## BEFORE THE PUBLIC SERVICE COMMISSION OF MISSOURI

In the Matter of the Application of	)		
	)	Case No	
Sprint Long Distance, Inc. for a Certificate of	)		
Authority To Provide Competitive Intrastate	)		
Interexchange Telecommunications Service	)		
within the State of Missouri	)		

## APPLICATION FOR CERTIFICATE OF AUTHORITY AND FOR COMPETITIVE CLASSIFICATION

COMES NOW Sprint Long Distance, Inc. ("Sprint" or "Applicant") and respectfully requests a Certificate of Service Authority to provide competitive intrastate interexchange telecommunications services between and among locations within the State of Missouri pursuant to Sections 392.361, 392.420, and 392.430 RSMo. 2000, 392.410 RSMo. Supp. 2004, and 4 CSR 240-3.510, for an order classifying Applicant as a competitive telecommunications carrier, and an order waiving or suspending certain Commission rules and other statutory provisions pursuant to Section 392.440. In support of its request, Applicant provides the following information:

1. Applicant was organized as a for profit corporation under the laws of the State of Delaware on March 1, 2005. The Applicant's legal name and principal office is:

Sprint Long Distance, Inc. 6200 Sprint Parkway, KSOPHF0302 Overland Park, Kansas 66251 Telephone: (913) 762-4120 Facsimile: (913) 762-0518

Toll-Free Customer Numbers: (Tele. 866-750-8300; Fax 800-473-2017)

2. A copy of Applicant's Articles of Organization and Certificate of Authority to transact business in Missouri are attached hereto as Exhibit A. and incorporated herein by reference.

3. All inquiries, correspondence, communications, pleadings, notices, orders, decisions relating to this application should be referred to Applicant's counsel:

Brett D. Leopold Sprint Long Distance, Inc. 6450 Sprint Parkway Overland Park, Kansas 66251 KSOPHN0212-2A353 Voice: (913) 315-9155

Voice: (913) 315-9155 Fax: (913) 523-9630

E-Mail: brett.d.leopold@mail.sprint.com

- 4. Applicant requests authority to provide residential and business customers resold long distance telecommunication services for communications originating and terminating within the State of Missouri. The Company's services are available twenty-four (24) hours per day, seven (7) days a week. Intrastate service is offered in conjunction with interstate service. Applicant will also be offering certain Operator and Calling Card services. The Applicant's tariff, further described herein, below, contains provisions describing the proposed terms and conditions applicable to its Customers, a description of the services intended to be offered and a list of rates associated with those services.
  - 5. Sprint's statutory/regulatory representation in the state of Missouri is:

Mr. Richard Lawson Sprint State Executive-Kansas/Missouri 319 Madison Street Jefferson City, MO 65101 Telephone (573) 634-1511

6. Applicant possesses all requisite managerial and technical expertise to provide high quality intrastate interexchange telecommunications services. Applicant's affiliates already have a long-standing history of the provision of quality telecommunications services in the State of Missouri. Applicant's executive leadership is listed in Exhibit B.

- 7. Sprint has ample financial resources to operate as a telecommunications reseller. As a new, start-up entity however, Applicant has no historic financial reports to present to the Commission at this time. Applicant will be happy to address this matter further, in subsequent filings, should the Commission deem it necessary.
- 8. Sprint's proposed tariff, which contains the rules and regulations applicable to its Customers, a description of the services offered, and a list of rates associated with such services, is being filed simultaneously with this application as Exhibit C and shows an October 1, 2005 effective date.
- 9. Sprint requests classification as a competitive telecommunications company operating within the state of Missouri. Sprint further requests classification of services described in the Applicant's tariff as competitive services.
- 10. Applicant will not unjustly discriminate among its customers as such discrimination is prohibited pursuant to Section 392.200.
- 11. Applicant, pursuant to Section 386.570, will comply with all applicable Commission rules except those which are specifically waived by the Commission pursuant to a request filed by the Applicant.
- 12. Applicant also respectfully requests, pursuant to Section 392.420, that the Commission suspend, waive or modify the application of the following rules and statutory provisions as they relate to the regulation of the applicant:

4 CSR 240-10.020 -- Depreciation fund income
4 CSR 240-30.040 -- Uniform system of accounts

Section 392.210.2 -- Uniform System of Accounts

Section 392.240(1) -- Just & Reasonable Rates

Section 392.270 -- Property valuation

Section 392.280 -- Depreciation rates

Section 392.290 -- Issuance of securities

Section 392.300.2 – Acquisition of Stocks

Section 392.310 -- Issuance of stocks and bonds

Section 392.320 -- Stock dividends

Section 392.330 -- Issuance of securities, debt and notes

Section 392.340 - Reorganization

The above referenced rules and statutory provisions have been waived with regard to other interexchange carriers in prior applications/cases in Missouri. These rules or statutory provisions are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Section 392.530 to apply them to a competitive telecommunications carrier such as the Applicant.

- 13. In compliance with Commission Rule 4 CSR 240-2.060(1)(L), Applicant certifies that it has no annual reports or regulatory assessment fees that are overdue in Missouri.
- 14. In compliance with Commission Rule 4 CSR 240-2.060(1)(K), Applicant is a new start-up operation and certifies that it has no pending actions of final unjustified judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the Application.
- 15. Applicant submits that the public interest will be served by Commission approval of this application because the proposed services will create and enhance competition in the State of Missouri and expand customer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996, and Chapter 392 RSMo. 2000. Prompt approval of Applicant's application will be in the public interest and expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

WHEREFORE, Sprint Long Distance, Inc., respectfully requests that the Commission grant it a certificate of service authority to offer competitive intrastate interexchange and operator assisted telecommunications services within the State of Missouri; an order classifying it as a competitive telecommunications company providing competitive service; an order suspending, waiving or modifying the above referenced rules and statutory provision as they relate to the regulation of the Applicant in the state of Missouri; and, for such further orders as the Commission deems appropriate.

Respectfully submitted,

Sprint Long Distance, Inc.

Brett D. Leopold, MO Bar #45289

KSOPHN0212-2A353 6450 Sprint Parkway

Overland Park, Kansas 66251 Telephone: (913) 315-9155

Facsimile: (913) 523-9630

E-Mail: brett.d.leopold@mail.sprint.com

Attorney for Applicant

## VERIFICATION

I, Brett D. Leopold, first being duly sworn upon oath depose and state that I am a Senior Attorney for Sprint; that I have read the above and foregoing Application For Certificate of Authority and For Competitive Classification; that I know the contents thereof; and, that said statements contained therein are true in substance and in fact to the best of my knowledge, information and belief.

Brett D. Leopold

Subscribed and sworn before me this 9th day of August, 2005

Notary Public

My Appointment Expires: March 5, 2009

NOTARY PUBLIC — State of Kansas

MARY K. JOSHI

My Appl. Exp. 3 - 5 - 09

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was emailed, hand-delivered or mailed, postage prepaid this  $10^{th}$  day of August, 2005 to each of the following:

Office of the Public Counsel P.O. Box 2230 Jefferson City. MO 65102 Dana K. Joyce General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102