

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

In the Matter of the Applicant of)
)
NOW Intermedia, Incorporated)
)
For a Certificate of Public Convenience)
And Necessity in the State of Missouri)
For the Purpose of Providing Facilities-)
Based Data High Speed Communications)
Technologies for Non-Basic, Non-Switched)
Local Exchange Services and Interexchange)
Services. (Intralata and Interlata Toll))

Case No. XA-2003-0495
Tariff No. VX-2003-1998

FILED³

JUN 16 2003

**Missouri Public
Service Commission**

AMENDED APPLICATION OF
NOW INTERMEDIA, INCORPORATED
FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Pursuant to the guidelines found in Senate Bill 507, Missouri Title XXV, Chapter 392 of the Missouri Revised Statutes, Rules of Department of Economic Development 4 CSR 240-2.040, 4 CSR 2.060 and 4 CSR 240-2.080, the Public Service Commission and its decisions authorizing local competition in the State of Missouri, NOW Intermedia, Incorporated hereby requests authority to provide non-basic, non-switched, local facilities-based, competitive telecommunications company and to provide interexchange (intraLATA and interLATA toll) digital communication services to customers in the State of Missouri. This Application is submitted by NOW Intermedia, Incorporated in order to be classified as a facilities-based Competitive Local Exchange Carrier ("CLEC") and as an Interexchange Carrier ("IXC") specializing in digital communication services **[4 CSR 240-3.510(1)(A)]**:

Proposed services [4 CSR 240-3.510(1)(B)]:

NOW Intermedia, Incorporated seeks entry as a facilities-based data CLEC and an IXC specializing in high-speed digital communications technologies for non-basic, non-switched, local exchange services and interexchange services (intraLATA and interLATA toll) to customers throughout the State of Missouri.

Applicant offers DS1, DS3, and xDSL services. Facilities-based authority is sought for the entire State for interexchange services and for SWBT service territories for non-basic, non-switched, local exchange services.

The short-term network plan is to deploy a fault tolerant, survivable backbone to counter downtime that any one CO or customer may encounter throughout NOW Intermedia, Incorporated service area.

xDSL are point-to-point non-basic, non-switched, local exchange technologies that allow multiple forms of data, voice, and video to be carried over standard twisted pair copper, or UNEs, on the local loop between the central office and consumer site. As 98% of all potential consumers, business and residential, have installed telephone lines, xDSL is the lower cost solution to traditional T1, Fractional T1, or ISDN lines that carry cost prohibitive installation fees. xDSL utilizes a higher frequency to ride over voice on standard twisted-pair copper. There is no interference. xDSL provides the consumer "always on" business bandwidth over standard twisted-pair copper.

Proposed Tariff

Please see Attachment "1" Regulations and Schedule of Charges for Local Exchange within the State of Missouri.

Applicants further request, pursuant to Section 392.420, RsMo that the Public Service Commission waive the application of the following rules and statutory provisions as they relate to the regulation of the Applicant:

Rule/Statute

392.210.2	Uniform System of Accounts
392.240(1)	Just & Reasonable Rates
392.270	Ascertain Property Values
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 & notes
392.340	Reorganizations
4 CSR 240-10.020	Depreciation fund income

4 CSR 240-30.010 (2)(C)

4 CSR 240-30.040

4CSR 240-32.030 (4) (C)

4 CSR 240-33.030

Rate schedules should be posted at
central office

Uniform system of accounts

File exchange boundary maps
with Commission

Inform customers of lowest price

Respectfully submitted,

NOW Intermedia, Incorporated

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Date: 6/14/03

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Clarification of Attachment # 1 to the Application for Certificate of Convenience and Necessity was mailed this 14th day of June, 2003, via first class mail, postage prepaid to Dale Hardy Roberts, Secretary/Chief Regulatory Law Judge, Secretary of the Missouri Public Service Commission, PO Box 360, 200 Madison Street, Suite 100, Jefferson City, MO 65102-0360; Dana K. Joyce, PO Box 360, 200 Madison Street, Suite 800, Jefferson City, MO 65102; and John B. Coffma, PO Box 7800, 200 Madison Street, Suite 640, Jefferson City, MO 65102 and via federal express to Dale Hardy Roberts, Secretary/Chief Regulatory Law Judge, Secretary of the Missouri Public Service Commission, PO Box 360, 200 Madison Street, Suite 100, Jefferson City, MO 65102-0360.

Michelle C. Clay
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