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December 9, 1999

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

FILED

DEC 10 1999

Missouri Public
Service Commission

Re: 2nd Century Communications, Inc.
Case No. TA-2000-324

Dear Judge Roberts:

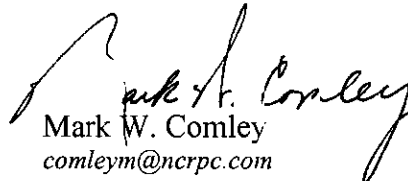
As directed in the Notice of Deficiency issued by the Commission on December 8, 1999, enclosed for filing please find the original and fourteen copies of a Response to Notice of Deficiency.

Thank you very much for your attention.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel
Erin R. Swansiger

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

DEC 10 1999

Missouri Public
Service Commission

In the Matter of the Application)
)
of 2ND CENTURY COMMUNICATIONS INC.)
)
for a Certificate of Service Authority to Provide)
Competitive Resold Intrastate Interexchange)
Telecommunications Services)
and Non-Switched Basic Telecommunications)
Services within the State of Missouri.)

Case No. TA-2000-324

RESPONSE TO NOTICE OF DEFICIENCY

Comes now 2nd CENTURY COMMUNICATIONS, INC. and submits the following in response to the Commission's Notice of Deficiency:

1. As part of its application for certificate of service authority to engage in interexchange and non-switched basic telecommunications services in Missouri, 2nd CENTURY has requested that it be classified as a competitive telecommunications company as defined by §386.020(9) RSMo Supp. 1998. The Commission is also correct that 2nd CENTURY has asked the Commission to classify each of its services as competitive services.

2. According to §392.361.3 RSMo 1994:

The commission may classify a telecommunications company as a competitive telecommunications company **only upon a finding that all telecommunications services offered by such company are competitive telecommunications services.** [emphasis added]

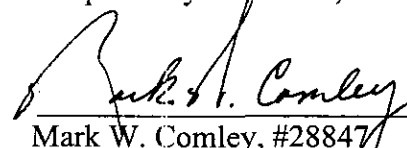
3. 2nd CENTURY's application does not specifically ask the Commission to "find" that its services are competitive, rather it has requested the Commission to "classify" those services as competitive, all in an effort to justify a Commission decision to classify the company as a competitive company. To the extent the choice of words has proven confusing, 2nd CENTURY prays

the Commission accept this response as an amendment by interlineation to its application. The application should hereinafter be read and interpreted to mean that the Applicant requests the Commission to: 1) find and determine that its proposed services are competitive; and in turn, 2) classify the company itself as a competitive telecommunications company.

WHEREFORE, based upon the above and foregoing, 2nd CENTURY respectfully requests the Commission to set aside the Notice of Deficiency and allow the matter to proceed.

Respectfully submitted,

By:



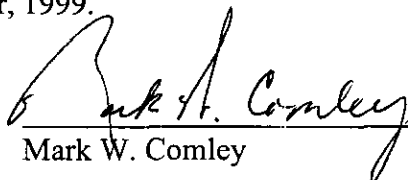
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Attorneys for 2ND CENTURY
COMMUNICATIONS, INC.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, to Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102-7800, on this 9th day of December, 1999.


Mark W. Comley