

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

In the Matter of the Application of)	
NovaTel Ltd., for a Certificate)	
Service Authority for Local)	
Exchange and Interexchange)	
Telecommunications Services in the)	Case No. XA-2009-0399
State of Missouri and to classify)	
such services and the Company)	
as Competitive)	

AMENDED APPLICATION

Comes now NOVATEL LTD., INC., (“Applicant”), by and through counsel, and hereby applies with the Missouri Public Service Commission (“Commission”) for certificate of service authority to provide local exchange and interexchange telecommunications services in the State of Missouri and to classify Applicant and its services as competitive. In support of its Application, Applicant states as follows:

1. NOVATEL LTD., INC. is a foreign Corporation, duly organized and existing under the laws of the State of Texas, with its principal place of business located at 111550 IH-10 West, Suite 110, San Antonio, Texas 78230. A copy of Applicant’s certificate of authority issued by the Missouri Secretary of State to transact business in the State of Missouri is attached hereto as **Exhibit A**.
2. Correspondence and other communications concerning this application should be addressed to:

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3. Applicant is a reseller of telecommunications services that proposes to provide interexchange telecommunications services within Missouri including dedicated services to contact centers with T-1 or better and DS3 Circuits, Toll Free Services and Interstate and Intrastate Termination services. Applicant requests authority to provide service to business and residential customers throughout the State of Missouri.
4. Applicant has the technical and managerial expertise and experience in the telecommunication industry to provide the services it proposes as set forth in the Management Biographies attached hereto as **Exhibit B**.
5. Pursuant to the requirements of 4 CSR 240-3.510 (1)(c), Applicant submits a proposed tariff for local exchange and interexchange telecommunications services requesting a 45 day effective date attached hereto as **Exhibit C**. The proposed tariff contains the rule and regulations applicable to the Applicant's customers, a description of services offered, and a list of rates associated with such services.

6. Applicant further requests classification as a competitive telecommunications company and that its services be classified as competitive within the State of Missouri. Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Granting of this application is in the public interest as it will allow greater price and service options for telecommunications users.
7. Applicant also requests, pursuant to Section 392.420 RSMo 2000, that the Commission waive the application of the following statutes and commission rules as they relate to the regulation of Applicant:

392.210.2 RSMo.	Establish Uniform Systems of Accounts for Annual Reports
392.240(1) RSMo.	Setting Just and Reasonable Rates
392.270 RSMo.	Ascertain property values
392.280 RSMo.	Establish depreciation accounts
392.290 RSMo.	Issuance of securities
392.300.2 RSMo.	Acquisition of stock
392.310 RSMo.	Issuance of stock and debt
392.320 RSMo.	Stock dividend payment
392.330 RSMo.	Issuance of securities, debts and notes
392.340 RSMo.	Reorganization(s)
4 CSR 240-10.020 RSMo.	Depreciation fund income
4 CSR 240-30.040 RSMo.	Uniform System of Accounts
4 CSR 240-3.550(5)(c)RSMo.	Telecommunication Company Records and Reports

As these rules and statutory provisions are designed primarily to apply to non-competitive telecommunications carriers, it would be inconsistent with Applicant's requested status as a competitive company to apply these rules and statutes to Applicant.

8. Pursuant to Section 386.570, RSMo 2000, Applicant will comply with all applicable Commission rules other than those specifically waived by the Commission pursuant to the waiver request filed by the Applicant.
9. Applicant has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court involving customer service or rates, which action, judgment or decision has occurred within three years of the date of this Application. No Commission annual reports or assessment fees are overdue.
10. Grant of this application will further the public interest by expanding the availability of competitive telecommunications services in the State of Missouri. In addition, intrastate offering of these services in Missouri is in the public interest because the services will provide Missouri customers with access to new technologies and service choices, and permit customers to achieve increased efficiencies and cost savings. In particular, the public will benefit through the use of the competitive services offered by Applicant and because the presence of Applicant in this market will increase the incentives for other telecommunications providers within Missouri to operate more efficiently, offer more innovative services, reduce prices, and improve quality of services offered.

WHEREFORE, Applicant, NovaTel Ltd., Inc., respectfully requests that the Missouri Public Service Commission grant Applicant certificate of service authority to provide local exchange and interexchange telecommunications services within the State of Missouri, to classify Applicant as a competitive telecommunications company, to

classify Applicant's services as competitive and to grant a waiver of the above specified rule and statutory provisions.

Respectfully submitted,

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ATTORNEY FOR NOVATEL LTD., INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was mailed this _____ day of _____, 2009 via U.S. Mail to the Office of Public Counsel at 200 Madison Street, Suite 650, P.O. Box 2230, Jefferson City, Missouri 65102.

Paul H. Gardner

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

I, Paul H. Gardner, being duly sworn, do hereby certify, depose and state that I am the Attorney for NovaTel Ltd., Inc., applicant in this proceeding; that I have read the above and foregoing Application and that the allegations therein contained are true and correct to the best of my knowledge, information and belief; and that I am authorized to verify the foregoing application by the above said applicant.

Paul H. Gardner

Subscribed and sworn to before me, a Notary Public, this _____ day of _____, 2009.

Notary Public

LIST OF EXHIBITS

EXHIBIT A	Authority issued by Missouri Secretary of State
EXHIBIT B	Management Biographies
EXHIBIT C	Proposed Interexchange Tariff

EXHIBIT C

Proposed Interexchange Tariff