



Law Department

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FEB 9 2000

**Missouri Public
Service Commission**

February 7, 2000

Judge Dale Hardy Roberts
301 West High Street
Suite 530
Jefferson City, MO 65101

Re: Prism Missouri Operations, LLC

TO-2000-486

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 six (6) copies of missing Appendix ITR page 2 of 21 and General terms and conditions page 94 of 98 for the Interconnection Agreement, which was filed with your office on February 2nd, 2000.

Should there be any questions concerning this submission, please do not hesitate to contact me.

Very Truly Yours

Renée Roland Crittendon
Deputy Chief Counsel-Telecommunications

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BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

Missouri Public
Service Commission

Application of Prism Missouri Operations, LLC)
for Approval of Interconnection Agreement Under)
the Telecommunications Act of 1996)

Case No. TO-2000-486

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

Comes now Prism Missouri Operations, LLC (hereinafter "Prism" or "Applicant") and hereby files this application for Approval of a new Interconnection Agreement (the Agreement) between Southwestern Bell Telephone Company (SWBT) and Prism under the Telecommunications Act of 1996 (the 1996 Act) and would respectfully show the Missouri Public Service Commission (the Commission) the following:

I. THE APPLICANT

Prism is a regulated local telecommunications company under the jurisdiction of this Commission with operations in certified territories in this State. It is a Delaware corporation, duly registered and in good standing with the Missouri Secretary of State. Attached as Attachment 1 is a Certificate of Good Standing-Foreign Corporation issued by the Missouri Secretary of State respecting Prism. Prism obtained its Missouri certificate of service authority for local exchange and basic local exchange service in Case No. TA-2000-31. Prism's corporate capacity, its relationship to this Commission and its operations were part of the record in that case. Prism directs the Commission to this earlier case for further information, if needed, about the company.

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II. INTERCONNECTION/RESALE AGREEMENT REACHED

Prism presents to this Commission for approval an Interconnection Agreement negotiated and executed pursuant to the terms of the 1996 Act (Agreement, filed on February 2, 2000). This Agreement was entered into pursuant to Section 252 (a)(1) of the 1996 Act, and SWBT and Prism executed the agreement effective January 4, 2000. This Agreement contains 1118 pages, together with several Attachments and Appendices. There are no outstanding issues between SWBT and Prism that need the assistance of mediation or arbitration.

III. DESIGNATED CONTACTS

The designated contacts for purposes of this Application are

Ms. Renée Roland Crittendon
Prism Communication Services, Inc.
Suite 200
1667 K Street, N. W.,
Washington, DC 20006
Telephone: 202 263-7979
Fax: 202 263-7978
e-mail-rcrittendon@prismcsi.net

and

Ms. Sophia K. Corona
Prism Communication Services, Inc.
11 Beach Street, 7th Floor
New York, NY 10013
Telephone: 917 305-2221
Fax: 917 305-2080
e-mail-scorona@prismcsi.net

IV. REQUEST FOR APPROVAL

Prism seeks the Commission's approval of the Agreement, consistent with the provisions of the 1996 Act. The implementation of this Agreement complies fully with Section 252 (e) of the 1996 Act because the Agreement is consistent with the public interest, convenience and necessity and does not

discriminate against any telecommunication carrier. The Agreement promotes diversity in providers, and increase customer choices for telecommunications services.

Prism 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 necessary nor appropriate.

V. STANDARD OF REVIEW

The Statutory standards of review are set forth in Section 252 (e) of the 1996 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) **GROUND OF 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 reason set forth above, Prism respectfully asks that the Commission approve the Agreement expeditiously.

Respectfully submitted,

Prism Missouri Operations, LLC

By: Julie A Kaminski

Julie A. Kaminski
Deputy Chief Counsel- Telecommunications
Prism Communication Services, Inc.
Suite 200
1667 K Street, N.W.,
Washington, D.C. 20036

ATTORNEY VERIFICATION

DISTRICT OF COLUMBIA

I, Julie A. Kaminski, being first sworn, do hereby certify, depose and state that I am an attorney for Prism Missouri Operations, 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.

Julie A. Kaminski

Julie A. Kaminski
Missouri Bar # 41713

Subscribed and sworn to before me, a Notary Public, this 7th day of February 2000.



My Commission expires:

Janell J. Bunch

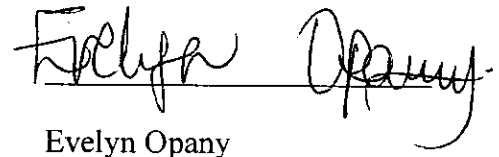
Notary Public

March 31, 2001

Certificate of Service

I hereby certify that a true and correct copy of the above document foregoing document was sent
by overnight mail, on this 7th day of February 2000, to:

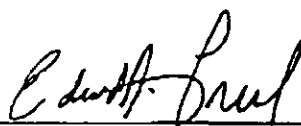
301 West High Street
Room 530
Jefferson City, MO 65101


Evelyn Opany

State of Delaware
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
"TRANSWIRE MISSOURI OPERATIONS, LLC", FILED IN THIS OFFICE ON
THE EIGHTH DAY OF OCTOBER, A.D. 1998, AT 3:30 O'CLOCK P.M.





Edward J. Freel, Secretary of State

2953610 8100

AUTHENTICATION: 9346544

981390683

DATE: 10-08-98

STATE OF MISSOURI



Rebecca McDowell Cook
Secretary of State

**CERTIFICATE OF REGISTRATION
 FOREIGN LIMITED LIABILITY COMPANY**

WHEREAS,
 TRANSWIRE MISSOURI OPERATIONS, LLC

USING IN MISSOURI THE NAME
 TRANSWIRE MISSOURI OPERATIONS, LLC

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 13TH DAY OF NOVEMBER, 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
 13TH DAY OF NOVEMBER, 1998.

Rebecca McDowell Cook
 Secretary of State



\$105.00



STATE OF MISSOURI

Rebecca McDowell Cook, Secretary of State

Corporation Division

FILED

NOV 10 1998

Application for Registration of a Foreign Limited Liability Company

(Submit in duplicate with registration fee of \$105)

(1) The name of the foreign limited liability company is:

Transwire Missouri Operations, LLC

(2) The name under which the foreign limited liability company will conduct business in Missouri is (must contain "limited company", "limited liability company", "LC", "LLC", "L.C.", or "L.L.C.") (must be filled out if different from line (1)):

(3) The foreign limited liability company was formed under the laws of Delaware on the date of _____ (state or jurisdiction)

October 8, 1998

and is to dissolve on perpetual

(month/date/year or event)

(4) The purpose of the foreign limited liability company or the general character of the business it proposes to transact in this state is:

to provide internet and telecommunications services, and to pursue other lawful business purposes.

(5) The name and address of the limited liability company's registered agent in Missouri is (this line must be completed and include a street address):

The Corporation Company 120 S. Central Ave. Clayton, MO 63105
Name Address City/State/Zip

The Secretary of State is appointed agent for service of process if the foreign limited liability company fails to maintain a registered agent. Note: failure to maintain a registered agent constitutes grounds to cancel the registration of the foreign limited liability company.

(6) The address of the registered office in the jurisdiction organized. If none required, then the principal office address of the foreign limited liability company is:

8 West 19th Street, 10th Floor, New York, NY 10011

Name

Address

City/State/Zip

(7) For tax purposes, is the limited liability company considered a corporation? ____ yes ☒ no

In affirmation thereof, the facts stated above are true:

Lynne Beck Oct 28 '98

Authorized signature (please sign and print name)

Authorized signature (please sign and print name)

Authorized signature (please sign and print name)

LLC-4 (10-97)

**CERTIFICATE OF FORMATION
OF
TRANSWIRE MISSOURI OPERATIONS, LLC**

1. The name of the limited liability company is:

Transwire Missouri Operations, LLC

2. The address of its registered office in the State of Delaware is Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, County of New Castle. The name of its registered agent is The Corporation Trust Company.

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Formation as of the 30th day of September, 1998.



Terrence Peck
Sole Manager