

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of)	
ABA Net, LLC, For a Certificate of)	
Service Authority to Provide)	Case No. _____
Interexchange Telecommunications Services)	
In the State of Missouri and for)	
Competitive Classification)	

**APPLICATION FOR INTEREXCHANGE
CERTIFICATE OF SERVICE AUTHORITY**

ABA Net, LLC, (“ABA Net” or “Applicant”), by its undersigned counsel, hereby submits this Application for certificate of service authority to provide resold interexchange telecommunications service in the State of Missouri, and for competitive classification, pursuant to Sections 392.410, 392.430 and 392.440 RSMo. and 4 CSR 240-2.060 and 4 CSR 240-3.510. Applicant respectfully requests the Commission issue an order that 1) grants Applicant a certificate of service authority to provide intrastate interexchange telecommunications services pursuant to Chapter 392 of the Revised Statutes of Missouri, 2) grants competitive status to Applicant pursuant to Section 392.361 RSMo., 3) waives certain Commission rules and statutory provisions pursuant to Sections 392.420 and 392.361 RSMo., and 4) approves Applicant’s initial proposed interexchange tariff. In support of its application, ABA Net states as follows:

1. Applicant is a corporation duly organized and existing under and by virtue of the laws of the State of Delaware. The Company is authorized to conduct business as a foreign corporation within Missouri. In compliance with 4 CSR 240-2.060(1)(C), the Company has attached a copy of its certificate of authority as **Exhibit A**. The nature of ABA Net’s business is the provision of telecommunications services.

2. The Company’s legal name and principal address and telephone number are:

ABA Net, LLC
11510 Georgia Avenue
Suite 101
Silver Spring, MD 20902
Phone: (301) 603-9016
Fax: (301) 603-9017
Toll Free: 1-866-862-7232 (Customer Service)

3. All inquiries, correspondence, communication, pleadings, notices, orders and decisions relating to this case should be addressed to:

Enrico C. Soriano
Fleischman and Walsh, LLP
1919 Pennsylvania Avenue, N.W.
Suite 600
Washington, D.C. 20006
Phone: (202) 939-7921
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and to local counsel:

Mark W. Comley
Newman, Comley & Ruth PC
601 Monroe Street, Suite 301
Jefferson City, MO 65102-0537
Phone: (573) 634-2266
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E-Mail: comleym@ncrpc.com

All general correspondence from the Commission after certification should be forwarded to the Company, in care of its regulatory contact as follows.

Gerard C Flavin
ABA Net, LLC
11510 Georgia Avenue
Suite 101
Silver Spring, MD 20902
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4. The Company proposes to provide resold switched long distance interexchange service to business and residential customers on a statewide basis. The Company will not offer operator service or local exchange (non-switched private line) services.

5. The Company is a telecommunications company which possesses the technical and managerial expertise to provide the services it proposes.

6. The Applicant also possesses the necessary financial resources to provide the requested services.

7. In accordance with 4 CSR 240-2.060(6)(C), Applicant is simultaneously submitting its proposed tariff with a forty-five day effective date for approval by the Commission. The tariff contains the rules and regulations applicable to its customers, description of services offered and list of rates associated with such services. A copy of the tariff is attached hereto as **Exhibit B**. The Company requests that the Commission approve its MO P.S.C. Tariff No. 1 simultaneously with granting a certificate of service authority in this case.

8. Applicant will not unjustly discriminate among its customers as is prohibited under Section 392.200 RSMo.

9. Applicant is a competitive reseller of long distance telecommunications services and thus requests competitive classification pursuant to Section 392.361 RSMo and 4 CSR 240-2.060(6)(A). Applicant believes its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Further, when granted the Certificate requested herein, Applicant will be competing with other telecommunications companies in Missouri offering the same or similar services as Applicant.

10. Applicant is willing to comply with all applicable Commission rules, except those which are specifically waived by the Commission. Consistent with the Commission's treatment

of other certificated competitive interexchange telecommunications companies, Applicant requests that the following statutes and regulations be waived for Applicant and its interexchange service offerings:

Statutes:

- 392.210.2 - Uniform System of Accounts
- 392.240.1 - Just & reasonable rates
- 392.270 - Ascertain property values
- 392.280 - 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 & notes
- 392.340 - Reorganizations

Rules:

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

11. Applicant submits that the public interest will be served by Commission approval of this application because Applicant's proposed services will create and enhance competition and expand customer service options, and offer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Prompt approval of this application also will expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

12. The Company will not resell its services to other telecommunications companies.

13. 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 the application.

14. No annual reports or assessment fees are overdue from Applicant.

WHEREFORE, Applicant, ABA Net, LLC, respectfully requests that the Commission (i) grant it a certificate of service authority to provide interexchange telecommunications services as requested herein; (ii) classify the Company and its proposed services as competitive; (iii) grant waivers of statutes and regulations as requested herein; and (iv) approve its separately submitted tariff.

Respectfully submitted,

/s/ Mark W. Comley

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Counsel for ABA Net, LLC

Dated: January 29, 2007

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 29th day of January, 2007, to General Counsel's Office at gencounsel@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov.

/s/ Mark W. Comley

Officer's Verification

EXHIBIT B

PROPOSED TARIFF