

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED⁴

JUL 17 2003

Missouri Public
Service Commission

Case No. _____

In the matter of the Application of Ameritel)
Missouri, Inc. for Certificate of Service Authority to)
Provide Basic Local Exchange, Interexchange and)
Local Exchange Telecommunications Services in)
the State of Missouri and for)
Competitive Classification)

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
AND FOR COMPETITIVE CLASSIFICATION**

Comes now Ameritel Missouri, Inc., by its undersigned counsel, and hereby applies pursuant to Sections 392.361, 392.410, 392.420, 392.430, 392.440, and 392.450 RSMo, the federal Telecommunications Act of 1996, and 4 CSR 240-2.060, for authority to provide basic local exchange, interexchange and local exchange telecommunications services in the State of Missouri and to classify the company and its services as competitive. Applicant respectfully requests the Commission issue an order that 1) grants Applicant a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services on a statewide basis pursuant to Chapter 392 of the Revised Statutes of Missouri, 2) grants Applicant a certificate of service authority to provide basic local exchange telecommunications services in portions of the state of Missouri pursuant to Chapter 392 RSMo., 3) grants competitive status to Applicant pursuant to Section 392.361 RSMo., and 4) waives certain Commission rules and statutory provisions pursuant to Sections 392.420 and 392.361 RSMo. In support of its application Ameritel Missouri, Inc. states as follows:

1. Applicant is a corporation duly organized and existing under and by virtue of the laws of the State of Missouri. The Company is authorized to conduct business as a

domestic corporation within Missouri. A copy of Applicant's Certificate of Good Standing from the Missouri Secretary of State is attached hereto as Exhibit A. The nature of applicant's business is the provision of telecommunications services. Applicant's principal place of business address is: 1423 Central Ave, Hot Springs, Arkansas 71901. Applicant's Officer's Verification was not available at the time of the filing, but will be late-filed within a few business days hereof.

2. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to the case should be addressed to:

Mary Ann (Garr) Young
WILLIAM D. STEINMEIER, P.C.
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
Phone: 573-634-8109
Fax: 573-634-8224
E-Mail: myoung0654@aol.com

with a copy to:

John L. Brandt, Jr.
Ameritel Missouri, Inc.
1423 Central Avenue
Hot Springs, Arkansas 71901

3. Applicant proposes to provide resold basic local exchange services to business and residential customers in all exchanges currently served by Southwestern Bell Telephone, L.P., d/b/a SBC Missouri (SBC), formerly known as Southwestern Bell Telephone Company, long distance interexchange telecommunications services to business and residential customers on a statewide basis, and may provide local exchange (non-switched private line) services in the future. Applicant will not offer operator services. The specific exchanges in which Applicant proposes to offer basic

local service are listed in the incumbent providers' local exchange tariffs and will be listed in Applicant's basic local service tariff, which will reflect a service area containing only the service areas for which interconnection agreements have been approved. Applicant may seek authority to provide basic local service in other areas of the state in a subsequent proceeding.

4. Applicant is a telecommunications company that possesses the technical and managerial expertise and experience necessary to provide the services it proposes. Description of backgrounds of Applicant's management, which demonstrates the extensive experience and expertise, are attached hereto and incorporated herein by reference as Exhibit B.

5. Applicant also possesses the necessary financial resources to provide the telecommunications services for which authority is requested. Applicant requests that its financial statements be kept confidential, pursuant to Commission Rule 4 CSR 240-2.085. In support of its basic local service certificate application, Applicant will submit its financial information as late-filed Highly Confidential Exhibit C. Applicant is separately submitting its Motion for Protective Order pursuant to 4 CSR 240-2.085.

6. Applicant seeks classification of itself and its services as competitive pursuant to Section 392.361 RSMo. and 4 CSR 240-3.510(1)(A).

7. Applicant will offer basic local exchange telecommunications services as a separate and distinct service in accordance with applicable law. Applicant will give consideration to equitable access for all Missourians, regardless of where they might reside or their income, to affordable telecommunications services in Applicant's

proposed service areas in accordance with applicable law. Applicant will not unjustly discriminate among its customers as is prohibited under Section 392.200 RSMo.

8. Applicant is a competitive reseller of long distance telecommunications services and thus requests competitive classification pursuant to Section 392.361 RSMo and 4 CSR 240-2.060(6)(A). Applicant believes its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Further, when granted the Certificate requested herein, Applicant will be competing with other telecommunications companies in Missouri offering the same or similar services as Applicant.

9. Applicant is willing to comply with all applicable Commission rules and is willing to meet all relevant service standards, including, but not limited to billing, quality of service and tariff filing and maintenance. Consistent with the Commission's treatment of other certificated competitive basic local exchange telecommunications companies, Applicant requests that the following statutes and regulations be waived for Applicant and its basic local exchange service offerings:

<u>Statutes:</u>	<u>Missouri Public Service Commission Rules</u>
392.210.2	4 CSR 240-3.545(2)(C)
392.240.1	4 CSR 240-3.550(5)(C)
392.270	4 CSR 240-10.020
392.280	4 CSR 240-30.040
392.290	4 CSR 240-33.030
392.300.2	
392.310	
392.320	
392.330	
392.340	

Applicant also requests that the following statutes and regulations be waived for

Applicant and its interexchange and local exchange service offerings:

<u>Statutes</u>	<u>Missouri Public Service Commission Rules</u>
392.210.2	4 CSR 240-3.545 (2)(C)
392.240 (1)	4 CSR 240-10.020
392.270	4 CSR 240-30.040
392.280	4 CSR 240-33.030
392.290	
392.300.2	
392.310	
392.320	
392.330	
392.340	

10. Applicant also requests a temporary waiver of 4 CSR 240-2.060(6)(C), which requires that an application for a certificate of service authority to include a proposed tariff with a forty-five (45) day effective date. This waiver is requested for all types of service for which authority is sought herein. Applicant is adopting the M2A interconnection agreement with SBC and will file the adoption documents shortly. As soon as the tariffs are complete, Ameritel Missouri will promptly file said tariffs bearing no less than a 45-day effective date with the Commission. Furthermore, Applicant agrees that its proposed basic local service tariff will specifically identify the geographic service area in which it proposes to offer basic local service and that such area will follow the exchange boundaries of the ILECs in the same area and be no smaller than an exchange. Applicant understands that any service authority issued herein by the Commission shall be regarded as conditional and shall not be exercised until such time as a tariff for service has become effective.

11. Applicant submits that the public interest will be served by Commission approval of this application because Applicant's proposed services will create and enhance competition and expand customer service options, and offer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Prompt approval of this application also will expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

12. Applicant submits, notwithstanding the provisions of Section 392.500 RSMo., as a condition of certification and competitive classification, Applicant agrees that, unless otherwise ordered by the Commission, Applicant's originating and terminating switched exchange access rates will be no greater than the lowest Commission-approved corresponding access rates in effect for each ILEC within whose service area(s) Applicant seeks authority to provide service. Additionally, pursuant to the Commission's Report and Order in Case No. TO-99-596, Applicant agrees that if the ILEC in whose service area Applicant is operating decreases its originating and/or terminating access service rates, Applicant shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates within thirty (30) days of the ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap on switched exchange access rates.

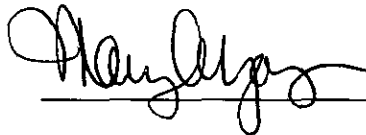
13. Applicant herein states, in accordance with 4 CSR 240-2.060(1)(K), that there are no pending actions or final unsatisfied judgments or decisions against Applicant in any state, federal agency, or court which involve customer service or rates for which

action, judgment, or decision has occurred within three (3) years of the date of this Application.

14. Pursuant to 4 CSR 240-2.060(1)(L), Applicant hereby states that the Company does not have any overdue annual reports or fees owed to the Missouri Public Service Commission

WHEREFORE, Applicant Ameritel Missouri, Inc. respectfully requests that the Commission 1) grant it a certificate of service authority to provide basic local telecommunications, interexchange and local exchange services as herein requested, 2) classify the Company and its proposed services as competitive, 3) grant waivers of statutes and regulations as requested herein; and 4) approve Applicant's tariffs which will be separately filed during the pendency of this matter.

Respectfully submitted,

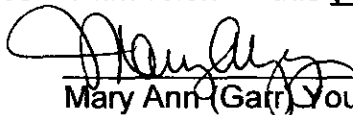


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Counsel for Ameritel Missouri, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document has been hand delivered or mailed by first class mail, postage prepaid to the Office of Public Counsel and the General Counsel of the Missouri Public Service Commission on this 17th day of July 2003.



Mary Ann (Garr) Young

OFFICER'S VERIFICATION

TO BE LATE-FILED

EXHIBIT A

**CERTIFICATE OF GOOD STANDING
MISSOURI SECRETARY OF STATE**

STATE OF MISSOURI



Matt Blunt
Secretary of State

CORPORATION DIVISION CERTIFICATE OF GOOD STANDING

I, MATT BLUNT, Secretary of the State of Missouri,
do hereby certify that the records in my office
and in my care and custody reveal that

AMERITEL MISSOURI, INC.
00523815

was created under the laws of this State on the
20th day of May, 2003, 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 3rd day of June, 2003




Secretary of State

Certification Number: 5862849-1 Page 1 of 1 Reference:
Verify this certificate online at <http://www.sos.state.mo.us/verification>

EXHIBIT B

BIOGRAPHIES OF OFFICERS

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AMERITEL MISSOURI, INC.

David Rankin – President. Mr. Rankin obtained a B.A. Degree from the University of Arkansas and has twenty years of experience in marketing and business development. Mr. Rankin most recently served as President of Energy Technologies, Inc. an energy management company providing services in 26 states. Prior to working with Energy Technologies, Mr. Rankin was the Sr. Vice President of National Medical Systems headquartered in Little Rock, Arkansas. While employed at National Medical Systems, Mr. Rankin directed the marketing and business development of the \$30M corporation and directly managed 75 people in three states. Mr. Rankin has 1 ½ years experience as a General Manager overseeing billing, collections, customer relations and order processing for a telecommunications company.

John L. Brandt, Jr. – Vice President. Mr. Brandt was an employee of Entergy Corporation, a major public utility, for 26 years. As a result, he is experienced in having to report and file with state public service commissions. Mr. Brandt is a graduate of Loyola University and Loyola School of Law both in New Orleans, LA with a degree in Organizational Science and a Juris Doctorate. Mr. Brandt has 1 year as Director, Regulatory Affairs for a telecommunications company. He is licensed to practice law in the State of Louisiana and is more than qualified to oversee Ameritel Arkansas, Inc.'s Regulatory Affairs Section.

Stephen Marlowe – IT Director. Mr. Marlowe was an employee of Credit Suisse for 20 years where he most recently was Director of PC Systems Development. In his positions for Credit Suisse, Mr. Marlowe was responsible for the development of program and index arbitrage trading systems, trust banking systems, and Asset Management and Portfolio Trading systems. Mr. Marlowe is a graduate of Keio University in Tokyo, Japan with a degree in Computer Science. Mr. Marlowe also has a Masters Degree in Business Administration from Tokyo University in Tokyo, Japan. Mr. Marlowe has also done postgraduate study in finance and marketing at Columbia University in New York. Mr. Marlowe is more than qualified to oversee the computer operations and software development for Ameritel Arkansas, Inc.

Patty McCully – Director Ports, Switching and Provisioning. Ms. McCully has 33 years experience with SBC working in operator services, central office, assignment, cable splicing, design engineering, and the construction management center. Ms. McCully has attended Garland County Community College in Hot Springs, Arkansas, Henderson State University in Arkadelphia, Arkansas and The University of Arkansas at Little Rock in Little Rock, Arkansas. Ms. McCully is more than qualified to oversee the technical areas of Ameritel Arkansas, Inc.

EXHIBIT C
FINANCIAL DATA

**TO BE LATE-FILED
UPON ISSUANCE OF PROTECTIVE ORDER**