Lance J.M. Steinhart

Attorney At Law 6455 East Johns Crossing Suite 285 Duluth, Georgia 30097

Also Admitted in New York and Maryland

Telephone: (770) 232-9200 Facsimile: (770) 232-9208

April 14, 2000

VIA OVERNIGHT DELIVERY

Mr. Dale Roberts
Chief A.L.J./Executive Secretary
Missouri Public Service Commission
Room 250
301 W. High Street
Jefferson City, MO 65102
(573) 751-3234

Re: Siesta Telecom, Inc.

TA-2000-656

FILED²

APR 1 7 2000

Missouri Public Service Commission

Dear Mr. Roberts:

Enclosed please find an original and fourteen (14) copies of Siesta Telecom, Inc.'s Application for Certificate of Service Authority to Provide Interexchange Telecommunications Services Within the State of Missouri.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self addressed, postage prepaid envelope.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Please note that this Application is being submitted by myself and Judith A. Rau, Esq., Missouri Counsel, Bar # 24856.

Respectfully submitted

Lance J.M. Steinhart

Attorney for Siesta Telecom, Inc.

Enclosures

cc: P

Peter Slater

Office of Public Counsel

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI



In the matter of the)	Missouri Public Service Commission
application)	Vice Complic
of Siesta Telecom, Inc.)	or innission
for a certificate of)	
service authority)	Case No. TA-2000-656
to provide interexchange)	
telecommunications services)	

APPLICATION

Siesta Telecom, Inc., ("Applicant"), a Florida 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 telecommunications services pursuant to Chapter 392 of the Missouri Revised Statutes.
- (b) grants competitive status to Applicant, and classifies the Applicant's services as competitive.
- (c) waives certain Commission rules and statutory provisions pursuant to Section 392.420, RSMo Cumm. Supp. 1992.

In support of its request, Applicant states:

1. The legal name and principal office or place of business of the Applicant are:

Siesta Telecom, Inc.
5951 Cattleridge Blvd.; Suite 100
Sarasota, Florida 34232
(941) 342-1712/Phone
(941) 342-8270/Facsimile

A copy of Applicant's Articles of Incorporation and certificate of authority from the Missouri Secretary of State to transact business in Missouri are attached hereto as Exhibit I.

- 3. Applicant is a reseller of telecommunications services.

 Applicant proposes to provide interexchange telecommunications services within Missouri including direct outbound dialing (1+ and 101XXXX), 800 and 888 (inbound Toll-Free), travel cards, and prepaid calling cards. Applicant respectfully requests authority to provide service to prospective business and residential customers throughout the State of Missouri.
- 4. Applicant has the experience in the telecommunications industry and the technical and financial resources to provide telecommunications services within Missouri. A brief description of the qualifications and experience of the key management employees is attached hereto as Exhibit II. A copy of the Applicant's Balance Sheet & Income Statement for the year ended December 31, 1999 is attached hereto as Exhibit III.
- 5. Applicant's draft Tariff is attached as Exhibit IV. The proposed tariff contains the rules and regulations applicable to its customers, a description of the services offered, and a list of rates associated with such services.

- 6. Applicant requests classification as a competitive telecommunications company within the State of Missouri, and that its services are classified as competitive. 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.
- 7. Applicant also respectfully requests, pursuant to Section 392.420 RSMo (Cum. Supp. 1992), that the Commission waive the application of the following rules and statutory provisions as it relates to the regulation of Applicant:

392.210.2 Establish Uniform System of Accounts for Annual reports

392.240(1) Setting just and reasonable rates

392.270 Ascertain Property values

392.280 Establish Depreciation accounts

392.290 Issuance of securities

392.300.2 Acquisition of stock

392.310 Issuance of stock and debt

392.320 Stock Dividend Payment

392.330 Issuance of securities, debts and notes

392.340 Reorganization(s)

4 CSR 240-10.020 Depreciation fund income

4 CSR 240-30.010(2)(C) Posting exchange rates at central offices.

4 CSR 240-33.030 Inform customers of lowest price

4 CSR 240-35 Reporting of bypass

4 CSR 240-30.040 Uniform System of Accounts

The above-referenced rules and statutory provisions have been waived as to other interexchange carriers in prior cases.

8. Applicant, pursuant to Section 386.570, Cum. Supp. 1992, will comply with all applicable Commission rules except those which are specifically waived by the Commission pursuant to a request filed by the Applicant.

9. Correspondence or communications pertaining to this Application should be addressed to:

Lance J.M. Steinhart, Esq.
6455 East Johns Crossing, Suite 285
Duluth, Georgia 30097
(770) 232-9200
(770) 232-9208 (Fax)

WHEREFORE, Applicant, Siesta Telecom, Inc., respectfully requests that the Missouri Public Service Commission grant it a certificate of service authority to provide interexchange telecommunications services within the State of Missouri. Applicant also requests classification as a competitive telecommunications company and that its services be classified as competitive. In addition Applicant requests a waiver of the above-referenced rules and statutory provisions.

Respectfully submitted,

Lance J.M. Steinhart, Esq. Attorney at Law

6455 East Johns Crossing, Suite 285

Duluth, Georgia 30097

(770) 232-9200

Georgia Bar No. 678222

and

Judith A. Rau, Asq. Rau & Rau

119 E. Mill Street

Waterloo, Illinois 62298

(618) 939-7186

Missouri Bar No. 24856

Attorneys for Applicant

ATTACHED EXHIBITS

Exhibit I	Missouri Secretary of State Authorization And Articles of Incorporation				
Exhibit II	Executive Officers' Qualifications and Experience				
Exhibit III	Financial Information				
Exhibit IV	Draft Tariff				

Exhibit I
Missouri Secretary of State Authorization and
Articles of Incorporation



Rebecca McDowell Cook **Secretary of State**

CORPORATION DIVISION - CERTIFICATE OF AUTHORITY

WHEREAS, SIESTA TELECOM, INC.

using in Missouri the name SIESTA TELECOM, INC.

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 FLORIDA.

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 7th day of APRIL, 2000.





Bepartment of State

I certify the attached is a true and correct copy of the Articles of Incorporation of SIESTA TELECOM, INC., a Florida corporation, filed on November 3, 1997, as shown by the records of this office.

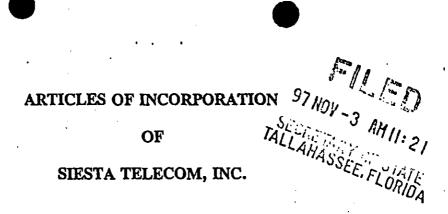
The document number of this corporation is P97000093960.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capitol, this the Third day of November, 1997

THE STATE OF THE S

CR2EO22 (2-95)

Sandra B. Mortham Secretary of State



The undersigned, for the purpose of forming and organizing a corporation for profit under the provisions of the laws of the State of Florida, hereby adopts the following Articles of Incorporation:

ARTICLE I - NAME

The name of the corporation is Siesta TeleCom, Inc.

ARTICLE II - PURPOSE

The corporation is authorized to conduct any activity or business permitted under the laws of the United States and of the State of Florida.

ARTICLE III - PRINCIPAL OFFICE

The principal place of business and the mailing address of the corporation shall be 7436 Myrica Drive, Sarasota, Florida 34241.

ARTICLE IV - CAPITAL STOCK

The corporation is authorized to issue 1,000 shares of common stock having a par value of \$1.00. Each share of common stock shall entitle the holder thereof to one vote on each matter considered at any stockholder's meeting. Said share shall be paid for in lawful money

of the United States of America or in property, labor or services rendered at a just valuation to be fixed by the Board of Directors and said share shall be deemed fully paid and nonassessable.

The Corporation elects to have preemptive rights.

<u>ARTICLE V - DURATION</u>

This corporation shall have perpetual existence unless sooner dissolved according to law.

ARTICLE VI - SHAREHOLDER VOTING REQUIREMENTS

When a quorum exists at any meeting of the Shareholders, action on a matter, other than the election of Directors, is approved if the votes cast by the holders of not less than a majority of the shares represented at such meeting, and entitled to vote on the subject matter favor the action.

ARTICLE VII - DIRECTORS

This corporation shall have an initial Board of Directors consisting of two (2) directors, whose names and street addresses are as follows:

NAME ADDRESS

B. Stephen May 7436 Myrica Drive Sarasota, Florida 34241

avid V. Dwigging 7275 Mara Vista Drive

David V. Dwiggins 7375 Mara Vista Drive Sarasota, Florida 34238

ARTICLE VIII - INCORPORATOR

The name and address of the incorporator of this corporation is as follows:

NAME

ADDRESS

Steven H. Judd

2940 South Tamiami Trail Sarasota, Florida 34239

ARTICLE IX - BYLAWS

The original Bylaws of this corporation shall be made, prepared and adopted by a majority vote of the initial Board of Directors as named herein. Thereafter, the Board of Directors, and the shareholders, shall have authority to adopt, amend, change, repeal or enlarge Bylaws as provided in the Bylaws from time to time.

<u>ARTICLE X - INDEMNIFICATION</u>

Subject to the laws of the State of Florida, this corporation shall indemnify and hold harmless its officers and directors of and from any suits, actions, or judgments either civil or criminal arising out of any act alleged to have been committed by such person in his capacity as an officer or director if such officer or director acted in good faith and in the reasonable belief that such action was in the best interest of the corporation and in the event of criminal allegations without reasonable ground for belief that such action was unlawful. The corporation shall pay all costs, legal expenses, and other charges that said officers and directors may incur in the defense of any claim, suit or action that may be instituted against said officers in their individual capacity. It is the express purpose and intent that the corporation shall hold its

officers and directors harmless from any action taken by them on its behalf to the full extent and limit permitted by law.

ARTICLE XI - PRINCIPAL OFFICE AND REGISTERED AGENT

This corporation has named Steven H. Judd as its agent to accept service of process within the State. The street address of the initial registered office is 2940 South Tamiami Trail, Sarasota, Florida 34239.

IN WITNESS WHEREOF, the undersigned incorporator has executed the foregoing Articles of Incorporation this 3154 day of October, 1997.

Steven H. Judd

STATE OF FLORIDA COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 315+ day of October, 1997, by Steven H. Judd who is personally known to me or who has produced his Florida Driver's License as identification.

My commission expires:

Print Name: D. Jean Versakos

NOTARY PUBLIC

D. Jean Versakos

D. Jean Versakos

Notary Public, State of Florida

Commission No. CC 491934

OFRE My Commission Expires 09/07/99

1400-3-NOTARY - Fla. Notary Service & Booding Ca.

ACKNOWLEDGMENT:

Having been named to accept service of process for the corporation, at the place designated above, I hereby accept the appointment of registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties and am familiar with and accept the obligations of the position as registered agent.

Steven H. Judd

97 NOV -3 M11: 21

Exhibit II Executive Officers' Qualifications and Experience

See attached Resumes

Siesta Management

B. Stephen May

President/CEO

Lloyd E. Slater (Peter)

Chief Operating Officer

Richard T. Seal

Chief Financial Officer

David Estep

Vice President Sales/Marketing

William A. Shepherd

Executive Vice President – Business Development

B. Stephen May

President and Chief Executive Officer

Mr. May is a long-standing telecommunications executive with more than 26 years experience in the long distance telephone business. He has held senior management positions in several large corporations, including MCI, where he served 12 years as Vice-President of Sales and Customer Service.

Mr. May was responsible for the start-up and growth of CTEC Corporation, a \$350 million dollar long distance company, where he served three years as the company's President and General Manager.

Mr. May has extensive experience in other telecommunications areas, including domestic and international wholesale carrier services and telemarketing strategies. Mr. May presently serves as President and CEO of Siesta Telecom, Inc.

Lloyd E. Slater

Chief Operating Officer

Mr. Slater is 54 years old and has been in the retail and distribution business for 28 years. At present, he is Chief Operating Officer for Siesta Telecom, Inc. He was General Manager for a division of Barnes and Noble Bookstores and later became President for Barnes and Noble Retail Bookstores. He has held several General Manager and Vice President positions for Brentano's and Hickory Farms where he was responsible for distribution, purchasing and the development of expansion locations. Mr. Slater held the position of Operations Manager for ST Long Distance, where he was responsible for the turn up of the prepaid card business.

Richard T. Seal

Chief Financial Officer

Mr. Seal is an industry veteran with experience in various telecommunications areas. He has extensive experience in operations management and financial controls. Mr. Seal was effective in the establishment and construction of unique telecommunications cost analysis proformas.

He was responsible for the development of operational strategies that created methods of cost reduction and improved cash flow. Mr. Seal served for three years as Chief Financial Officer of North American Telecommunications Corporation, a wholesale domestic and international carrier's carrier. Additionally, he served as Executive Vice-President of Finance for Continental Communications Corporation, a post he held for four years.

David M. Estep

Vice-President, Sales & Marketing

Mr. Estep is 51 years old with over 23 years experience in the telecommunications industry. He has served successfully in a number of strategic management roles within Sales, Marketing, Training and Sales Operations. He is currently responsible for leadership of the entire sales and marketing program at Siesta Telecom, Inc.

Mr. Estep has greatly improved the programs at several major corporations. This includes the complete reengineering of National accounts training and development at MCI Corporation, field sales operations design at WorldCom, Inc. and development of the new Bell South Advanced Systems division in Florida.

Mr. Estep is a recognized industry leader in the telecommunications business.

William A. Shepherd

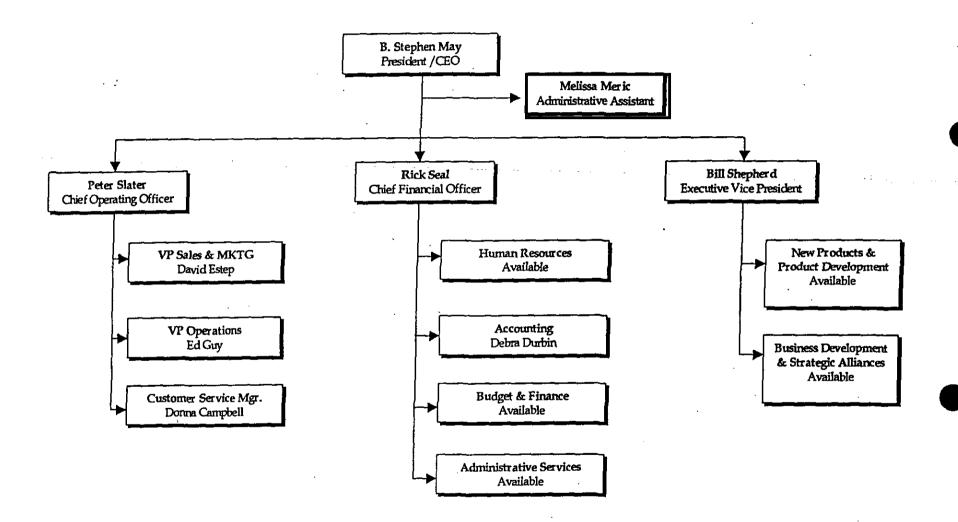
Executive Vice-President, Business Development

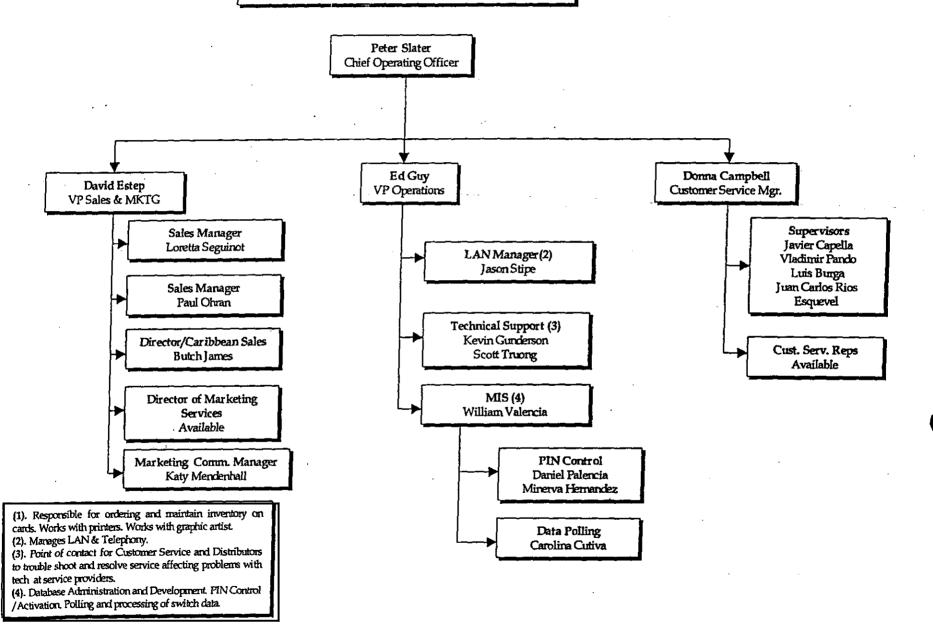
Mr. Shepherd is a telecom industry veteran who began his telecommunications career in early 1980 as the long distance telephone business was undergoing deregulation.

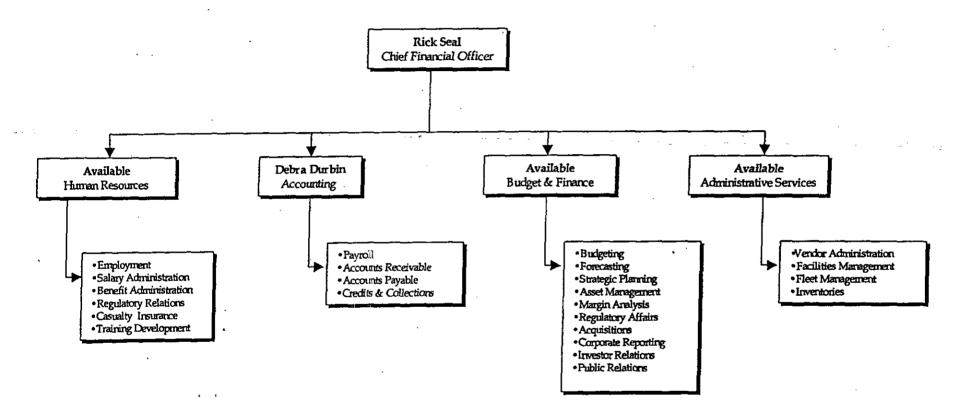
He has extensive experience in domestic and international wholesale carrier services, high speed data services and retail long distance strategies.

Mr. Shepherd has held various senior management positions, specifically in the areas of the sales and marketing, business development and new product development. Additionally, Mr. Shepherd has industry experience working with foreign government telephone companies (PTT's).

He was instrumental in the growth and development of such companies as Allnet Communications, Telecom USA, North American Telecommunications Corporation and Continental Communications Corporation.







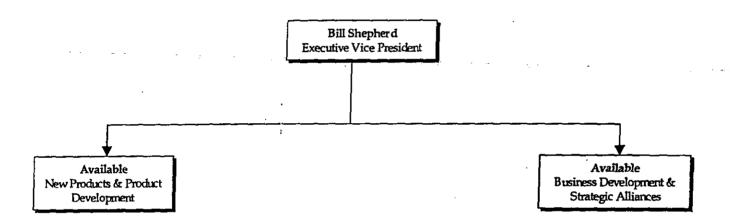


Exhibit III Financial Information

SIESTA TELECOM, INC Balance Sheet December 31, 1999

ASSETS

	ASSETS					
Current Assets						
Regular Checking Account \$	449,198.07					
Accounts Receivable	1,361,455.76	•				
Inventory	743,478.74					
Prepaid Expenses	800,000.00					
Employee Advances	4,159.00					
Other Current Assets						
Outer Current Assets	13,792.50					
Total Current Assets		3,372,084.07				
Property and Equipment						
Furniture and Fixtures	95 000 50					
	85,020.52					
Equipment	431,100.73					
Automobiles	27,068.76					
Computer Software	81,000.00					
Accum. Depreciation-Furniture	<7,817.43>					
Accum. Depreciation-Equipment	<57,933.58>					
Accum. Depreciation-Automobil	<8,120.63>					
		•				
Accum. Depreciation-Software	<8,100.00>					
Total Property and Equipment		542,218.37				
Other Assets	r"					
Organization Costs	1,575.35					
Other Noncurrent Assets	200.00	•				
Total Other Assets		1,775.35				
Total Assets		6 201607770				
Total Assets	•	\$ 3,916,077.79				
Current Liabilities	LIABILITIES	AND CAPITAL				
	5 540 422 05					
Accounts Payable \$	5,548,432.87					
Federal Payroll Taxes Payable	88,561,02					
SUTA Tax Payable	5,702.77					
Other Current Liabilities	250.62					
Total Current Liabilities		5,642,947.28				
Long-Term Liabilities						
Total Long-Term Liabilities	1	0.00				
Total Liabilities	;	5,642,947.28				
Capital						
Common Stock	100.00					
	100.00					
Paid-in Capital	100,100.00					
Retained Earnings	855,507.48					
Ret. Earnings-Net Adjustments	923,757.89					
Net Income	<3,606,334.86>					
Total Carital		21 707 070 AD				
Total Capital		<1,726,869.49>				
		-				
Total Liabilities & Capital	.0	\$ 3.916.077.79				
Total Liabilities & Capital	#	\$ 3,916,077.79				

SIESTA TELECOM, INC Income Statement For the Twelve Months Ending December 31, 1999

		Current Month			Year to Date	
Revenues						
CARD SALES		3,677,818.04	99.52		46,935,948.34	99.94
Interest Income		17,595.58	0.48		28,055.31	0.06
Other Income		0.00	0.00		173.69	0.00
Refunds		0.00	0.00		62.75	0.00
Total Revenues		3,695,413.62	100.00		46,964,240.09	100.00
Cost of Sales		•			•	
Cost of Sales		71,166.66	1.93		1,323,770.40	2.82
Network Usage Expense	_	2,106,330.29	57.00		41,219,586.30	87.77
Total Cost of Sales		2,177,496.95	58.92		42,543,356.70	90.59
Gross Profit	_	1,517,916.67	41.08		4,420,883.39	9.41
Expenses						
Advertising Expense		141,005.57	3.82		930,172.11	1.98
Auto Expenses		5,483.01	0.15		72,772.23	0.15
Bad Debt Expense		245,279.07	6.64		591,735.47	1.26
Bank Charges		879.02	0.02		6,699.96	0.01
Charitable Contributions Exp		0.00	0.00		24,876.00	0.05
Commissions and Fees Exp		17,593.02	0.48		497,742.19	1.06
Depreciation Expense		81,971.64	2.22		81,971.64	0.17
Dues and Subscriptions Exp		35.00	0.00		82,894.44	0.18
Employee Benefit Programs Exp		540.00	10.0		32,096.62	0.07
Employee Fringe Benefits		2,441.60	0.07		2,441.60	0.01
Freight Expense		12,532.87	0.34		187,408.44	0.40
Gifts Expense		7,847.25	0.21		18,642.58	0.04
Insurance Expense		31,192.08	0.84		152,856.20	0.33
Laundry and Cleaning Exp		0.00	0.00		306.02	0.00
Legal and Professional Expense		42,950.00	1.16		555,408.87	1.18
Licenses Expense		0.00	0.00		3,737.00	0.01
Maintenance Expense		1,648.36	0.04		1,648.36	0.00
Meals and Entertainment Exp		156.00	0.00		41,546.66	0.09
Office Expense		9,505.36	0.26		103,566.21	0.22
Payroll Tax Expense		36,302.66	0.98		231,123.12	0.49
Postage Expense	•	2,282.55	0.06		31,447.14	0.07
Rent or Lease Expense		19,514.42	0.53		263,804.17	0.56
Repairs Expense		107.62	0.00		1,193.53	0.00
Salaries Expense Supplies Expense		509,529.22	13.79		3,026,206.83	6.44
Telephone Expense		808.02	0.02		31,208.12 144,441.25	0.07 0.31
Travel Expense		5,914.81 18,690.26	0.16 0.51		317,974.67	0.51
Utilities Expense		1,894.44	0.05		17,838.78	0.04
Wages/Temp Labor Expense		42,310.42	1.14		502,659.05	1.07
Other Expense		6,447.57	0.17		72,983.99	0.16
Gain/Loss on Sale of Assets		0.00	0.00		<2,185.00>	0.00
Total Expenses		1,244,861.84	33.69	•	8,027,218.25	17.09
Net Income	\$	273,054.83	7.39	\$	<3,606,334.86>	<7.68>
		**************************************	=			

Exhibit IV Draft Tariff



TITLE SHEET

MISSOURI INTEREXCHANGE TELECOMMUNICATIONS TARIFF

OF

SIESTA TELECOM, INC.

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by Siesta Telecom, Inc. ("Siesta"), with principal offices at 5951 Cattleridge Blvd.; Suite 100, Sarasota, Florida 34232, toll free telephone number (800) 720-5114. This tariff applies for services furnished within the State of Missouri. This tariff is on file with the Missouri Public Service Commission, and copies may be inspected, during normal business hours, at the company's principal place of business.

Siesta Telecom, Inc., operates as a competitive telecommunications company as defined by Case No. TO-88-142 within the State of Missouri.

All services will be provided in accordance with Commission rules and regulations.

DATE OF ISSUE: April 17, 2000 DATE EFFECTIVE: June 1, 2000



SIESTA TELECOM, INC.

WAIVER OF RULES AND REGULATIONS

392.270 Propert 392.280 Deprecial 392.290 Issuance 392.310 Issuance 392.320 Issuance 392.330 Issuance 392.330 Issuance	easonable average return on investment. y valuation. ation rates. e of stocks and bonds. ization.
	Income on depreciation fund investments. Posting exchange rates at central offices. Exchange boundary maps. Record of access lines. Records kept within state. Telephone directories. Coin telephones. Inform customers of lowest priced service.
4 CSR 240-33.040(5) 4 CSR 240-30.040	Finance Fee. Uniform System of Accounts

DATE OF ISSUE: April 17, 2000 DATE EFFECTIVE: June 1, 2000

SIESTA TELECOM, INC.

RESERVED FOR FUTURE USE

DATE OF ISSUE: April 17, 2000 DATE EFFECTIVE: June 1, 2000 Peter Slater, Chief Operating Officer

5951 Cattleridge Blvd.; Suite 100 Sarasota, Florida 34232

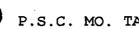


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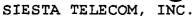
SIESTA TELECOM, INC.

ORIGINAL SHEET 5

TARIFF FORMAT

- A. Sheet Numbering: Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between pages 11 and 12 would be page 11.1.
- B. Sheet Revision Numbers: Revision numbers also appear in the upper right corner of each sheet where applicable. These numbers are used to indicate the most current page version on file with the Commission. For example, 4th Revised Sheet 13 cancels 3rd Revised Sheet 13. Consult the Check Sheet for the sheets currently in effect.
- C. Paragraph Numbering Sequence: There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

2. 2.1 2.1.1 2.1.1.A 2.1.1.A.1 2.1.1.A.1.(a) .I 2.1.1.A.1.(a) .I.(i) 2.1.1.A.1.(a) .I.(i)





SYMBOLS

The following are the only symbols used for the purposes indicated below:

- to signify change in regulation (C)
- to signify a deletion
- to signify a rate increase (I)
- (L) to signify material relocated in the tariff
- to signify a new rate or regulation (N)
- (R) to signify a rate reduction
- to signify a change in text, but no change in rate or (T) regulation





SECTION_1 - TECHNICAL TERMS AND ABBREVIATIONS

Access Line - An arrangement from a local exchange telephone company or other common carrier, using either dedicated or switched access, which connects a Customer's location to location or switching center.

Authorization Code - A numerical code, one or more of which may be assigned to a Customer, to enable the Company to identify the origin of the Customer so it may rate and bill the call. Automatic number identification (ANI) is used as the authorization code wherever possible.

<u>Commission</u> - Used throughout this tariff to mean the Missouri Public Service Commission.

<u>Company or Siesta</u> - Used throughout this tariff to mean Siesta Telecom, Inc., a Florida Corporation.

<u>Customer</u> - The person, firm, corporation or other legal entity which orders the services of the Company or purchases a Company Prepaid Calling Card and/or originates prepaid calls using such cards, and is responsible for the payment of charges and for compliance with the Company's tariff regulations.

<u>Dedicated Access</u> - The Customer gains entry to the Company's services by a direct path from the Customer's location to the Company's point of presence.

Holiday - New Year's Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Holidays shall be billed at the evening rate from 8 a.m. to 11 p.m. After 11 p.m., the lower night rate shall go into effect.

DATE OF ISSUE: April 17, 2000 DATE EFFECTIVE: June 1, 2000

SIESTA TELECOM, INC.

ORIGINAL SHEET 8

<u>Prepaid Account</u> - An inventory of Telecom Units purchased in advance by the Customer, and associated with one and only one Authorization Code as contained in a specific Prepaid Calling Card.

Prepaid Calling Card - A card issued by the Company, containing an Authorization Code which identifies a specific Prepaid Account of Telecom Units, which enables calls to be processed, account activity to be logged, and balances to be maintained, on a prepayment basis.

Resp. Org - Responsible Organization or entity identified by an 800 service Customer that manages and administers records in the 800 database and management system.

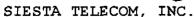
<u>Switched Access</u> - The Customer gains entry to the Company's services by a transmission line that is switched through the local exchange carrier to reach the Company's point of presence.

<u>Telecom Unit</u> - A measurement of telecommunications service equivalent to one minute of usage between any two points within the State of Missouri.

Telecommunications - The transmission of voice communications or, subject to the transmission capabilities of the services, the transmission of data, facsimile, signaling, metering, or other similar communications.

<u>Underlying Carrier</u> - The telecommunications carrier whose network facilities provide the technical capability and capacity necessary for the transmission and reception of Customer telecommunications traffic.

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SECTION 2 - RULES AND REGULATIONS

2.1 Undertaking of the Company

This tariff contains the regulations and rates applicable to intrastate interexchange telecommunications services provided by the Company for telecommunications between points within the State of Missouri. Services are furnished subject to the availability of facilities and subject to the terms and conditions of this tariff in compliance with limitations set forth in the Commission's rules. Company's services are provided on a statewide basis and are not intended to be limited geographically. The Company offers service to all those who desire to purchase service from the Company consistent with all of the provisions of this tariff. Customers interested in the Company's services shall file a service application with the Company which fully identifies the Customer, the services requested and other information requested by the Company. The Company reserves the right to examine the credit record and check the references of all applicants and Customers prior to accepting the service order. The service application shall not in itself obligate the Company to provide services or to continue to provide service if a later check of applicant's credit record is, in the opinion of the Company, contrary to the best interest of the Company. The Company may act as the Customer's agent for ordering access connection facilities provided by other carriers or entities when authorized by the Customer, to allow connection of a Customer's location to a service provided by the Company. The Customer shall be responsible for all charges due for such service arrangement.

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- 2.1.1 The services provided by the Company are not part of a joint undertaking with any other entity providing telecommunications channels, facilities, or services, but may involve the resale of the Message Toll Services (MTS) and Wide Area Telecommunications Services (WATS) of underlying common carriers subject to the jurisdiction of this Commission.
- 2.1.2 The rates and regulations contained in this tariff apply only to the services furnished by the Company and do not apply, unless otherwise specified, to the lines, facilities, or services provided by a local exchange telephone company or other common carriers for use in accessing the services of the Company.
- 2.1.3 The Company reserves the right to limit the length of communications, to discontinue furnishing services, or limit the use of service necessitated by conditions beyond its control, including, without limitation: lack of satellite or other transmission medium capacity; the revision, alteration or repricing of the Underlying Carrier's tariffed offerings; or when the use of service becomes or is in violation of the law or the provisions of this tariff.

2.2 Use of Services

- 2.2.1 Services may be used for any lawful purpose consistent with the transmission and switching parameters of the telecommunications facilities utilized in the provision of services, subject to any limitations set forth in this Section 2.2.
- 2.2.2 The use of services to make calls which might reasonably be expected to frighten, abuse, torment, or harass another or in such a way as to unreasonably interfere with use by others is prohibited.
- 2.2.3 The use of services without payment for service or attempting to avoid payment for service by fraudulent means or devices, schemes, false or invalid numbers, or false calling or credit cards is prohibited.

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- 2.2.4 Services are available for use 24 hours per day, seven days per week.
- 2.2.5 The Company does not transmit messages, but the services may be used for that purpose.
- 2.2.6 Services may be denied for nonpayment of undisputed charges or for other violations of this tariff.
- 2.2.7 Customers shall not use the service provided under this tariff for any unlawful purpose.
- 2.2.8 The Customer is responsible for notifying the Company immediately of any unauthorized use of services.

2.3 Liability of the Company

- 2.3.1 The Company shall not be liable for any claim, loss, expense or damage for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by the Underlying Carrier, an act of God, fire, war, civil disturbance, act of government, or due to any other causes beyond the Company's control.
- 2.3.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by the Customer against any claim, loss, expense, or damage for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data or information transmitted.
- 2.3.3 No agent or employee of any other carrier or entity shall be deemed to be an agent or employee of the Company.

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- 2.3.4 The Company's liability for damages, resulting in whole or in part from or arising in connection with the furnishing of service under this tariff, including but not limited to mistakes, omissions, interruptions, delays, errors, or other defects or misrepresentations shall not exceed an amount equal to the charges provided for under this tariff for the long distance call for the period during which the call was affected. No other liability in any event shall attach to the Company.
- 2.3.5 The Company shall not be liable for and shall be indemnified and saved harmless by any Customer or by any other entity from any and all loss, claims, demands, suits, or other action or any liability whatsoever, whether suffered, made, instituted, or asserted by any Customer or any other entity for any personal injury to, or death of, any person or persons, and for any loss, damage, defacement or destruction of the premises of any Customer or any other entity or any other property whether owned or controlled by the Customer or others.
- 2.3.6 The Company shall not be liable for any indirect, special, incidental, or consequential damages under this tariff including, but not limited to, loss of revenue or profits, for any reason whatsoever, including the breakdown of facilities associated with the service, or for any mistakes, omissions, delays, errors, or defects in transmission occurring during the course of furnishing service.

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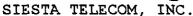
2.3.7 The remedies set forth herein are exclusive and in lieu of all other warranties and remedies, whether express, implied, or statutory, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

2.4 Responsibilities of the Customer

- 2.4.1 The Customer is responsible for placing any necessary orders and complying with tariff regulations. The Customer is also responsible for the payment of charges for services provided under this tariff.
- 2.4.2 The Customer is responsible for charges incurred for special construction and/or special facilities which the Customer requests and which are ordered by the Company on the Customer's behalf.
- 2.4.3 If required for the provision of services, the Customer must provide any equipment space, supporting structure, conduit and electrical power without charge to the Company.
- 2.4.4 The Customer is responsible for arranging access to its premises at times mutually agreeable to the Company and the Customer when required for Company personnel to install, repair, maintain, program, inspect or remove equipment associated with the provision of services.
- 2.4.5 The Customer shall cause the temperature and relative humidity in the equipment space provided by Customer for the installation of equipment to be maintained within the range normally provided for the operation of microcomputers.

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2.4.6



- The Customer shall ensure that the equipment and/or system is properly interfaced with facilities or services, that the signals emitted into network are of the proper mode, bandwidth, power and signal level for the intended use of the subscriber and in compliance with criteria set forth in this tariff, and that the signals do not damage equipment, injure personnel, or degrade service to other Customers. If the Federal Communications Commission or some other appropriate certifying body certifies terminal equipment as being technically acceptable for direct electrical connection with interstate communications service, the Company will permit such equipment to be connected with its channels without the use of protective interface devices. If the Customer fails to maintain the equipment and/or the system properly, with resulting imminent harm to Company equipment, personnel or the quality of service to other Customers, the Company may, upon written notice, require the use of protective equipment at the Customer's expense. If this fails to produce satisfactory quality and safety, the Company may, upon written notice, terminate the Customer's service.
- 2.4.7 The Customer must pay the Company for replacement or repair of damage to the equipment or facilities of the Company caused by negligence or willful act of the Customer or others, by improper use of the services, or by use of equipment provided by Customer or others.
- 2.4.8 The Customer must pay for the loss through theft of any Company equipment installed at Customer's premises.
- 2.4.9 If the Company installs equipment at Customer's premises, the Customer shall be responsible for payment of any applicable installation charge.

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2.4.10 The Customer must use the services offered in this tariff in a manner consistent with the terms of this tariff and the policies and regulations of all state, federal and local authorities having jurisdiction over the service.

2.5 Cancellation or Interruption of Services

- 2.5.1 Without incurring liability, upon five (5) working days' (defined as any day on which the company's business office is open and the U.S. Mail is delivered) written notice to the Customer, the Company may immediately discontinue services to a Customer or may withhold the provision of ordered or contracted services:
 - For nonpayment of any undisputed 2.5.1.A sum due the Company for more than thirty (30) days after issuance of the bill for the amount due,
 - 2.5.1.B For violation of any law, rule, regulation, policy of any governing authority having jurisdiction over services, or
 - 2.5.1.C By reason of any order or decision of a court, public service commission or federal regulatory body or other governing authority prohibiting the Company from furnishing its services.

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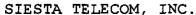
- 2.5.2 Without incurring liability, the Company may interrupt the provision of services at any time in order to perform tests and inspections to assure compliance with tariff regulations and the proper installation and operation of Customer and equipment and facilities and may continue such interruption until any items of noncompliance or improper equipment operation so identified are rectified.
- 2.5.3 Service may be discontinued by the Company without notice to the Customer, by blocking traffic to certain NXX exchanges, or by blocking calls using certain Customer authorization codes, when the Company deems it necessary to take such action to prevent unlawful use of its service. The Company will restore service as soon as it can be provided without undue risk, and will, upon request by the Customer affected, assign a new authorization code to replace the one that has been deactivated.
- 2.5.4 The Customer may terminate service upon thirty (30) days written or oral notice for the Company's standard month to month contract. Customer will be liable for all usage on any of the Company's service offerings until the Customer actually leaves the service. Customers will continue to have Company usage until the Customer notifies its local exchange carrier and changes its long distance carrier. Until the Customer so notifies its local exchange carrier, it shall continue to generate and be responsible for long distance usage.

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2.6 Credit Allowance

- 2.6.1 Credit may be given for disputed calls, on a per call basis.
- 2.6.2 Credit shall not be issued for unavailability of long distance services.





2.7 Restoration of Service

The use and restoration of service shall be in accordance with the priority system specified in part 64, Subpart D of the Rules and Regulations of the Federal Communications Commission.

2.8 Deposit

The Company does not require deposits.

2.9 Advance Payments

The Company does not require advance payments.

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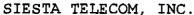


2.10 Payment and Billing

- 2.10.1 Service is provided and billed on a billing cycle basis, beginning on the date that service becomes effective. Billing is payable upon receipt. A late fee of 1.5% per month, or the amount otherwise authorized by law, whichever is lower, will be assessed upon any unpaid amount commencing 30 days after rendition of bills.
- 2.10.2 The customer is responsible for payment of all charges for services furnished to the Customer, as well as to all persons using the Customer's codes, exchange lines, facilities, or equipment, with or without the knowledge or consent of the Customer. The security of the Customer's Authorization Codes, presubscribed exchange lines, and direct connect facilities is the responsibility of the Customer. All calls placed using direct connect facilities, presubscribed exchange lines, or Authorization Codes will be billed to and must be paid by the Customer. Recurring charges and non-recurring charges are billed in advance. Charges based on actual usage during a month and any accrued interest will be billed monthly in arrears.
- 2.10.3 Reserved for Future Use.

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2.11 Reserved for Future Use

2.12 <u>Taxes</u>

All federal, state and local taxes, including sales taxes, use taxes, gross receipts taxes, and municipal utilities taxes, are billed as separate line items and are not included in the rates quoted herein. All charges other than taxes and franchise fees shall be submitted to the Commission for approval.

2.13 Taxes and Fees for Prepaid Calling Cards

The prepaid calling card rate does not include federal excise tax or state and local taxes which are required to be paid at the point of sale. The tariffed rate does include state and local sales taxes, which are required to be paid on usage of the underling telecommunications service when that service originates and terminates within a particular tax jurisdiction.

2.14 Returned Check Charge

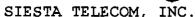
A fee will be charged whenever a check or draft presented for payment for service is not accepted by the institution on which it is written.

2.15 Reconnection Charge

A reconnection fee of twenty-five dollars (\$25.00) per occurrence will be charged when service is reestablished for Customers which have been disconnected due to non-payment. Payment of the reconnection fee and any other outstanding amounts will be due in full prior to reconnection of service.

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SECTION 3 - DESCRIPTION OF SERVICE

3.1 Computation of Charges

- 3.1.1 The total charge for each completed call may be a variable measured charge dependent on the duration, distance and time of day of the call. The total charge for each completed call may also be dependent only on the duration of the call, i.e. a statewide flat rate per minute charge. The variable measured charge is specified as a rate per minute which is applied to each minute. All calls are measured in increments as set forth in the Rates Section of this tariff. All calls are rounded up to the next whole increment.
- 3.1.2 Where mileage bands appear in a rate table, rates for all calls are based upon the airline distance between the originating and terminating points of the call, as determined by the vertical and horizontal coordinates associated with the exchange (the area code and three digit central office code) associated with the originating and terminating telephone numbers. If the Customer obtains access to the Company's network by a dedicated access circuit, that circuit will be assigned an exchange for rating purposes based upon the Customer's main telephone number at the location where the dedicated access circuit terminates. vertical and horizontal (V & H) coordinates for each exchange and the airline distance between them will be determined according to industry standards.

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3.1.3 Timing begins when the called station is answered and two way communication is possible, as determined by standard industry methods generally in use for ascertaining answer, including hardware answer supervision in which the local telephone company sends a signal to the switch or the software utilizing audio tone detection. Recognition of answer supervision is the responsibility of the Underlying Carrier. Timing for each call ends when either party hangs up. The Company will not bill for uncompleted calls.

3.2 <u>Customer Complaints and/or Billing Disputes</u>

Customer inquiries or complaints regarding service or accounting may be made in writing or by telephone to the Company at:

5951 Cattleridge Blvd.; Suite 100 Sarasota, Florida 34232 (800) 720-5114

Any objection to billed charges should be reported promptly to the Company. Adjustments to Customers' bills shall be made to the extent that records are available and/or circumstances exist which reasonably indicate that such charges are not in accordance with approved rates or that an adjustment may otherwise be appropriate. Where overbilling of a subscriber occurs, due either to Company or subscriber error, no liability exists which will require the Company to pay any interest, dividend or other compensation on the amount overbilled.

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If a Customer accumulates more than One Dollar of undisputed delinquent Company 800 Service charges, the Company Resp. Org. reserves the right not to honor that Customer's request for a Resp. Org. change until such undisputed charges are paid in full.

3.3 Level of Service

A Customer can expect end to end network availability of not less than 99% at all times for all services.

3.4 Billing Entity Conditions

When billing functions on behalf of the Company or its intermediary are performed by local exchange telephone companies or others, the payment of charge conditions and regulations of such companies and any regulations imposed upon these companies by regulatory bodies having jurisdiction apply. The Company's name and toll-free telephone number will appear on the Customer's bill.

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3.5 <u>Service Offerings</u>

3.5.1 1+ Dialing

This service permits Customers to originate calls via switched or dedicated access lines, and to terminate intrastate calls. The Customer dials "1+" followed by "ten digits" or dials "101XXXX" followed by "1+ ten digits".

3.5.2 Travel Cards

The Customer utilizes an 11 digit "toll-free" access number established by the Company to access a terminal. Upon receiving a voice prompt, the Customer uses push button dialing to enter an identification code assigned by the Company, and the ten digit number of the called party.

3.5.3 800 Service (Toll-Free)

This service is inbound calling only where an 800, 888 or other toll-free prefix number rings into a Customer's premise routed to a specific telephone number or terminated over a dedicated facility.

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3.5.4 The Company Prepaid Calling Cards

This service permits use of Prepaid Calling Cards for placing long distance calls. Customers may purchase Company Prepaid Calling Cards at a variety of retail outlets or through other distribution channels. Company Prepaid Calling Cards are available at a variety of face values ranging from five dollars (\$5.00), in one dollar (\$1.00) increments. Company Prepaid Calling Card service is accessed using the Company tollfree number printed on the card. The caller is prompted by an automated voice response system to enter his/her Authorization Code, and then to enter the terminating telephone The Company's processor tracks the call duration on a real time basis to determine the number of Telecom Units consumed. The total consumed Telecom Units for each call is deducted from the remaining Telecom Unit balance on the Customer's Company Prepaid Calling Card.

All calls must be charged against Prepaid Calling Card that has a sufficient Telecom Unit balance. A Customer's call will be interrupted with an announcement when the balance is about to be depleted.

In order to continue the call, the Customer can either call the toll-free number on the back of the Company Prepaid Calling Card and "recharge" the balance on the card using a nationally recognized credit card, or the Customer can throw the card away and purchase a new one. Calls in progress will be terminated by the Company if the balance on the Company Prepaid Calling Card is insufficient to continue the call and the Customer fails to enter the number of another valid Company Prepaid Calling Card prior to termination.

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ORIGINAL SHEET 26

A card will expire on the date indicated on the card, or if no date is specified, 12 months from the date of purchase, or the date of last recharge, whichever is later. The Company will not refund unused balances.

A credit allowance for Company Prepaid Calling Card Service is applicable to calls that are interrupted due to poor transmission, one-way transmission, or involuntary disconnection of a call. To receive the proper credit, the Customer must notify the Company at the designated toll-free customer service number printed on the Company Prepaid Calling Card and furnish the called number, the trouble experienced (e.g. cut-off, noisy circuit, etc.), and the approximate time that the call was placed.

When a call charged to a Company Prepaid Calling Card is interrupted due to cut-off, one-way transmission, or poor transmission conditions, the Customer will receive a credit equivalent of one Telecom Unit.

Credit allowances for calls pursuant to the Company Prepaid Card Service do not apply for interruptions not reported promptly to the Company or interruptions that are due to the failure of power, equipment or systems not provided by the Company.

Credit for failure of service shall be allowed only when such failure is caused by or occurs due to causes within the control of the Company.

The Company will block all calls beginning with the NPA "900" and NXX "976" calls, therefore such calls can not be completed.

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3.5.5 Directory Assistance.

Access to long distance directory assistance is obtained by dialing 1 + 555-1212 for listings within the originating area code and 1 + (area code) + 555-1212 for other listings. When more than one number is requested in a single call, a charge will apply for each number requested. A charge will be applicable for each number requested, whether or not the number is listed or published.

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- 3.5.6 Reserved for Future Use.
- 3.5.7 Emergency Call Handling Procedures

Emergency "911" calls are not routed to company, but are completed through the local network at no charge.

3.5.8 Promotional Offerings

The Company may, upon Commission approval, offer customers specific rate incentives during specified promotional periods. The Company will provide written notice to the Commission at least 7 days prior to the commencement of a promotional program specifying the terms of the promotion, the specific service offered, the location, and the beginning and ending dates of the promotional period.

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SIESTA TELECOM, INC.

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SECTION 4 - RATES

4.1 1+ & 101XXXX Dialing

\$0.15 per minute

A \$4.95 per month per number service charge applies. Billed in one minute increments

4.2 <u>Travel Cards</u>

\$.199 per minute

A \$.25 per call service charge applies. Billed in one minute increments

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SIESTA TELECOM, INC.

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4.3 800 Service (Toll Free)

\$0.15 per minute

A \$10 per month per number service charge applies. Billed in one minute increments

4.4 Prepaid Calling Cards

Program

A	\$.015		Telecom	
В	\$.019		Telecom	
C	\$.025	Per	Telecom	
D	\$.029	Per		
E	\$.032	Per	Telecom	Unit
F	\$.035	Per	Telecom	Unit
G	\$.039	Per	Telecom	Unit
H	\$.045	Per	Telecom	Unit
I	\$.05	Per	Telecom	Unit
J	\$.06	Per	Telecom	Unit
K	\$.07	Per	Telecom	
L	\$.08	Per		
M	\$.09	Per	Telecom	
N	\$.10		Telecom	
0	\$.10 \$.11	Per	Telecom	
P	\$.12		Telecom	
Q	\$.13	Per		
R	\$.14	Per		
S	\$.15	Per	Telecom	
T	\$.19	Per		
U	\$.20	Per	Telecom	
V	\$.25	Per	Telecom	
W	\$.29	Per	Telecom	
X	\$.30	Per		
Y	\$.33	Per	Telecom	
Z	\$.35	Per	Telecom	
AA	\$.39	Per	Telecom	
BB	\$.40	Per		
CC	\$.50	Per	Telecom	Unit

A \$.59 per call service charge applies.

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4.5 <u>Directory Assistance</u>

\$.95

4.6 Returned Check Charge

\$25.00

4.7 Reconnection Charge

\$25.00

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4.8 Rate Periods

	Monday - Friday	Sat.	Sun.
8 a.m. to 5 p.m.*	Daytime Rate Period		
5 p.m. to 11 p.m.*	Evening Rate Period		Evening Rate Period
11 p.m. to 8 a.m.*	Night/Weekend Rate	Period	

To, but not including

When a message spans more than one rate period, total charges for the minutes in each rate period are calculated and the results for each rate period are totaled to obtain the total message charge. If the calculation results in a fractional charge, the amount will be rounded down to the lower cent.

4.9 Payphone Dial Around Surcharge

A surcharge applies on all completed intrastate tollfree and 10XXX/101XXXX access code calls, including any 800/888 or travel card calls, originating from a pay telephone. This surcharge is applied in addition to any other applicable service charges or surcharges. The surcharge does not apply to: calls paid for by inserting coins at the pay telephone; or calls placed from stations other than a pay telephone.

Surcharge Rate

\$0.35 per call

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State of _	Florida)
County of _	Sarasota)

VERIFICATION

I, Richard T. Seal, being duly sworn, declare that I am the Chief Financial Officer of Siesta Telecom, Inc., the Applicant.

I verify that, based upon information and belief, I have knowledge of the statements in the foregoing Application, and I declare that they are true and correct.

Richard T. Seal Chief Financial Officer

Sworn to before me, the undersigned Notary Public on this ________, 2000.

KIMBERLY R. SCARBROUGH
NOTARY NO. CC 771637
Personally Known I 10ther I.D.

Kumbuley Scarbrange.
Notary Public

Print or Type Name
Kimberley Scarbrough
My commission expires:

8/30/02

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of the)		
application of)		
Siesta Telecom, Inc.)		
for a certificate of service)	Case	No
authority to provide)		
interexchange)		
telecommunications services)		

ENTRY OF APPEARANCE

COMES NOW Lance J. M. Steinhart, Attorney at Law and pursuant to rule 4 CSR 240-2.040 herewith files his Entry of Appearance on behalf of Applicant Siesta Telecom, Inc., in connection with the above-styled proceeding. With respect to his entry, Mr. Steinhart hereby advises the Commission that he is a member in good standing of the State Bar of Georgia and the New York State Bar and is admitted to practice before District Courts. He also is on inactive status with the State Bar of Maryland. Neither the undersigned nor any member of his firm is disqualified to appear in any court. I also hereby designate Judith A. Rau, of the law firm of Rau & Rau, 119 E. Mill Street, Waterloo, IL 62298 to serve as our local Missouri counsel in this matter.

Lance & M. Steinhart, Esq.

Attorney at Law

6455 East Johns Crossing, Suite 285 Duluth, Georgia 30097

(770) 232-9200

(770) 232-9208 (Fax) Georgia Bar No. 678222

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of the)
application of)
Siesta Telecom, Inc.)
for a certificate of service) Case No.
authority to provide)
interexchange)
telecommunications services)

ENTRY OF APPEARANCE

COMES NOW Judith A. Rau of the Law Firm of Rau & Rau, and pursuant to rule 4 CSR 240-2.040, herewith files her Entry of Appearance as local Missouri counsel on behalf of Applicant Siesta Telecom, Inc., in connection with the above-styled proceeding.

Judith A. Rau, Esq.

Rau & Rau

119 E. Mill Street

Waterloo, Illinois 62298

(618) 939-7186

Missouri Bar No. 24856