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PROFESSIONAL CORPORATION

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January 24, 2001

FILED³

JAN 24 2001

Missouri Public
Service Commission

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102

RE: *In the matter of the application of Telmex USA, L.L.C. for a certificate of service authority to resell intrastate interexchange telecommunications services within the state of Missouri*

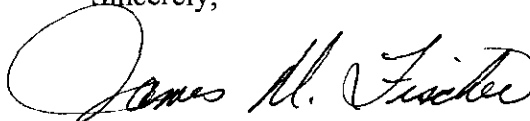
TA-2001-408

Dear Mr. Roberts:

Enclosed for filing in the above-referenced matter are the original and eight (8) copies of the Application of Telmex USA, L.L.C. A copy of the foregoing Application has been hand-delivered or mailed this date to each party of record.

Thank you for your attention to this matter.

Sincerely,



James M. Fischer

By: 

/jr
Enclosures

cc: Office of the Public Counsel
Dana K. Joyce, General Counsel

200100774

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED³
JAN 24 2001

Missouri Public
Service Commission

In the matter of the application of
Telmex USA, L.L.C
for a certificate of service authority
to resell intrastate interexchange
telecommunications services within
the state of Missouri.

Case No. TA-2001-408

APPLICATION

COMES NOW Telmex USA, L.L.C ("Telmex USA" or "Applicant"), a Delaware limited liability company, and submits its Application respectfully requesting that the Missouri Public Service Commission ("Commission") issue Applicant a Certificate of Service Authority to provide competitive intrastate interexchange telecommunications services between and among locations within the state of Missouri pursuant to Section 392.440, RSMo 1994¹, an order classifying Applicant as a competitive telecommunications carrier, and an order waiving or suspending certain Commission rules and statutory provisions pursuant to Section 392.420, RSMo (Cum. Supp. 1999). In support of its request, Applicant provides the following information:

1. The legal name and principal office or place of business of the Applicant are: Telmex USA, L.L.C, 9444 Farnham St., Suite 200, San Diego, CA 92123. A copy of the Articles of Incorporation is attached hereto as Exhibit A and incorporated herein by reference. Applicant is qualified to transact business in the state of Missouri and holds a certificate of authority as a foreign

¹ All citations to statutory sections are to the 1994 Revised Statutes of Missouri, as currently supplemented, unless otherwise indicated.

corporation to transact business in the state of Missouri, which is attached hereto as Exhibit B and incorporated herein by reference.

2. Once this Application is approved, the name, title, address and telephone number of the person to whom correspondence, communications and orders and decisions of the Commission are to be sent are as follows: Linda LaGatta, General Counsel, Telmex USA, L.L.C, 9444 Farnham St., Suite 200, San Diego, CA 92123. She may be reached at (858) 505-3900.

3. The name and address of Applicant's in-state attorney is James M. Fischer, 101 Madison Street, Suite 400, Jefferson City, Missouri 65101. Mr. Fischer may be reached at (573) 636-6758. The name and address of the Applicant's registered agent is CT Corporation System, 906 Olive Street, St. Louis, MO 63101.

4. Applicant has approved applications for certificates of authority to resell long distance interexchange services in Arkansas, California, Colorado, Delaware, Massachusetts, New Mexico, Pennsylvania, Oregon, and Texas. Applicant has pending applications for certificates of authority to resell long distance interexchange services in Connecticut, Kansas, Illinois, Nevada, and New York.

5. The Applicant intends to provide telecommunications services to business and residential customers statewide in the state of Missouri as a switch-based reseller of the interexchange services utilizing the network facilities of Williams Communications. Initial service offerings will consist of prepaid long distance and prepaid calling card services. Future service

offerings may include, 1+ long distance, postpaid calling card, toll free, and directory assistance services. The customer will become a customer of the Applicant not of the underlying carrier. Applicant assumes responsibility for billing, trouble reporting, and customer service. Applicant plans to provide telecommunication services from points of origin in Missouri to destination points in Missouri, other parts of the United States, and foreign countries. In the future, the Applicant may resell the services of other interexchange carriers.

6. Applicant is not a facilities based carrier. The Applicant does not own, operate, control or manage any telecommunications transmission facility. Applicant does own a switch located in Anaheim, California which will be used to switch its traffic.

7. Applicant applies for a certificate of authority under Chapter 392.440, RSMo (Cum. Supp. 1999), to operate as an intrastate interexchange reseller of telecommunication services and also applies pursuant to Section 392.361, for designation as a competitive telecommunications company. Applicant proposes to offer 1+ services, including prepaid long distance and calling card services, which are already classified as competitive telecommunications services in the state of Missouri. Applicant will not provide 0+ dialing. Both the company and its services will be subject to sufficient competition to justify a lesser degree of regulation. Such regulation will be consistent with the protection of the ratepayer and promote the public interest.

Applicant plans to resell statewide in the state of Missouri.

8. Applicant submits the following reasons in support of its belief that the public interest will be served by approval of this Application. By purchasing a package of interstate, intrastate, and international telecommunication services in large volume, Applicant has been able to obtain a significant discount in the price of those services. The benefits of that discount are passed along in part to the Applicant's customers who, acting individually, could not generate a sufficient volume of business to command a discount from an interexchange carrier on their own.

9. Applicant does not do business under a fictitious name.

10. With respect to customer service or telecommunications rates, the Applicant has no pending actions, final unsatisfied judgements, or decisions against the Applicant by any state or federal regulatory agency or any court of competent jurisdiction within the three years prior to the date of this application.

11. Applicant has no overdue annual reports or assessment fees due the Commission.

12. Applicant will not unjustly discriminate among its customers, which discrimination is prohibited pursuant to Section 392.200.

13. Applicant also respectfully requests, pursuant to Section 392.420, RSMo (Cum. Supp. 1999), that the Commission suspend, waive or modify the application of the following rules and statutory provisions as it relates to the regulation of the applicant interexchange company:

<u>Statutes</u>		<u>Commission Rules</u>	
392.210.2	Uniform System of Accounts	4 CSR 240-10.020	Depreciation Fund Income
392.240(1)	Just and reasonable rates	4 CSR 240-30.010(2)(C)	Copies of rate schedules
392.270	Ascertain property values	4 CSR 240-30.040	Uniform System of Accounts
392.280	Depreciation Accounts	4 CSR 240-33.030	Minimum charge rules
392.290	Issuance of securities	4 CSR 240-35	Bypass
392.300.2	Acquisition of stock		
392.310	Issuance of stock and debt		
392.320	Stock dividend payment		
392.330	Issuance of securities, debt, and notes		
392.340	Reorganization		

The above-referenced rules and statutory provisions have been waived with regard to other interexchange carriers in prior cases. These rules or statutory provisions are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purposes of Section 392.530 to apply them to a competitive telecommunications carrier such as the Applicant.

Applicant's tariff, containing a forty-five (45) day effective date, sets out the proposed services and charges offered by Applicant and is being filed simultaneously with this Application.

WHEREFORE, Applicant respectfully requests the Public Service Commission of Missouri to grant Applicant a Certificate of Service Authority to provide competitive intrastate interexchange telecommunications service within the state of Missouri; an order classifying it as a competitive telecommunications company providing competitive service; an order suspending, waiving, or

modifying the above-referenced rules and statutory provisions as they relate to the regulation of the Applicant in the state of Missouri; and for such further orders as the Commission deems appropriate.

Respectfully submitted,



James M. Fischer, Esq. MBN 27543

FISCHER & DORITY, P.C.

101 Madison Street, Suite 400

Jefferson City, Missouri 65101

Telephone: (573) 636-6758

Facsimile: (573) 636-0383

E-mail: jfischerpc@aol.com

ATTORNEYS FOR APPLICANT

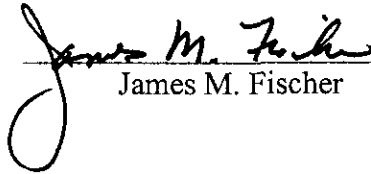
Dated: January 24, 2001

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been hand-delivered or mailed, postage prepaid, this 24th day of January 2001, to:

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


James M. Fischer

STATE OF CALIFORNIA)
)
 COUNTY OF SAN DIEGO) ss

VERIFICATION

Alfonso Lara, on oath, states that he is Chief Financial Officer of Telmex USA, L.L.C, that he is authorized to make this Verification on its behalf, that he had read the foregoing application and is familiar with its contents and that the matters set forth therein are true to the best of his knowledge, information and belief.

Alfonso Lara

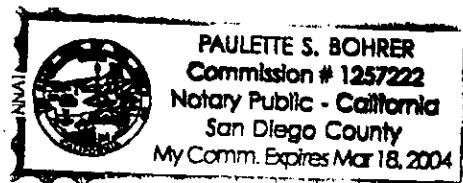
 Alfonso Lara

Sworn to and subscribed before me this 21st day of December, 2000.

Paulette S. Bohrer

 Notary Public

My Commission expires: March 18, 2004



LIST OF EXHIBITS

	EXHIBIT
Copy of Articles of Incorporation	A
Copy of Certificate of Authority as a Foreign Corporation To Transact Business in the State of Missouri	B

EXHIBIT A

ARTICLES OF INCORPORATION



State of Delaware

SECRETARY OF STATE
DIVISION OF CORPORATIONS
P.O. BOX 898
DOVER, DELAWARE 19903

991349428

9300785

08-24-99

TELMEX USA

9444 FARNHAM ST

SUITE 200

SAN DIEGO

CA 92123

ATTN: PAULETTE SYNODIS

DESCRIPTION	AMOUNT
TELMEX USA, L.L.C.	
2723244 0240 Amendment; Domestic	
Amendment Fee	50.00
FILING TOTAL	50.00
TOTAL PAYMENTS	100.00
CHARGED TO ACCOUNT	50.00CR

AMENDMENT TO CERTIFICATE OF FORMATION

OF

TELMEX/SPRINT COMMUNICATIONS, L.L.C.

Pursuant to Section 18-202 of the Delaware Limited Liability Company Act, the Certificate of Formation of Telmex/Sprint Communications, L.L.C. granted February 27, 1997 is amended as follows:

FIRST: The name of the limited liability company (hereinafter called the "limited liability company" is:

Telmex/Sprint Communications, L.L.C.

is amended to read:

FIRST: The name of the limited liability company (hereinafter called the "limited liability company" is:

Telmex USA, L.L.C.

Executed on August 11, 1999



Luis Lopez, COO and Secretary
Telmex International Ventures USA, Inc.
Member

Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF LIMITED LIABILITY COMPANY OF 'TELMEK/SPRINT COMMUNICATIONS, L.L.C.', FILED IN THIS OFFICE ON THE TWENTY-SEVENTH DAY OF FEBRUARY, A.D. 1997, AT 9 O'CLOCK A.M.



A handwritten signature in cursive script, reading 'Edward J. Freel'.

Edward J. Freel, Secretary of State

2723244 8100

971066740

AUTHENTICATION:

8352073

DATE:

02-28-97

CERTIFICATE OF FORMATION

OF

TELMEX/SPRINT COMMUNICATIONS, L.L.C.

The undersigned, an authorized natural person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

FIRST: The name of the limited liability company (hereinafter called the "limited liability company") is:

Telmax/Sprint Communications, L.L.C.

SECOND: The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are:

Corporation Service Company
1013 Centre Road
Wilmington, New Castle County, Delaware 19805-1297

Executed on February 27, 1997

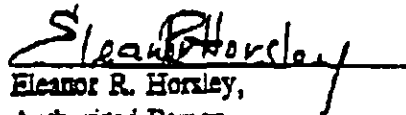

Eleanor R. Horsley,
Authorized Person

EXHIBIT B

**CERTIFICATE OF AUTHORITY
AS A FOREIGN CORPORATION**

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

CORPORATION DIVISION

CERTIFICATE OF CORRECTION

WHEREAS, A STATEMENT OF CORRECTION WAS FILED, CHANGING THE NAME
OF

TELMEX/SPRINT COMMUNICATIONS, L.L.C.

TO:

TELMEX USA, L.L.C.

AN DELAWARE LIMITED LIABILITY COMPANY

NOW, THEREFORE, I REBECCA MCDOWELL COOK, SECRETARY OF THE
STATE OF MISSOURI, I ISSUE THIS CERTIFICATE OF CORRECTION.

IN TESTIMONY WHEREOF, I HAVE SET MY
HAND AND IMPRINTED THE GREAT SEAL OF
THE STATE OF MISSOURI, ON THIS, THE
12TH DAY OF OCTOBER, 1999.

Rebecca McDowell Cook
Secretary of State



\$25.00

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

**CERTIFICATE OF REGISTRATION
FOREIGN LIMITED LIABILITY COMPANY**

WHEREAS,
TELMEX/SPRINT COMMUNICATIONS, L.L.C.

USING IN MISSOURI THE NAME
TELMEX/SPRINT COMMUNICATIONS, L.L.C.

AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE
HAS FILED WITH THIS STATE ITS APPLICATION FOR REGISTRATION AND
WHEREAS THIS APPLICATION FOR REGISTRATION CONFORMS TO THE
MISSOURI LIMITED LIABILITY COMPANY ACT;

NOW, THEREFORE, I, REBECCA MCDOWELL COOK, SECRETARY OF STATE,
STATE OF MISSOURI, BY VIRTUE OF AUTHORITY VESTED IN ME BY LAW,
DO CERTIFY AND DECLARE THAT ON THE 14TH DAY OF OCTOBER, 1998,
THE ABOVE FOREIGN LIMITED LIABILITY COMPANY IS DULY AUTHORIZED
TO TRANSACT BUSINESS IN THE STATE OF MISSOURI
AND IS ENTITLED TO ANY RIGHTS GRANTED
LIMITED LIABILITY COMPANIES.

IN TESTIMONY WHEREOF, I HAVE SET MY
HAND AND IMPRINTED THE GREAT SEAL OF
THE STATE OF MISSOURI, ON THIS, THE
14TH DAY OF OCTOBER, 1998.

Rebecca McDowell Cook

Secretary of State



\$105.00