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August 21, 2000

VIA FEDERAL EXPRESS

Missouri Public Service Commission
Attn: Secretary of the Commission
200 Madison Street, Suite 100
Jefferson City, Missouri 65102-0360

FILED²
AUG 22 2000
Missouri Public
Service Commission

**Re: In the matter of the Application of PathNet, Inc. for a Certificate of Service
Authority to Provide Interexchange and Local Exchange
Telecommunications Services; Case No. TA-2000-664**

Dear Mr. Roberts,

Enclosed are the original and eight (8) copies of a Motion For Leave To File Out Of Time requesting the Commission to accept the filing of PathNet, Inc.'s initial tariff out of time on August 15, 2000.

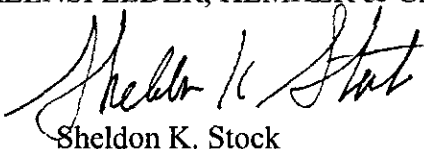
We have enclosed one extra copy of the motion which we would appreciate being date stamped upon receipt and returned to the undersigned in the envelope provided. A copy of the foregoing motion has been mailed this date to the parties of record

Thank you for your attention to this matter.

Yours very truly,

GREENSFELDER, HEMKER & GALE, P.C.

By


Sheldon K. Stock

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413010.1

cc: Parties of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²
AUG 22 2000

In the matter of the Application of PathNet, Inc.)
for a Certificate of Service Authority to Provide)
Interexchange and Local Exchange)
Telecommunications Services)

Case No. TA-2000-664

Missouri Public
Service Commission

MOTION FOR LEAVE TO FILE OUT OF TIME

COMES NOW PathNet, Inc. ("PathNet"), by and through its counsel, and respectfully requests the Commission to allow it to file its initial tariff out of time for the following reasons in accordance with the Commission's Order of August 16, 2000.

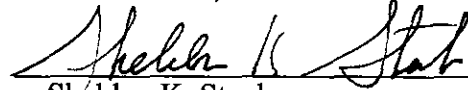
1. PathNet's initial tariff was filed on August 15, 2000, one day later than the designated time period for filing said tariff as set forth in the Commission's Order of June 19, 2000.
2. PathNet had e-mailed its tariff to local counsel on August 10, 2000 but local counsel had technical difficulties printing the tariff due to problems with a difference in the formatting being used by the respective law firms.
3. The tariff was filed as soon as the formatting issue was resolved and under the mistaken impression that an extension of time would, in the normal course, be granted.
4. On August 14, 2000, counsel for PathNet filed a request for an extension of time until August 21, 2000 to file the tariff, but failed to follow the Commission's rules in regard to making that request by a formal motion.
5. PathNet's delay was not intentional nor designed to purposely violate the rules of the Commission and allowing PathNet to file the tariff out of time will not be detrimental to the public interest.

WHEREFORE, PathNet, Inc., respectfully requests the Commission to accept the filing of its tariff out of time on August 15, 2000 and for such other and further orders as the Commission deems appropriate.

Respectfully submitted,

GREENSFELDER, HEMKER & GALE, P.C.

By:



Sheldon K. Stock

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Attorney for PathNet, Inc.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this 21st day of August, 2000 to:

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Leo J. Bub, Esq.
Anthony K. Conroy, Esq.
Mimi B. MacDonald, Esq.
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