

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
March 14, 2000**

**CASE NO: TO-2000-495**

**Office of the Public Counsel**  
P.O. Box 7800  
Jefferson City, MO 65102

**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Linda K. Gardner**  
Sprint Missouri, Inc. d/b/a Sprint  
5454 W. 110<sup>th</sup> Street  
Overland Park, KS 66211

**William Wunderlich, Esq.**  
Choctaw Communications, Inc.  
d/b/a Smoke Signal Communication  
1504 Gravois  
High Ridge, MO 63049

**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**



either Applicant in their application as required by Commission Rule 4 CSR 240-2.060(1)(B).

Commission Rule 4 CSR 240-2.060(1)(C) requires that all applications to the Commission shall include the "[n]ame, title, address and telephone number of the person to whom correspondence, communications and orders and [the] decision of the commission are to be sent." Applicants did not include the name, title, address and telephone number of the person to whom correspondence, communications and orders and the decision of the Commission are to be sent of either Applicant in their application as required by Commission Rule 4 CSR 240-2.060(1)(C).

Commission Rule 4 CSR 240-2.060(4)(A) requires that all applications to the Commission shall include, "[i]f the applicant is a Missouri corporation, a certified copy of the Articles of Incorporation and a Certificate of Incorporation from the secretary of state. . . ." Commission Rule 4 CSR 240-2.060(4)(B) requires that all applications to the Commission shall include, "[i]f the applicant is not a Missouri corporation, a certificate from the secretary of state that it is authorized to do business in Missouri. . . ." Commission Rule 4 CSR 240-2.060(4)(E) states that if the information required by subsection (A) or (B) of that rule has been submitted by either applicant ". . . in a previous application, the same may be incorporated by reference to the case number in which the information was furnished."

Neither Applicant, if they or either of them is a Missouri corporation, included in the application a certified copy of its or their Articles of Incorporation and Certificate(s) of Incorporation from the

secretary of state as required by Commission Rule 4 CSR 240-2.060(4)(A). Neither Applicant, if they or either of them is not a Missouri corporation, included in the application a certificate from the secretary of state that it or they are authorized to do business in Missouri as required by Commission Rule 4 CSR 240-2.060(4)(B). If such information has been submitted before, Applicants could have included a reference to the case number in which the information was furnished in their application as allowed by Commission Rule Commission Rule 4 CSR 240-2.060(4)(E).

The Commission entered its order requiring filing to cure deficiencies on February 24, 2000, directing that the Applicants cure the deficiencies no later than March 6, 2000. On March 1, 2000, Sprint cured its deficiencies by filing a motion to supplement its information.

William Wunderlich, attorney for Choctaw, signed the application without disclosing his Missouri Bar enrollment number in violation of Missouri rule of civil procedure 55.03(a). On February 29, 2000, the Commission entered its order requiring filing, directing William Wunderlich to file a pleading no later than March 6, 2000, disclosing his Missouri Bar enrollment number.

As of the date of this order, Choctaw has not complied with the Commission's earlier orders as set forth above. Thus, since Choctaw has filed a defective application and has failed to cure it after being ordered to do so by the Commission, this case will be dismissed.

**IT IS THEREFORE ORDERED:**

1. That this case is dismissed.

2. That this order shall become effective on March 24, 2000.

BY THE COMMISSION



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
4 CSR 240-2.120(1) (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 14th day of March, 2000.

FYI: To Be Issued By Delegation

ALJ/Sec'y: Hopkins/Boyce

3-10 3-15  
Date Circulated Return by 3 p.m.  
109m

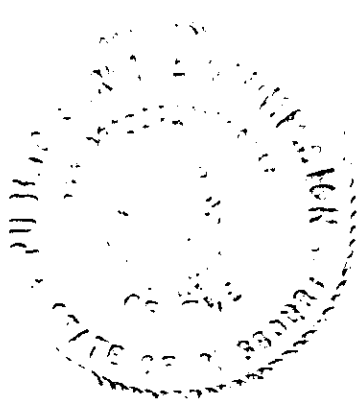
10-2000-495  
CASE NO.

[Signature]  
Lumpke, Chair  
[Signature]  
Crumpton, Commissioner  
[Signature]  
Murray, Commissioner  
[Signature]  
Schemenauer, Commissioner  
[Signature]  
Drainer, Vice-Chair

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

I have compared the preceding copy with the original on file in this office and  
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 14<sup>th</sup> day of March 2000.



Dale Hardy Roberts  
Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge