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November 23, 1999

FILED

NOV 23 1999

Missouri Public
Service Commission

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

Re: Omniplex Communications Group, L.L.C.

TO - 2000 - 341

Dear Judge Roberts:

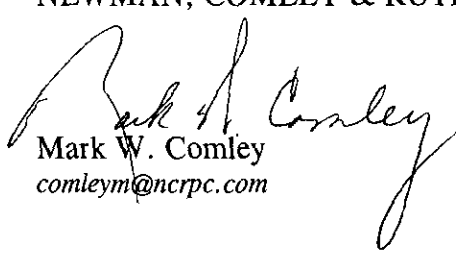
Enclosed for filing please find the original and fourteen copies of an Application for Approval of Interconnection Agreement under the Telecommunications Act of 1996. I also enclose the original and five copies of the Interconnection Agreement, which is marked as Attachment 2.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:


Mark W. Comley
comleym@ncrpc.com

MWC:ab

Enclosure

cc: Office of Public Counsel
Richard D. Petty
Anthony K. Conroy

FILED

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BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

Missouri Public
Service Commission

Application of OMNIPLEX)
COMMUNICATIONS GROUP, LLC)
for Approval of Interconnection Agreement)
Under the Telecommunications Act of 1996.)

Case No. TO-2000-341

APPLICATION FOR
APPROVAL OF INTERCONNECTION AGREEMENT
UNDER THE TELECOMMUNICATIONS ACT OF 1996

Comes now OMNIPLEX COMMUNICATIONS GROUP, LLC (hereinafter "OCG", or "Applicant") and hereby files this Application for Approval of a new Interconnection Agreement (the Agreement) between Southwestern Bell Telephone Company (SWBT) and OCG under the Telecommunications Act of 1996 (the Federal Act) and Chapter 392, RSMo 1994 as amended, and respectfully show the Missouri Public Service Commission (the Commission) the following:

I. THE APPLICANT

OCG is a regulated competitive local telecommunications company under the jurisdiction of this Commission with operations in certificated territories in this State. It is a Texas limited liability company, duly registered and in good standing with the Missouri Secretary of State. Attached as Attachment 1 is a Certificate of Good Standing-Foreign Limited Liability Company issued by the Missouri Secretary of State respecting OCG. OCG obtained its Missouri certificate of service authority for local exchange and basic local exchange service in Case No. TA-97-508. OCG and SWBT entered an earlier interconnection agreement for resale of SWBT services which agreement was approved in Case No. TO-97-543. OCG's capacity, its relationship to this Commission and its operations were part of the record in each of those cases. OCG directs the Commission to these earlier cases for further information, if needed, about the company.

II. INTERCONNECTION/RESALE AGREEMENT REACHED

OCG presents to this Commission for approval an Interconnection Agreement negotiated and executed pursuant to the terms of the Federal Act (Agreement, Attachment 2). This Agreement was entered into pursuant to Section 252(a)(1) of the Federal Act, and SWBT and OCG executed the Agreement effective August 6, 1999. The Agreement contains 39 pages, together with several Attachments and Appendices. The General Terms and Conditions of the Agreement contains 68 pages and 37 appendices follow. There are no outstanding issues between SWBT and OCG that need the assistance of mediation or arbitration.

III. DESIGNATED CONTACTS

The designated contacts for purposes of this Application are:

Mark W. Comley
NEWMAN, COMLEY & RUTH P.C.
601 Monroe Street, Suite 301
Jefferson City, MO 65101
Telephone: 573 634-2266
Fax: 573 636-3306
e-mail – comleym@ncrpc.com

and

Richard D. Petty
Vice President, Regulatory
OMNIPLEX COMMUNICATIONS GROUP, LLC
2020 Westport Center Dr.
Maryland Heights MO 63146
Voice/Fax: 314 537-6728

e-mail – rdpetty@ocg.com

IV. REQUEST FOR APPROVAL

OCG seeks the Commission's approval of the Agreement, consistent with the provisions of the Federal Act. The implementation of this Agreement complies fully with Section 252(e) of the

Federal Act because the Agreement is consistent with the public interest, convenience and necessity and does not discriminate against any telecommunications carrier. The Agreement promotes diversity in providers, and increases customer choices for telecommunications services.

OCG respectfully requests that the Commission grant expeditious approval of this Agreement, without change, suspension or other delay in its implementation. This is a bilateral agreement, reached as a result of negotiations and compromise between competitors, and intervention by other parties is neither necessary nor appropriate.

V. STANDARD OF REVIEW

The statutory standards of review are set forth in Section 252(e) of the Federal Act which provides as follows:

(e) APPROVAL BY STATE COMMISSION

- (1) APPROVAL REQUIRED.**--Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted to shall approve or reject the agreement, with written findings as to any deficiencies.
- (2) GROUNDS FOR REJECTION.**--The State Commission may only reject --
 - (A)** an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that --
 - (i)** the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or
 - (ii)** the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity;


VI. MISSOURI LEGISLATION

The negotiated and executed Agreement is consistent with Chapter 392, RSMo 1994 as amended by S.B. 507 of the Missouri Laws of 1996 and effective August 28, 1996.

VII. CONCLUSION

For the reasons set forth above, OCG respectfully prays that the Commission approve the Agreement expeditiously.

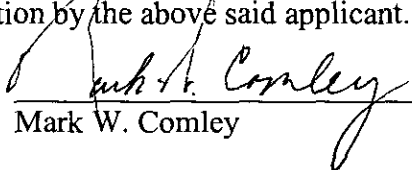
Respectfully submitted,

By: 
Mark W. Comley #28847
NEWMAN, COMLEY & RUTH P.C.
601 Monroe, Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537
Attorneys for OMNIPLEX COMMUNICATIONS
GROUP, LLC
573/634-2266 (Telephone)
573/636-3306 (FAX)

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

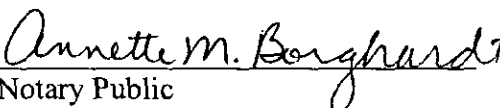
I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for OMNIPLEX COMMUNICATIONS GROUP, LLC, Applicant in the above captioned proceeding; that I have read the above and foregoing Application and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant.


Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 23rd day of November, 1999.

My Commission expires:

ANNETTE M. BORGHARDT
Notary Public
State of Missouri
Commission Expires 3/11/02
Cole County, MO

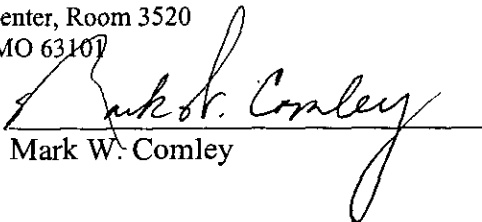

Notary Public

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, or hand delivered, on this 23rd day of November, 1999, to:

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

Anthony K. Conroy
Attorney at Law
One Bell Center, Room 3520
St. Louis, MO 63107


Mark W. Comley

Attachment 1

Certificate of Good Standing—Foreign Limited Liability Company

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

CERTIFICATE OF GOOD STANDING
FOREIGN LIMITED LIABILITY COMPANY

I, REBECCA MCDOWELL COOK, SECRETARY OF STATE OF THE STATE OF MISSOURI, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE AND IN MY CARE AND CUSTODY REVEAL THAT

USA EXCHANGE, LLC

USING IN MISSOURI THE NAME

OMNIPLEX COMMUNICATIONS GROUP, LLC

A TEXAS LIMITED LIABILITY COMPANY FILED ITS APPLICATION FOR REGISTRATION IN THIS OFFICE ON THE 4TH DAY OF MARCH, 1997, AND IS IN GOOD STANDING HAVING FULLY COMPLIED WITH ALL REQUIREMENTS OF THIS OFFICE.

IN TESTIMONY WHEREOF, I HAVE SET MY HAND AND IMPRINTED THE GREAT SEAL OF THE STATE OF MISSOURI, ON THIS, THE 23RD DAY OF NOVEMBER, 1999.

Rebecca McDowell Cook
Secretary of State

