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May 10, 2002

**VIA OVERNIGHT DELIVERY**

Mr. Dale Roberts  
Chief A.L.J./Executive Secretary  
Missouri Public Service Commission  
200 Madison Street, Suite 100  
Jefferson City, MO 65102  
(573) 751-3234

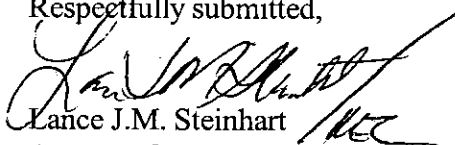
Re: Max-Tel Communications, Inc.  
Case No. TA-2002-448, Tariff No. 200200787

Dear Mr. Roberts:

Enclosed please find for filing an original and eight (8) copies of Max-Tel Communications, Inc.'s Response to Order Suspending Tariff, and Directing Filing.

I have also enclosed an extra copy of this letter to be date stamped and returned to me in the enclosed, self-addressed, postage prepaid envelope. If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney for Max-Tel Communications, Inc.

Enclosures

cc: Rickey Davis  
Mark Poston (via facsimile (573) 751-1847)  
Office of Public Counsel  
Office of General Counsel

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

In the Matter of the Application of	)	
Max-Tel Communications, Inc.	)	
for a Certificate of Service Authority to	)	<b><u>Case No. TA-2002-448</u></b>
Provide Interexchange Telecommunications	)	Tariff No. 200200787
Services and to Classify Such Services	)	
and the Company as Competitive.	)	

**APPLICANT'S RESPONSE TO ORDER SUSPENDING TARIFF,  
AND DIRECTING FILING**

On May 2, 2002, an order was issued suspending the tariffs of Max-Tel Communications, Inc., pending the clarification of the issue of pending assessments. The order also directs Max-Tel and the Staff of the Missouri Public Service Commission to file additional information.

Max-Tel applied to the Missouri Public Service Commission on March 21, 2002, for a certificate of service authority to provide intrastate interexchange telecommunications services in Missouri under Section 392.440, RSMo 2000. Max-Tel asked the Commission to classify it as a competitive company and waive certain statutes and rules as authorized by Sections 392.361 and 392.420. Max-Tel was previously granted a certificate of authority to provide basic local telecommunications service. As part of its application, Max-Tel states that "Commission annual reports or assessment fees are overdue." Max-Tel filed a proposed tariff in conjunction with its application with an effective date of May 5, 2002.

In its Memorandum filed on April 17, 2002, the Staff of the Commission recommended that the Commission grant Max-Tel a certificate of service authority, competitive status, and waiver of the statutes and rules as requested. Staff recommended that the Commission approve the proposed tariff to become effective on May 5, 2002. Staff noted, however, that Max-Tel "is not in compliance with the current assessment requirements as a provider of basic local service."

Staff indicates that it is working with counsel for the company to correct the problem. No response to Staff's recommendation was filed.

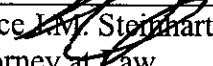
On April 25, 2002, the Commission directed Max-Tel to file a report, no later than April 29, 2002, stating whether it had any assessment still due to the Commission. No report was filed.

Applicant hereby respectfully provides the following information:

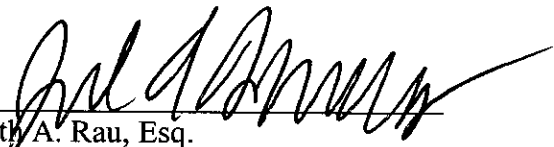
On May 9, 2002, Applicant's overdue assessment was paid to the Commission.

**WHEREFORE**, Applicant, Max-Tel Communications, Inc., respectfully requests that the Missouri Public Service Commission: 1. Grant Applicant a certificate of service authority to provide interexchange telecommunications services within the State of Missouri; 2. Grant Applicant's request for classification as a competitive telecommunications company and that its services be classified as competitive; and 3. Grant Applicant's request for a waiver of the rules and statutory provisions referenced in its Application. Applicant hereby further respectfully requests that the proposed tariff filed on March 21, 2002, by Max-Tel Communications, Inc., and assigned Tariff No. 200200787, shall become effective on the date that Applicant's certificate of service authority is granted.

Respectfully submitted,

  
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Georgia Bar No. 678222

and

  
\_\_\_\_\_  
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Missouri Bar No. 24856

Attorneys for Applicant

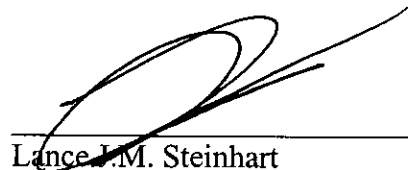
## CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Applicant's Response to Order Suspending Tariff, and Directing Filing on the following parties, in accordance with the Commission rules:

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

Dated this 18 day of May, 2002.

  
\_\_\_\_\_  
Lance J.M. Steinhart  
Georgia Bar No. 678222