

Paul S. DeFord (816) 460-5827 Email: pdeford@lathropgage.com www.lathropgage.com

٠.:

2345 GRAND BOULEVARD, SUITE 2800 KANSAS CITY, MO 64108 (816) 292-2000, FAX (816) 292-2001

October 27, 2000

HAND DELIVERY

3

OCT 2 7 2000

Missouri Duric Sarvice Commission

The Honorable Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission 301 West High Street, 5th Floor Jefferson City, MO 65101

> Re: In the Matter of the Application of OnFiber Carrier Services, Inc., Case No. TA-2000-709

Dear Secretary Roberts:

Enclosed for filing is an original and eight copies of the Motion to Amend the Application of OnFiber Carrier Services, Inc. to Delete the Request for Authority to Provide Basic Local Exchange Service.

Very truly yours,

LATHROP & GAGE L.C.

Paul S. DeFord

PD/jf Enclosures

cc: All parties of record

3106.1

OCT 2 7 2000

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Missouri Public Service Commission

In the Matter of the Application of)	
OnFiber Carrier Services, Inc.)	
For Authority to Provide and/or Resell)	Case No. TA-2000-709
Basic Local, and Local Exchange and)	
Intrastate Interexchange Telecommunications)	
Services in the State of Missouri)	

MOTION TO AMEND THE APPLICATION OF ONFIBER CARRIER SERVICES, INC. TO DELETE THE REQUEST FOR AUTHORITY TO PROVIDE BASIC LOCAL EXCHANGE SERVICE

COMES NOW OnFiber Carrier Services, Inc., ("OnFiber" or "Applicant") and hereby states as follows:

- 1. OnFiber initiated this proceeding on April 28, 2000, by filing an Application requesting a certificate of service authority to provide basic local and local exchange and intrastate interexchange telecommunications services in exchanges currently served by Southwestern Bell Telephone Company ("SWBT"), Sprint/United Telephone Company ("United") and GTE Midwest, Inc. ("GTE"), in the State of Missouri.
- 2. On Fiber has determined that it will not currently seek authority to offer or provide basic local exchange service. For that reason, it wishes to amend its Application to delete all reference to the request for authority to provide basic local exchange service.
- 3. Specifically, OnFiber would amend its Application, by interlineation, to delete references to "basic local" and "basic local exchange service" in: the caption, the first paragraph of page one, numbered paragraphs five (5), eight (8), ten (10), and the Prayer for Relief.
- 4. The foregoing amendments will make the request for authority more consistent with OnFiber's intent and current business plan.

5. The amendments referenced in paragraph 3 above are the only amendments to the Application. All other content and allegations of the Application, including the Appendices, remain unchanged by these amendments.

WHEREFORE, OnFiber requests that the Commission accept the amendments to narrow the scope of authority requested in this proceeding as detailed hereinabove.

Respectfully submitted,

Paul S. DeFord

Mo. #29509

Kurt U. Schaefer

Mo. #45829

LATHROP & GAGE, L.C. 2345 Grand Boulevard

Suite 2800

Kansas City, MO 64108

Telephone: (816) 292-2000 Facsimile: (816) 292-2001

Attorneys for OnFiber Carrier Services, Inc.

Dated: October 27, 2000

2

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been mailed, postage prepaid, to all counsel of record as shown on the following service list this 27th day of October, 2000.

Robert Franson Office of General Counsel Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102

Office of Public Counsel PO Box 7800 Jefferson City, MO 65102

Mimi MacDonald Anthony K. Conroy Southwestern Bell Telephone Company One Bell Center, Room 3510 St. Louis, MO 63101-1976

Attorneys for Southwestern Bell Telephone Company

3

aul S De Ford

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)	
OnFiber Carrier Services, Inc.)	
For Authority to Provide and/or Resell)	Case No. TA-2000-709
Basic Local, and Local Exchange and)	
Intrastate Interexchange Telecommunications)	
Services in the State of Missouri)	

MOTION TO AMEND THE APPLICATION OF ONFIBER CARRIER SERVICES, INC. TO DELETE THE REQUEST FOR AUTHORITY TO PROVIDE BASIC LOCAL EXCHANGE SERVICE

COMES NOW OnFiber Carrier Services, Inc., ("OnFiber" or "Applicant") and hereby states as follows:

- 1. OnFiber initiated this proceeding on April 28, 2000, by filing an Application requesting a certificate of service authority to provide basic local and local exchange and intrastate interexchange telecommunications services in exchanges currently served by Southwestern Bell Telephone Company ("SWBT"), Sprint/United Telephone Company ("United") and GTE Midwest, Inc. ("GTE"), in the State of Missouri.
- 2. OnFiber has determined that it will not currently seek authority to offer or provide basic local exchange service. For that reason, it wishes to amend its Application to delete all reference to the request for authority to provide basic local exchange service.
- 3. Specifically, OnFiber would amend its Application, by interlineation, to delete references to "basic local" and "basic local exchange service" in: the caption, the first paragraph of page one, numbered paragraphs five (5), eight (8), ten (10), and the Prayer for Relief.
- 4. The foregoing amendments will make the request for authority more consistent with OnFiber's intent and current business plan.

5. The amendments referenced in paragraph 3 above are the only amendments to the Application. All other content and allegations of the Application, including the Appendices, remain unchanged by these amendments.

WHEREFORE, On Fiber requests that the Commission accept the amendments to narrow the scope of authority requested in this proceeding as detailed hereinabove.

Respectfully submitted,

Paul S. DeFord

Mo. #2950

Kurt U. Schaefer

Mo. #45829

LATHROP & GAGE, L.C. 2345 Grand Boulevard

Suite 2800

Kansas City, MO 64108 Telephone: (816) 292-2000

Facsimile: (816) 292-2001

Attorneys for OnFiber Carrier Services, Inc.

Dated: October 27, 2000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing has been mailed, postage prepaid, to all counsel of record as shown on the following service list this 27th day of October, 2000.

Robert Franson Office of General Counsel Missouri Public Service Commission PO Box 360 Jefferson City, MO 65102

Office of Public Counsel PO Box 7800 Jefferson City, MO 65102

Mimi MacDonald Anthony K. Conroy Southwestern Bell Telephone Company One Bell Center, Room 3510 St. Louis, MO 63101-1976

Attorneys for Southwestern Bell Telephone Company

3