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June 9, 2000

DEAN L. COOPER MARK G. ANDERSON TIMOTHY T. STEWART GREGORY C. MITCHELL RACHEL M. CRAIG BRIAN T. MCCARTNEY DALE T. SMITH **FILED**³

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

JUN 0 9 2000

Missouri Public Service Commission TA-2000-811

Re: In the Matter of the Application of TDS Long Distance Corporation for a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services and Classify Said Services and the Company as Competitive

Dear Mr. Roberts:

Enclosed please find the original plus eight (8) copies of Application for filing on behalf of TDS Long Distance Corporation in the above referenced matter. Please bring this matter to the attention of the appropriate Commission personnel.

Thank you for your attention to this matter.

Very truly yours,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

Sandra Margan

Sondra B. Morgan

SBM/k

Enclosures Office of Public Counsel CC: PSC Legal Counsel John Dohmeier

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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In the Matter of the Application of TDS Long Distance Corporation for a Certificate of Service Authority to Provide Interexchange and Local Exchange Telecommunications Services and to Classify Said Services and the Company as Competitive

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Case No. <u>TA-2000-811</u>

APPLICATION

TDS Long Distance Corporation ("Applicant"), a Delaware corporation, files this verified

Application respectfully requesting that the Missouri Public Service Commission

("Commission") issue an order that:

- (a) grants Applicant a Certificate of Service Authority to provide interexchange and local exchange telecommunications services pursuant to Chapter 392 of the Missouri Revised Statues;
- (b) grants competitive status to Applicant and the services it proposes to offer; and
- (c) waives certain Commission rules and statutory provisions pursuant to Section 392.420, RSMo Supp. 1999.

In support of its request, Applicant states as follows:

1. Applicant is a Delaware corporation with its principal office and place of business at 301 South Westfield Road, Madison, WI 53717. Applicant does not maintain a principal business address in Missouri. Marked <u>Appendix A</u> and attached hereto is a copy of Applicant's Certificate of Authority to transact business as a foreign corporation within the State of Missouri. Applicant is a wholly-owned subsidiary of TDS Telecommunication Corp. ("TDS Telecom"). 2. Correspondence concerning this Application, notices, inquiries and other

communication, should be directed to:

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W.R. England, III, Esq.
Sondra B. Morgan, Esq.
Brydon, Swearengen & England, P.C.
312 East Capitol Street
P.O. Box 456
Jefferson City, Missouri 65102
Tel (573) 635-7166
Fax (573) 635-0427

and

John Dohmeier Director External Relations TDS Long Distance Corporation 301 South Westfield Road Madison, WI 53717 Tel (608) 664-4168 Fax (608) 664-4185

3. Applicant proposes to resell one plus (1+) interexchange telecommunications services and associated operator and directory assistance services to business and residential customers throughout the State of Missouri. Applicant will utilize its own facilities, or purchase for resale, the services or facilities of other carriers in order to provide the services sought to be provided. Applicant is requesting statewide authority, although initially it will only provide the proposed services in the exchanges served by the TDS Telecom Missouri subsidiaries: Stoutland Telephone Company, Orchard Farm Telephone Company and New London Telephone Company.

4. Applicant requests classification as a competitive telecommunications company within the State of Missouri. Applicant believes that its proposed services will be subject to

sufficient competition to justify a lesser degree of regulation. Granting of this application will

allow greater price and service options for telephone users.

5. Consistent with the Commission's treatment of other certificated competitive

telecommunications companies, Applicant requests that the following statutes and regulations be waived:

§392.210.2	System of accounts.
§392.240(1)	Rates-reasonable average return on investment.
§392.270	Property valuation.
§392.280	Depreciation rates.
§392.290	Issuance of stocks and bonds.
§392.300.2	Transfer of capital stock.
§392.310	Issuance of stocks and bonds.
§392.320	Issuance of stocks and bonds.
§392.330	Issuance of stocks and bonds.
§392.340	Reorganization.

4 CSR 240-10.020	Income on depreciation fund investments.
4 CSR 240-30.010(2)(C)	Posting exchange rates at central offices.
4 CSR 240-30.040	Uniform System of Accounts.
4 CSR 240-33.030	Minimum Charges Rule
4 CSR 240-35	Reporting of Bypass and Customer Specific Arrangements

6. Applicant proposes to charge for its services based upon rates, rules and

regulations as proposed in the tariff attached hereto and incorporated by reference as Appendix

<u>B</u>.

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7. The Commission has found that the interexchange market which Applicant seeks

to enter is sufficiently competitive so as to justify a lesser degree of regulation. In Re

Classification of Service Provided by Interexchange Telecommunications Carrier within the

State of Missouri, Case No. TO-88-142, Report and Order (effective October 16, 1989) at pp. 19-

20. Expeditious grant of the instant Application will expand customer service options and

increase the competition in the provision of interexchange services, consistent with the Commission's policies, and the legislative goals set forth in Chapter 392 RSMo and the federal Telecommunications Act of 1996. Accordingly, Applicant's proposed operations are in the public interest.

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8. Applicant does not have any pending action or final unsatisfied 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 this application.

9. No annual reports or assessment fees are overdue for Applicant.

WHEREFORE, Applicant respectfully requests that the Commission grant it a certificate of service authority to provide intrastate interexchange and local exchange telecommunications services to the public in the State of Missouri. If granted local exchange authority, such authority will be limited to the provisioning of dedicated, non-switched local exchange private line services. Applicant also requests classification as a competitive telecommunications company and that the services it offers be classified as competitive. In addition, Applicant requests a waiver of the above-referenced rules and statutory provisions.



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Respectfully Submitted,

B.M

W.R. England, III Mo. Bar #23975
Sondra B. Morgan Mo. Bar #35482
BRYDON, SWEARENGEN & ENGLAND, P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
(573) 635-7166
(573) 635-0427 (fax)

Attorneys for TDS LONG DISTANCE CORPORATION

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was mailed or hand-delivered this 9th day of June, 2000, to:

Office of Public Counsel Truman State Office Center P.O. Box 7800 Jefferson City, MO 65102

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Legal Counsel Public Service Commission P.O. Box 360 Jefferson City, MO 65102

Soudra Mon Sondra B. Morgan

VERIFICATION

State of Wisconsin))ssCounty of Dane)

(Signature)

TDS Long Distance Corporation

Subscribed and sworn to before me this 6th day of June, 2000.

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Notary Public State of Wisconsin

ommission expires: AMULTINIA AND A CONTRACT april 22, 2001





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<u>Appendix A</u>

Certificate of Authority Missouri Secretary of State



Rebecca McDowell Cook Secretary of State

CORPORATION DIVISION

CERTIFICATE OF CORPORATE RECORDS

TDS LONG DISTANCE CORPORATION

using in Missouri the name

TDS LONG DISTANCE CORPORATION

I, REBECCA McDOWELL COOK, Secretary of State of the State of Missouri and Keeper of the Great Seal thereof, do hereby certify that the annexed pages contain a full, true and complete copy of the original documents on file and of record in this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 7th day of JUNE, 2000.

Secretary of State





Rebecca McDowell Cook Secretary of State

CORPORATION DIVISION - CERTIFICATE OF AUTHORITY

WHEREAS, TDS LONG DISTANCE CORPORATION

using in Missouri the name TDS LONG DISTANCE CORPORATION

has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of DELAWARE.

NOW, THEREFORE, I, REBECCA McDOWELL COOK, Secretary of State of the State of Missouri, do hereby certify that said corporation is from this date duly authorized to transact business in this State, and is entitled to all rights and privileges granted to Foreign Corporations under the General and Business Corporation Law of Missouri.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 23rd day of MARCH, 2000.

Secretary of State



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<u>Appendix B</u> TDS Long Distance Corporation Interexchange Tariff