

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

| | | |
|---|---|----------------|
| In the Matter of the Application of |) | |
| Telecom Management, Inc. |) | |
| d/b/a Pioneer Telephone |) | |
| for Certificate of Service Authority to Provide |) | Case No. _____ |
| Intrastate Interexchange Telecommunications |) | |
| Services within the State of Missouri and for |) | |
| Competitive Classification. |) | |

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
AND FOR COMPETITIVE CLASSIFICATION**

Comes now Telecom Management, Inc. d/b/a Pioneer Telephone ("Pioneer Telephone" or "Applicant"), by and through counsel, and pursuant to Sections 392.361, 392.410, 392.420, 392.430, 392.440 RSMo, and 4 CSR 240-2.060 and 4 CSR 240-3.510, files this verified Application requesting that the Missouri Public Service Commission (hereinafter "the Commission") issue an order that:

- (a) grants Applicant certificate of service authority to provide intrastate interexchange telecommunications services, pursuant to Chapter 392 RSMo;
- (b) grants competitive status to Applicant and Applicant's requested services;
- (c) waives certain Commission rules and statutory provisions pursuant to Sections 392.420 and 392.361 RSMo, consistent with the Commission's past treatment of other certificated providers of competitive interexchange telecommunications services; and
- (d) approves Applicant's separately submitted proposed tariff.

In support of its request, Applicant states that:

1. Applicant is a foreign corporation organized and existing under the laws of the State of Maine and is duly authorized to transact business in the State of Missouri. The character of the business performed by Pioneer Telephone is telecommunications. Pursuant to 4 CSR 240-2.060(1)(C), certificate of authority from the Missouri Secretary of

State's Office is attached hereto as **Appendix A**. Applicant's principal place of business is 583 Warren Avenue, Portland, Maine (ME) 04103.

2. All communications, notices, orders and decisions respecting this Application and proceeding should be addressed to:

Monica Borne Haab
Nowalsky, Bronston & Gothard
3500 N. Causeway Blvd., Suite 1442
Metairie, Louisiana 70002
Phone: (504) 832-1984
Fax: (504) 831-0892
E-Mail: mhaab@nbglaw.com

and to local counsel:

Mary Ann (Garr) Young
William D. Steinmeier, P.C.
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
Phone: (573) 634-8109
Fax: (573) 634-8224
E-Mail: wds@wdspsc.com
myoung0654@aol.com

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

Kevin Photiades, Compliance Specialist
Telecom Management, Inc. d/b/a Pioneer Telephone
583 Warren Avenue
Portland, ME 04103
Phone: (207) 774-9500
Fax: (207) 774-9508
E-mail: regulatory@pioneertelephone.com

3. 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.

4. Pioneer Telephone is a telecommunications company that possesses the technical and managerial expertise to provide the services it proposes.

5. Applicant also possesses the necessary financial resources to provide the services it proposes.

6. In accordance with 4 CSR 240-3.510(1), which requires that an application for a certificate of service authority to provide interexchange, local exchange or basic local exchange service shall include a proposed tariff with no less than a forty-five (45) day effective date, Applicant is separately filing its proposed interexchange (IXC) tariff, designated as P.S.C. Mo. Tariff No. 1. Applicant's proposed tariff contains the rules, conditions and description of services and rates, and bears an effective date forty-five (45) days after the issued date. Applicant respectfully requests approval of its IXC tariff, P.S.C. Mo. Tariff No. 1 simultaneously with granting a certificate of service authority in this case.

7. Applicant requests that it and all its services proposed herein be classified as competitive. Applicant believes that the highly developed state of the interexchange and local exchange telecommunications services market in Missouri and nationwide ensures that its proposed services will be subject to sufficient competition to warrant a less rigorous degree of regulation.

8. As a new market entrant, Applicant requests streamlined regulatory treatment afforded similarly situated telecommunications carriers in Missouri. Likewise, to the extent the Commission has granted other competitive interexchange and local exchange carriers waiver of certain of the Commission's rules and regulations, Applicant respectfully requests that it be granted the same waivers.

9. Consistent with the Commission's treatment of other certificated telecommunications companies, Applicant respectfully requests that, pursuant to §392.361.5 and §392.420, RSMo, the following statutes and regulations be waived with respect to its interexchange and non-switched local exchange service offerings:

STATUTES

| | | |
|--------------|----|--|
| § 392.210.2 | -- | Uniform System of Accounts |
| § 392.240(1) | -- | Rates-Rentals-Service & Physical Connections |
| § 392.270 | -- | Valuation of Property (Ratemaking) |
| § 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 and Notes |
| § 392.340 | -- | Reorganization(s) |

RULES

| | | |
|-----------------------|----|----------------------------|
| 4 CSR 240-3.545(2)(C) | -- | Posting of Tariffs |
| 4 CSR 240-10.020 | -- | Depreciation Fund Income |
| 4 CSR 240-30.040 | -- | Uniform System of Accounts |
| 4 CSR 240-33.030 | -- | Minimum Charges |

10. Applicant will comply fully with all applicable Commission rules except those that are specifically waived by the Commission pursuant to the Company's request herein. To the extent that the Commission may modify its waiver policies, Applicant respectfully reserves the right to amend its waiver requests accordingly.

11. Pursuant to 4 CSR 240-2.060 (1) (K), Applicant states that it 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 this Application.

12. Pursuant to 4 CSR 240-2.060 (1) (L), Applicant states that no Commission annual report or assessment fees are overdue.

13. 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 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.

WHEREFORE, Telecom Management, Inc. d/b/a Pioneer Telephone respectfully requests that the Commission: (1) grant it certificate of service authority to provide intrastate interexchange telecommunications services within the State of Missouri; (2) grant Applicant and its proposed services competitive status; (3) waive the application of the above-referenced statutes and Commission rules; and (4) approve its separately-submitted tariff.

Respectfully submitted,

/s/ Mary Ann (Garr) Young

Mary Ann (Garr) Young, MoBar #27951
William D. Steinmeier, MoBar #25689
WILLIAM D. STEINMEIER, P.C.
2031 Tower Drive
P.O. Box 104595
Jefferson City, MO 65110-4595
Phone: (573) 634-8109
Fax: (573) 634-8224
Email: myoung0654@aol.com
wds@wdspc.com

ATTORNEYS FOR TELECOM MANAGEMENT,
INC. D/B/A PIONEER TELEPHONE

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Verified Application has been served electronically on the General Counsel's Office and the Office of the Public Counsel this 8th day of September 2004.

/s/ Mary Ann Young

Mary Ann (Garr) Young

APPENDIX A

MISSOURI SECRETARY OF STATE
CERTIFICATE OF AUTHORITY

STATE OF MISSOURI



Matt Blunt
Secretary of State
CERTIFICATE OF AUTHORITY

WHEREAS,

TELECOM MANAGEMENT, INC.
F00592164


using in Missouri the name

TELECOM MANAGEMENT, 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 Maine.

NOW, THEREFORE, I, MATT BLUNT, 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 June, 2004.


Secretary of State





Corporations Division
P.O. Box 778, Jefferson City, MO 65102

James C. Kirkpatrick State Information Center
600 W. Main Street, Rm 322, Jefferson City, MO 65101

File Number: 200417524418
X00594647
Date Filed: 06/18/2004
Matt Blunt
Secretary of State
STATE OF MISSOURI
Matt Blunt, Secretary of State

Registration of Fictitious Name

(Submit in duplicate with filing fee of \$7)

(Must be typed or printed)

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. (Chapter 417, RSMo)

The undersigned is doing business under the following name, and at the following address:

Business name to be registered: Pioneer Telephone
Business Address: 583 Warren Avenue
(P.O. Box alone not acceptable)
City, State and Zip Code: Portland, ME 04103

The parties having an interest in the business, and the percentage they own are (if a business entity is owner, indicate business name and percentage owned. If all parties are jointly and severally liable, percentage of ownership need not be listed):

| Name of Owners, Individual or Business Entity | Street and Number | City and State | Zip Code | If listed, Percentage of ownership must equal 100% |
|---|-------------------|----------------|----------|--|
| Telecom Management, Inc., | 583 Warren Ave. | Portland, ME | 04103 | 100% |
| | | | | |
| | | | | |

In Affirmation thereof, the facts stated above are true:

(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060 RSMo 1986.)

Sue Bouchard Sue Bouchard, President 5-11-04
(Authorized Signature) (Printed Name) (Date)

(Authorized Signature) (Printed Name) (Date)

(Authorized Signature) (Printed Name) (Date)

State of Missouri
Fictitious Creation 1 Page(s)



T0417316624

Corp. 56 (8/02)

FOR OFFICIAL USE ONLY

Check # _____
Amount: _____
Filer's Initials: _____