options for telecommunications customers and will be in the public interest. Granting Applicant's requested competitive classifications is consistent with past Commission treatment of other competitive certificated interexchange/private line carriers and will encourage competition consistent with the public policy of Federal Telecommunications Act of 1996 and Chapter 392 RSMo.

5. Applicant is willing to comply with all applicable Commission orders, rules and regulations. Applicant requests however, pursuant to Section 392.440 RSMo 2000, that the Commission at minimum waive the application of the following rules and statutory provisions as they relate to the regulation of Applicant to the extent that they previously and routinely have been waived for other certificated competitive interexchange/private line carriers:

Statutes

392.210.2	--uniform system of accounts
392.240.1	--ratemaking
392.270	--valuation of property (ratemaking)
392.280	--depreciation accounts
392.290	--issuance of securities
392.300.2	--stock aquisition
392.310	--stock & debt issuance
392.320	--stock dividend payment
392.330	--issuance of securities, debts and notes
392.340	--reorganizations

Commission Rules

4 CSR 240-10.020	--depreciation fund income
4 CSR 240-30.010(2)(C)	--rate schedules
4 CSR 240-30.040	--uniform system of accounts
4 CSR 240-33.030	--minimum charges rule
4 CSR 240-35	--bypass reporting

6. Applicant is financially capable of providing the services proposed. Applicant also possesses the necessary technical and managerial expertise and experience necessary to provide the services it proposes to offer at standards that will meet or exceed all service standards established by the Commission.

7. Pursuant to 4 CSR 240-2.060 (1) (K), Applicant states that it does not have any pending action or final unsatisfied judgements or decisions against it from any state or federal agency or court which involve customer service or rates, which action judgement or decision has occurred within three (3) years of the date of this Application.

8. Pursuant to 4 CSR 240-2.060 (1) (L), Applicant states that no Commission annual report or assessment fees are overdue.

WHEREFORE, Applicant respectfully requests that the Commission: (1) expeditiously grant it a certificate of service authority to provide intrastate, resold interexchange and non-switched local exchange telecommunications services within the State of Missouri; (2) grant Applicant and its proposed services competitive status; and (3) waive the application of the above-referenced statutes and Commission rules; all consistent with past Commission practice and the Commission's treatment of other certificated, competitive providers of intrastate interexchange and non-switched local exchange telecommunications services.

Respectfully submitted,



Charles Brent Stewart MoBar# 34885

John Dowe Miller MoBar,#50891

1001 Cherry Street suite 302

Columbia, MO 65201

(573) 499-0635

(573) 499-0638 (fax)

Stewart499@aol.com

Attorneys for Applicant:

WESTON TELECOMMUNICATIONS, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Verified Application has been sent this date to the General Counsel's Office and the Office of the Public Counsel by hand-delivery, this 21st day of December, 2001.



VERIFICATION

Robert Mocas, President for Weston Telecommunications, LLC first being duly sworn on oath, deposes and says that he has read the foregoing Application and verifies that the statements made therein are true and correct to the best of his knowledge, information and belief.

Weston Telecommunications, LLC

By: Robert Mocas
Robert Mocas
President

The foregoing instrument was acknowledged before me this 17 day of October 2001
by Robert Mocas.



NOLA ANN ACKER
Notary Public, State of Ohio
My Commission Expires 07-06-05

Nola Ann Acker
Notary Public:
For the County of Summit
My commission expires 7.06.05

WESTON TELECOMMUNICATIONS L.L.C.
IXC/PRIVATE LINE CERTIFICATE AUTHORITY
DECEMBER 21, 2001

APPENDIX A

Certificate of Authority to Transact Business

No. FL0057583

STATE OF MISSOURI



Matt Blunt
Secretary of State

CERTIFICATE OF REGISTRATION
FOREIGN LIMITED LIABILITY COMPANY

WHEREAS,
WESTON TELECOMMUNICATIONS, L.L.C.

using in Missouri the name
WESTON TELECOMMUNICATIONS, L.L.C.

and existing under the laws of the State of OHIO
has filed with this state its application for registration and
WHEREAS this application for registration conforms to the
Missouri Limited Liability Company Act;

NOW, THEREFORE, I, MATT BLUNT, Secretary of State of the
State of Missouri, by virtue of authority vested in me by law,
do certify and declare that on the 20th day of NOVEMBER, 2001,
the above Foreign Limited Liability Company is duly authorized
to transact business in the State of Missouri
and is entitled to any rights granted
Limited Liability Companies.

IN TESTIMONY WHEREOF, I have set my
hand and imprinted the GREAT SEAL of
the State of Missouri, on this, the
20th day of NOVEMBER, 2001.

Matt Blunt

\$105.00

Secretary of State





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

Application for Registration of a Foreign Limited Liability Company

(Submit in duplicate with filing fee of \$105.00)

FILED

NOV 20 2001

- (1) The name of the foreign limited liability company is:

WESTON TELECOMMUNICATIONS, L.L.C.

- (2) The name under which the foreign limited liability company will conduct business in Missouri is (must contain "limited company," "limited liability company," "LC," "LLC," "L.C.," or "L.L.C.") (must be filled out if different from line (1)):

- (3) The foreign limited liability company was formed under the laws of Ohio on the date of July 2, 2001 and is to dissolve on perpetual

- (4) The purpose of the foreign limited liability company or the general character of the business it proposes to transact in this state is:

Provide long distance, data, internet and other telecommunications services.

- (5) The name and address of the limited liability company's registered agent in Missouri is (this line must be completed and include a street address):

John L. Hearne, 300-B East High Street, Jefferson City, MO 65101

The Secretary of State is appointed agent for service of process if the foreign limited liability company fails to maintain a registered agent. Note: failure to maintain a registered agent constitutes grounds to cancel the registration of the foreign limited liability company.

- (6) The address of the registered office in the jurisdiction organized. If none required, then the principal office address of the foreign limited liability company is:

1350 Euclid Avenue, Suite 1400, Cleveland, OH 44115

- (7) For tax purposes, is the limited liability company considered a corporation? ☒ yes ☐ no

In affirmation thereof, the facts stated above are true.

[Signature]
(Authorized Signature)

ROBERT E. MOORE
(Printed Name)

10-16-01
(Date)

(Authorized Signature)

(Printed Name)

(Date)

(Authorized Signature)

(Printed Name)

(Date)