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ORIGINAL

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March 30, 2000

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

FILED²
MAR 30 2000
Missouri Public
Service Commission

Re: Case No. TA-2000-452
Everest Connections Corporation (CLEC Application)

Dear Mr. Roberts:

Please find enclosed for filing in the above-referenced case an original and fourteen copies of *Motion For Withdrawal And Immediate Return Of Original Surety Bond Filed On March 27, 2000*. As indicated in this Motion, Applicant is requesting expedited consideration of its request and thanks you in advance for your prompt attention to this filing.

A copy of this filing has been sent this date to counsel for all parties of record.

Sincerely,


Brent Stewart

CBS/bt

Enclosure

cc: Office of the Public Counsel
Nathan Williams, General Counsel's Office
Mimi MacDonald (SWBT)
Kathy Troughton

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

MAR 30 2000

Missouri Public
Service Commission

In the Matter of the Application of)
Everest Connections Corporation for a)
Certificate of Service Authority to Provide)
Basic Local Telecommunications Service)
In Portions of the State of Missouri and to)
Classify Said Services and the Company)
as Competitive.)

Case No. TA-2000-452

MOTION FOR WITHDRAWAL AND IMMEDIATE RETURN OF
ORIGINAL SURETY BOND
FILED ON MARCH 27, 2000

Comes now Applicant Everest Connections Corporation ("Everest"), and for its Motion For Immediate Return of Original Surety Bond Filed on March 27, 2000, respectfully states as follows:

1. On March 27, 2000 Everest filed as Supplemental Appendix D to its First Amended Application a surety bond in the amount of \$100,000.00 with the Commission designated as the obligee. The filing of a \$100,000.00 surety bond is required of some companies under the Commission's new rule, 4 CSR 240-32.110. While the new rule has not yet become effective, Staff had suggested that Everest submit such a surety bond in order to satisfy the Staff that Everest was financially qualified to do business in Missouri and therefore permit the case to proceed without the need for an evidentiary hearing.

2. On March 28, 2000 counsel for Everest received an email message from Staff counsel which read as follows:

"We have reviewed the bond submitted and find it noncompliant with what will be rule 4 CSR 240-32.110 in the following respects:

- 1) It does not provide for notice to the Commission in the event it is terminated before the company ceases providing services or Commission order ends the security requirement [(1)(B) and (1)(C) of the rule];
- 2) It limits return of customer deposits and advance payments to those made by individuals rather than end-user customers [(1)(A) of the rule]; and
- 3) It does not explicitly provide for payments to carriers of last resort for costs incurred for transition services [(1)(A) and (1)(E) of the rule].

Please have the bond modified to address the above issues.”

3. A representative of Everest has been in contact with Staff counsel to discuss the changes to the surety bond requested by Staff and the procedure to be followed to submit a revised bond and intends to file a revised \$100,000.00 surety bond forthwith. In order to do so, however, Everest’s bonding company has required that the original bond, which was filed with the Commission, be returned as quickly as possible.

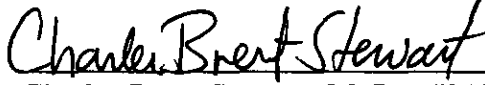
4. In order to resolve this matter and submit a Stipulation and Agreement in this case in time to meet the Commission’s upcoming April 24, 2000 filing deadline, Everest respectfully requests that the Commission issue its ruling on this Motion as expeditiously as possible and therein direct its records department to mail the original surety bond directly to Everest’s counsel at the address below.

5. Staff has indicated that it has no objection to Everest withdrawing the bond filed on March 27, 2000 and having same returned to Everest.

WHEREFORE, Applicant Everest Connections Corporation respectfully moves the Commission to permit it to withdraw the original surety bond filed on March 27, 2000 and for

the Commission to return said surety bond to counsel for Applicant in order that Applicant can resubmit a revised surety bond.

Respectfully submitted,



Charles Brent Stewart, MoBar #34885

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ATTORNEY FOR APPLICANT

EVEREST CONNECTIONS CORPORATION

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was sent to counsel for all parties of record in Case No. TA-2000-452 by placing same in the U.S. Mail, first class postage prepaid, or by hand-delivery, this 30th day of March, 2000.

