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April 13, 2000

FILED

APR 13 2000

**Missouri Public
Service Commission**

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Re: Comm South Companies, Inc.
Case No. TA-2000-509

Dear Judge Roberts:

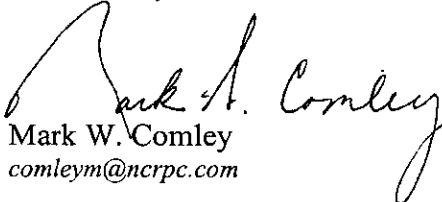
To cure a deficiency noted in the Commission's order of April 3, 2000, I have enclosed for filing with your office on behalf of Comm South Companies, Inc. an original and fourteen copies of a First Amended Application to Amend Certificate of Service Authority.

Please call me if there are any questions. Thank you very much.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel
Bobby Glover

FILED

APR 13 2000

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of the Application of)
Comm South Companies, Inc., f/k/a)
Onyx Distributing Company, Inc.,)
d/b/a Missouri Comm South, Inc.)
for an Amendment to its Certificate of Authority)
to Resell Basic Exchange and Local Exchange)
Intrastate Telecommunications Services within)
the State of Missouri.)

Case No. TA-2000-509

FIRST AMENDED APPLICATION
TO AMEND CERTIFICATE OF SERVICE AUTHORITY

Comes now COMM SOUTH COMPANIES, INC., d/b/a MISSOURI COMM SOUTH, INC. (hereinafter "MCS", or "Applicant"), by and through its attorneys, and pursuant to 4 CSR 240-2.080(14) hereby files this First Amended Application To Amend its Certificate of Service Authority to provide Basic Exchange and Local Exchange Telecommunications Services within the State of Missouri. MCS acquired its certificate of service authority to provide basic local telecommunications service and local exchange service in Case No. TA-97-203 before this Commission pursuant to Sections 392.430, 392.440, 392.450, and 392.451, RSMo. 1994, and the federal Telecommunications Act of 1996. By virtue of those same authorities, MCS currently applies for and requests an amendment to its certificate. In support thereof, MCS submits the following to the Commission:

I. The Applicant

1. MCS is a telecommunications company subject to the jurisdiction of this Commission and engages in the business of providing resold basic local telecommunications service, including local calling ("dialtone"), on a prepaid basis only. Prepaid services are services for which a company does not perform consumer credit checking or application screening and which are paid for prior to service being rendered.

2. MCS is a corporation organized under the laws of the State of Texas. MCS has been duly authorized by the Secretary of the State of Missouri to transact business as a foreign corporation. MCS' Certificate of Good Standing issued by the Secretary of State of Missouri pertaining MCS's authority to engage in business in this state was earlier filed with the original application.

3. All communications and pleadings in this docket should be directed to:

Mark W. Comley
NEWMAN, COMLEY & RUTH
601 Monroe Street
Suite 301
Jefferson City, MO 65101
Telephone: 573 634-2266
Fax: 573 636-3306
e-mail – comleym@ncrpc.com

and

Bobby Glover
MISSOURI COMM SOUTH, INC.
6830 Walling Lane
Dallas, Texas 75231
Telephone: 972 643-8573
Fax: 972 690-9959

II. The Amendment

4. In its application filed in Case No. TA-97-203, MCS requested a certificate of service authority to provide resold basic local telecommunications services in those portions of Missouri that were currently served by Southwestern Bell Telephone Company (SWBT).

5. MCS's business has seen steady growth and it desires to expand its provision of service into the exchanges of the other major local exchange companies in the state. Accordingly, MCS now seeks to amend its certificate of service authority to include authority to provide its

services in all areas of Missouri wherein Alltel Missouri, Inc. (Alltel) is currently authorized by this Commission to serve. A list of the Alltel exchanges was set forth on Exhibit 2 of the original application.

6. By this application, MCS does not seek to modify any of the terms and conditions under which its certificate was issued, or the waiver of the provisions of any additional statutes or rules of the Commission. This application has been filed solely for the purpose of adding the exchanges served by Alltel to MCS's certificated service territory.

7. MCS will offer its services in the amended service areas in accord with its tariffs. The provisions of 4 CSR 240-2.060(4)(H) require that a proposed tariff with a forty-five (45) day effective date be included with this application, and MCS wishes to comply with this requirement. Because negotiations are not final with Alltel, the charges for interconnection and network elements, and other material provisions and terms have not been concluded, and MCS requests the Commission to waive the provisions of this rule. Applicant intends to supply its proposed tariffs to the Commission with at least a thirty-day effective date at or near the time its interconnection agreements are approved.

III. The Public Interest

8. Approval of this application will serve the public interest in that it will extend the benefits of competition more broadly into the basic exchange market, increase the diversity of choice and supply of telecommunications services and products in the exchanges in which MCS will offer service and will increase consumer access to competitive and affordable telecommunications services.

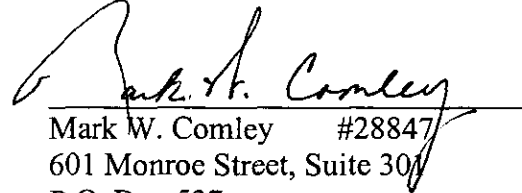
WHEREFORE, MCS respectfully requests the Commission to enter an order amending MCS certificate of service authority issued in Case No. TA-97-203 to include in its authorized service

territory the exchanges set forth on Exhibit 2 which was attached to the original application..

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By:

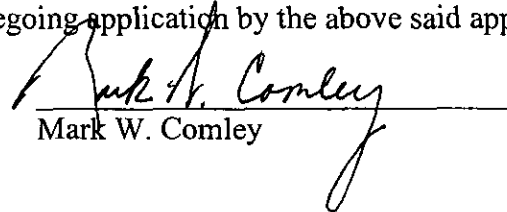


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comleym@ncrpc.com

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for COMM SOUTH COMPANIES, INC., d/b/a MISSOURI COMM SOUTH, INC., Applicant in the above captioned proceeding; that I have read the above and foregoing Application and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant.


Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 13th day of April March, 2000.

My Commission expires:

Notary Public

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was hand delivered or sent by U.S. Mail, postage prepaid, to the Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102, and General Counsel, P.O. Box 360, Jefferson City, MO 65102 on this 13th day of April, 2000.


Mark W. Comley