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August 11, 1999

**FILED<sup>2</sup>**

AUG 11 1999

Missouri Public  
Service Commission

TA-2000-134

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

**Re: In the Matter of the application of Oregon Farmers Mutual Long Distance, Inc. for a certificate of service authority to provide interexchange and local exchange telecommunications services.**

Dear Mr. Roberts:

Enclosed please find the original plus fourteen (14) copies of Application for filing on behalf of Oregon Farmers Mutual Long Distance, Inc. 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:

*Sondra B. Morgan*  
Sondra B. Morgan

SBM/k

Enclosures

cc: Office of Public Counsel  
Robert D. Williams

0000119

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

AUG 11 1999

Missouri Public  
Service Commission

In the matter of the application of )  
Oregon Farmers Mutual Long )  
Distance, Inc., for a certificate )  
of service authority to provide )  
interexchange and local exchange )  
telecommunications services. )

Case No. FA 2000-134

APPLICATION

Oregon Farmers Mutual Long Distance, Inc., ("Applicant"), a Missouri 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 Statutes;
- (b) grants competitive status to Applicant; and
- (c) waives certain Commission rules and statutory provisions pursuant to Section 392.420, RSMO Supp. 1998.

In support of its request, Applicant states:

1. Applicant is a Missouri corporation with its principal office and place of business at 118 East Nodaway, P.O. Box 227, Oregon, Missouri 64473. 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 Appendix A. A list of Applicant's current officers and directors is attached as Appendix B and is incorporated by reference herein.
2. All communications, notices, orders and decisions respecting this Application and proceeding should be addressed to:

0000119

Robert Williams  
President  
Oregon Farmers Mutual Long Distance, Inc.  
P.O. Box 227  
Oregon, Missouri 64473

W.R. England, III, Esq.  
Sondra B. Morgan, Esq.  
Brydon, Swearngen & England, P.C.  
312 East Capitol Street  
P.O. Box 456  
Jefferson City, Missouri 65102

3. Applicant proposes to resell one plus (1+) interexchange telecommunications services and associated operator and directory assistance services to business and residential customers located throughout the State of Missouri. Initially, Applicant will only provide service to local exchange customers of Oregon Farmers Mutual Telephone Company in the exchange of Oregon. 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.

4. 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 C.

5. 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.

6. Applicant also requests, pursuant to Section 392.420, RSMO 1994, that the Commission waive the application of the following rules and statutory provisions as they relate to the regulation of Applicant:

§392.240(1)	Rates-reasonable average return on investment.
§392.270	Property valuation.
§392.280	Depreciation rates.
§392.290	Issuance of stocks and bonds.
§392.310	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 240-32.030(1)(B)	Exchange boundary maps.
4 CSR 240-32.030(1)(C)	Record of access lines.
4 CSR 240-32.030(2)	In-state record keeping.
4 CSR 240-32.050(3-6)	Telephone directories.
4 CSR 240-32.070(4)	Coin telephones.
4 CSR 240-33.030	Inform customers of lowest priced service.
4 CSR 240-33.040(5)	Finance fee.

It is Applicant's understanding that the above-referenced rules and statutory provisions have typically been waived for other interexchange carriers in prior cases.

7. The interexchange services provided by Applicant will be performed by the Applicant or by independent contractors, agents or employees of Oregon Farmers Mutual Telephone Company. For example, billing & collection and billing inquiry services will be performed by the Applicant, or they will be provided under contractual agreements between Applicant and independent contractors, including local exchange carriers. Applicant will compensate its independent contractors, or local exchange carriers fully for all services provided on Applicant's behalf.

8. Oregon Farmers Mutual Telephone Company has extensive experience in providing reliable and affordable telecommunications services to the public in the State of

Missouri. As a result, Applicant will have available to it the technical expertise to provide interexchange telecommunications services that meet or exceed all service standards established by the Commission. A brief description of the qualifications and experience of the officers and managers is attached as Appendix D.

9. Applicant is financially capable of providing the proposed service. For purposes of illustration, Comparative Balance Sheets of the Applicant are attached hereto as Appendix E.

10. 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. Expedient grant of the instant Application will increase the competition in the provision of interexchange services, consistent with the Commission's policies and increase the variety and number of interexchange telecommunications providers and services available to users. Accordingly, Applicant's proposed operations are in the public interest.

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. In addition, Applicant requests a waiver of the above-referenced rules and statutory provisions.

Respectfully submitted,

Sandra B. Morgan

W.R. England, III      Mo Bar #23975

Sondra B. Morgan      Mo Bar #35482

Brydon, Swearngen & England P.C.

312 East Capitol Avenue

P. O. Box 456

Jefferson City, MO 65102-0456

(573) 635-7166

Attorneys for OREGON FARMERS MUTUAL  
LONG DISTANCE, INC.

VERIFICATION

STATE OF Missouri )  
COUNTY OF Holt ) ss.

Robert Williams, having been duly sworn upon his oath, states that he is President of Oregon Farmers Mutual Long Distance, Inc. Applicant herein, and as such, is duly authorized to execute said Application and to make this affidavit on its behalf; that the matters and things stated in the foregoing Application and exhibits thereto are true and correct to the best of his information, knowledge and belief.

Robert D. Williams

Subscribed and sworn to before me, a notary public, on this 30<sup>th</sup> day of July  
1999.

John A. Callow  
Notary Public

My Commission expires:  
\_\_\_\_\_

JOHN A. CALLOW  
NOTARY PUBLIC - NOTARY SEAL  
STATE OF MISSOURI  
HOLT COUNTY  
MY COMMISSION EXP. AUG. 23, 1999

**Appendix A**

**Articles of Incorporation  
Oregon Farmers Mutual Long Distance, Inc.**



# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

CORPORATION DIVISION  
CERTIFICATE OF CORPORATE RECORDS

OREGON FARMERS MUTUAL LONG DISTANCE, INC.

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 15TH DAY OF JULY, 1999.

*Rebecca McDowell Cook*  
Secretary of State



# STATE OF MISSOURI



**Rebecca McDowell Cook**  
**Secretary of State**

CORPORATION DIVISION  
 CERTIFICATE OF INCORPORATION

WHEREAS, DUPLICATE ORIGINALS OF ARTICLES OF INCORPORATION OF  
 OREGON FARMERS MUTUAL LONG DISTANCE, INC.

HAVE BEEN RECEIVED AND FILED IN THE OFFICE OF THE SECRETARY OF  
 STATE, WHICH ARTICLES, IN ALL RESPECTS, COMPLY WITH THE  
 REQUIREMENTS OF GENERAL AND BUSINESS CORPORATION LAW;

NOW, THEREFORE, I, REBECCA McDOWELL COOK, SECRETARY OF STATE  
 OF THE STATE OF MISSOURI, BY VIRTUE OF THE AUTHORITY VESTED IN  
 ME BY LAW, DO HEREBY CERTIFY AND DECLARE THIS ENTITY A BODY  
 CORPORATE, DULY ORGANIZED THIS DATE AND THAT IT IS ENTITLED TO  
 ALL RIGHTS AND PRIVILEGES GRANTED CORPORATIONS ORGANIZED UNDER  
 THE GENERAL AND BUSINESS CORPORATION LAW.

IN TESTIMONY WHEREOF, I HAVE SET MY  
 HAND AND IMPRINTED THE GREAT SEAL OF  
 THE STATE OF MISSOURI, ON THIS, THE  
 9TH DAY OF JULY, 1999.

*Rebecca McDowell Cook*  
 Secretary of State



\$58.00



# State of Missouri

Rebecca McDowell Cook, Secretary of State  
P.O. Box 778, Jefferson City, Mo. 65102

Corporation Division

FILED AND CERTIFICATE OF  
INCORPORATION ISSUED

JUL 09 1999

## Articles of Incorporation

*Rebecca McDowell Cook*  
SECRETARY OF STATE

(To be submitted in duplicate by an attorney or an incorporator.)

The undersigned natural person(s) of the age of eighteen years or more for the purpose of forming a corporation under The General and Business Corporation Law of Missouri adopt the following Articles of Incorporation:

### Article One

The name of the corporation is Oregon Farmers Mutual Long Distance, Inc.

### Article Two

The address, including street and number, if any, of the corporation's initial registered office in this state is \_\_\_\_\_

312 E. Capitol Avenue, Jefferson City, MO 65101

and the name of its initial agent at such address is Sondra B. Morgan

### Article Three

The aggregate number, class and par value, if any, of shares which the corporation shall have authority to issue shall be:

<u>Number</u>	<u>Class</u>	<u>Par Value</u>
30,000	Common	None

The preferences, qualifications, limitations, restrictions, and the special or relative rights, including convertible rights, if any, in respect to the shares of each class are as follows:

None

corporation

#### Article Four

The extent, if any, to which the preemptive right of a shareholder to acquire additional shares is limited or denied.

None

#### Article Five

The name and place of residence of each incorporator is as follows:

Name	Street	City
Sondra B. Morgan	312 E. Capitol Avenue	Jefferson City, MO 65101

#### Article Six

(Designate which and complete the applicable paragraph.)

☒ The number of directors to constitute the first board of directors is three (3). Thereafter the number of directors shall be fixed by, or in the manner provided by the bylaws. Any changes in the number will be reported to the Secretary of State within thirty calendar days of such change.

OR

☐ The number of directors to constitute the board of directors is \_\_\_\_\_. (The number of directors to constitute the board of directors must be stated herein if there are to be less than three directors. The person to constitute the first board of directors may, but need not, be named.)

#### Article Seven

The duration of the corporation is perpetual

## Article Eight

The corporation is formed for the following purposes:

To engage in any lawful act or activity for which corporations may be organized under the General and Business Corporation Law of Missouri, including, but not limited to the provision of telecommunications services.

IN WITNESS WHEREOF, these Articles of Incorporation have been signed this 9<sup>th</sup> day  
of July, 19 99.

Sandra B. Morgan

Sandra B. Morgan

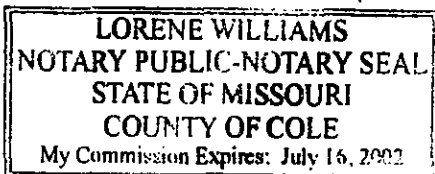
312 E. Capitol Avenue

Jefferson City, MO 65101

State of Missouri  
County of Cole } ss.

I, Lorene Williams, a Notary Public, do hereby certify that  
on this 9th day of July, 19    , personally appeared before me  
Sandra Morgan (and     ),  
who being by me first duly sworn, (severally) declared that he is (they are) the person(s) who signed the foregoing  
document as incorporator(s), and that the statements therein contained are true.

(Notarial Seal)



Lorene Williams  
Notary Public  
My commission expires July 16, 2002

FILED AND CERTIFICATE OF  
INCORPORATION ISSUED

JUL 09 1999

Rebecca McDowell  
SECRETARY OF STATE

**Appendix B**  
**Officers and Directors**  
**Oregon Farmers Mutual Long Distance, Inc.**

OREGON FARMERS MUTUAL LONG DISTANCE, INC.

Officers and Directors

Officers:

President:	Robert D. Williams
Secretary/Treasurer:	Robert D. Williams

Directors:

Robert D. Williams  
W.R. England, III  
Sondra B. Morgan



**Appendix C**  
**Proposed Tariff**  
**Oregon Farmers Mutual Long Distance, Inc.**

**Appendix D**  
**Qualifications and Experience of Management**  
**Oregon Farmers Mutual Long Distance, Inc.**

### **Robert Williams, President**

Mr. Williams has 29 years experience in the telecommunications industry. He went to work for Oregon Farmers Mutual in 1970. Since that time he has been everything from an installer repairman to company President, a position he ascended to in 1991. Mr. Williams is a member of the Board of Directors of the United States Telephone Association as well as the Missouri Telecommunications Association.

### **Randy Williams, Vice-President & General Manager**

Randy joined Oregon Farmers Mutual full time in 1997. He is a graduate of Winona State University in Minnesota. He has worked for the company in various part time jobs for the past 15 years.

### **Jo Beth Schaeffer, Bookkeeper**

Jo Beth joined Oregon Farmers Mutual in 1989 as a secretary and was promoted to Bookkeeper in 1996. She also oversees the business office and also does bookkeeping for Northwest Missouri Cellular.

**Appendix E**  
**Pro Forma Balance Sheets**  
**Oregon Farmers Mutual Long Distance, Inc.**

OREGON FARMERS MUTUAL LONG DISTANCE, INC.  
PROFORMA BALANCE SHEET  
AS OF INCEPTION

ASSETS

Cash and cash equivalents	<u>\$20,000</u>
Total assets	<u><u>\$20,000</u></u>

LIABILITIES AND STOCKHOLDER'S EQUITY

Common stock	<u>\$20,000</u>
Total liabilities and stockholder's equity	<u><u>\$20,000</u></u>

Note: Oregon Farmers Mutual Long Distance, Inc. is a wholly-owned subsidiary of Oregon Farmers Mutual Telephone Company. Financial information regarding Oregon Farmers Mutual Telephone Company can be found on the Annual Report filed with the Commission.