

POINTER LAW OFFICE, P. C.

110 N. Main • P.O. Box 400
Gainesville, Missouri 65655
(417) 679-2203 (phone)
(417) 679-2213 (fax)

November 18, 2003

FILED²

NOV 21 2003

Missouri Public
Service Commission

Dale Hardy Roberts
Missouri Public Service Commission
200 Madison Street, Suite 101
Jefferson City, MO 65101

Re: Application of UpLync Telecommunications, Inc. for Certificate of
Service Authority to Provide Basic and Facility Based Local Exchange and
Interexchange Telecommunications Services
LA-2004-0136

Dear Mr. Roberts:

Per our recent discussion with Phil Garcia, please find enclosed for filing on behalf of UpLync Telecommunications, Inc. an original and five (5) copies of: (1) Amended Application for Certificate of Service Authority and for Competitive Classification; and (2) Motion Requesting Waiver.

Please direct this filing to the attention of the appropriate Commission personnel.

Copies of the filing are being send via United States Mail, postage prepaid, to the Office of the Public Counsel.

Thank you for your cooperation and assistance in this matter.

Very truly yours,



David B. Pointer

Enclosures

cc: Mike Bristol

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
NOV 21 2003
Missouri Public
Service Commission

In the matter of the Application of)
UpLync Telecommunications, Inc.)
for Certificate of Service Authority to)
Provide Basic & Facility Based)
Local Exchange and Interexchange)
Telecommunications)
Services within the State of Missouri)
and for Competitive Classification)

Case No. LA-2004-0136

MOTION FOR WAIVER

COMES NOW UpLync Telecommunications, Inc. (UpLync" or "Applicant"), by its undersigned counsel, and hereby moves for waiver of noncompliance with Order dated September 16, 2003, and waiver of 4 CSR 3.510(1)(C). In support of this motion, movant states as follows:

1. When the initial application was filed in this matter, the accompanying tariffs were inadvertently omitted.
2. On or about September 16, 2003, an Order Directing Filing was entered directing applicant to file an interexchange tariff. At that time, the undersigned counsel first learned that no tariffs had been filed with the application. On or about September 19, 2003, applicant filed the tariffs (PSC Nos. 1 and 2) intended to be included with the application.
3. The tariffs filed on or about September 19, 2003, did not include an interexchange tariff. No interexchange tariff has been filed as of this date.
4. Applicant continues to seek certificates to provide basic local exchange services and interexchange telecommunication services. Applicant requests a waiver of 4 CSR 3.510(1)(C) to permit additional time to properly prepare and submit an IXC tariff. Applicant will not provide interexchange or non-switched interexchange services until its IXC tariff is

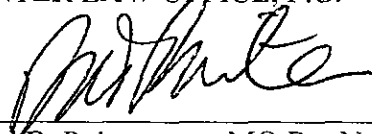
approved.

WHEREFORE, applicant requests that compliance with the Order dated September 16, 2003, be waived and that the amended application be approved subject to Applicant's obligation to file an appropriate interexchange tariff at least 45 days prior to providing any interexchange services to any customer.

Respectfully Submitted,

POINTER LAW OFFICE, P.C.

By:



David B. Pointer MO Bar No. 44498
110 N. Main • P.O. Box 400
Gainesville, MO 65655
(417) 679-2203
(417) 679-2213 (fax)
Attorney for UpLync Telecommunications, Inc.