

RICHARD S. BROWNLEE III
MICHAEL A. DALLMEYER
DOUGLAS L. VAN CAMP
MICHAEL G. BERRY
JOHN W. KUEBLER
SARA C. MICHAEL
RODNEY D. GRAY
SHANE L. FARROW
KEITH A. WENZEL
KELLIE R. BERTELS
DANIEL W. FOLLETT
CARI D. COLLINS

HENDREN AND ANDRAE, L.L.C.
ATTORNEYS AT LAW
RIVERVIEW OFFICE CENTER
221 BOLIVAR STREET, SUITE 300
P.O. BOX 1069
JEFFERSON CITY, MISSOURI 65102

www.hendrenandrae.com

(573) 636-8135

(573) 636-5226 (Facsimile)

HENRY ANDRAE (Retired)

JOHN H. HENDREN (1907-1988)
CHARLES H. HOWARD (1925-1970)
JOHN E. BURRUSS, JR. (1933-1983)
GERALD E. ROARK (1956-1995)

E-MAIL

richardb@hendrenandrae.com

October 22, 2003

FILED

OCT 22 2003

Mr. Dale Hardy Roberts
Executive Secretary
Missouri Public Service Commission
200 Madison Street, PO Box 360
Jefferson City, MO 65102-0360

**Missouri Public
Service Commission**

RE: In the Matter of the Application of Dial-Around
Telecom, Inc. for a Certificate of Authority to
Provide Interexchange Telecommunications Services in
the State of Missouri
Case No. XA-2004-0085
Tariff File No. YX-2004-0318

Dear Mr. Roberts:

Enclosed please find for filing the original plus eight (8) copies of the Second Amended Application filed on behalf of Dial-Around Telecom, Inc., in the above-captioned matter. The purpose of this filing is to revise the requested statutory and regulatory waivers to comply with interexchange telecommunications service as requested by the Commission its Second Order Directing Filing dated October 21, 2003.

If you should have any questions concerning the enclosed filing, please do not hesitate to contact me. Thank you.

Very truly yours,

HENDREN AND ANDRAE, L.L.C.



Richard S. Brownlee, III

RSB\sa
Enclosures
Public Counsel
General Counsel

FILED

BEFORE THE PUBLIC SERVICE COMMISSION OCT 22 2003
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

IN THE MATTER OF THE APPLICATION)
OF DIAL-AROUND TELECOM, INC.)
FOR A CERTIFICATE OF) CASE NO. XA-2004-0085
SERVICE TO PROVIDE INTEREXCHANGE) Tariff File No. YX-2004-0318
TELECOMMUNICATIONS SERVICES)

SECOND AMENDED APPLICATION

Dial-Around Telecom, Inc., by Hendren and Andrae, LLC,
Richard S. Brownlee, III, and files this verified application
pursuant to 4 CSR 240-2.060 and 4 CSR 240-3.510, and respectfully
requests that the Missouri Service Commission ("Commission") issue
an order that:

(a) Grants Applicant a Certificate of Service Authority to
provide Interexchange telecommunications resale services,
including related operator services, pursuant to Chapter 392 of
the Missouri Revised Statutes and Commission Rules.

(b) Grants competitive status to Applicant.

(c) Waives certain Commission rules and statutory provisions
pursuant to Section 392.420, RSMo Cum. Supp. 1992.

In support of its request, Applicant states:

1. In it's First Amended Application, Applicant
inadvertently included a request for waiver of 4 CSR
240.3.550(5)(c) which did not apply to interexchange
telecommunications carriers such as applicant. The purpose of

this Second Amended Application is to remove the request for waiver of that regulation.

2. The legal name and principal office or place of business of the Applicant is:

Dial-Around Teledom, Inc.
1075 Rosewood Drive
Grapevine, Texas 76051
(817) 329-7424

2. Dial-Around Telecom, Inc. is a Florida Corporation which was certified to transact business in the State of Florida on September 17, 2002. A copy of Applicant's Certificate of Authority to transact business in the State of Missouri as a foreign corporation is attached hereto as **Exhibit A**

3. Name and address of Applicants in-state attorney is:

Richard S. Brownlee III
Hendren and Andrae, LLC
221 Bolivar Street, Suite 300
Jefferson City, Missouri 65102
Telephone: (573) 636-8135
Facsimile: (573) 636-4905

4. Applicant proposes to provide the following interexchange telecommunications services throughout the State of Missouri:

- * 1+ Residential Equal Access
- * 1+ Business Equal Access
- * 800 Service
- * Travel Card Service
- * Debit Card Service
- * Alternate Operator Services

Dial-Around Telecom, Inc. intends to provide telecommunications services as a non-facilities based reseller of

the Interexchange Services utilizing its own switches and underlying carrier's network facilities. The customer will become a customer of applicant, not the underlying carrier. Dial-Around Telecom, Inc. agrees not to block access to any customer or to any other long distance provider or local exchange carrier.

Dial-Around Telecom, Inc. will assume responsibility for billing, trouble reporting, and customer service on the services Dial-Around Telecom, Inc. bills directly. The operator services and residential services will be billed by a third party billing entity who has billing and collection agreements with the LEC's will handle billing, trouble reporting to Dial-Around Telecom, Inc., and initial customer service. All customer service issues that the third party billing entity can not resolve will be sent to Dial-Around Telecom, Inc. to handle directly with the customer.

Directory assistance will be provided by the underlying carrier. Customer service complaints/inquiries may be handled by the following:

Third Party Billing Entity - LEC
ZPDI - Zero Plus Dialing, Inc.
9311 San Pedro, Suite 300
San Antonio, Texas 78216
1-800-879-0734

Mr. Hayri M. Barutcu
Customer Relations
Dial-Around Telecom, Inc.
2637 E. Atlantic Blvd, Suite 242
Pompano Beach, FL 33062
(954)478-0115

5. Applicant has the experience in the telecommunications industry and the technical and financial resources to provide telecommunications services within Missouri.

6. A brief description of the qualification and experience of the Management is attached as **Exhibit B**. Applicant's balance sheet statement is attached as **Exhibit C**.

7. Applicant will file its tariff for approval prior to the granting of the authority sort herein, and hereby request waiver of 4 CSR 240-3.510(1)(C).

8. Applicant request classification as a competitive telecommunications company within the State of Missouri. Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree regulation. Granting of the application will allow greater price and service options to telephone users.

9. Applicant also requests, pursuant to Section 392.420, RSMo (Cumm.Supp.1992), that the Commission waive the application of the following rules and statutory provisions as it relates to the regulation of Applicant.

Statutes

392.210.2
392.240.1
392.270
392.280
392.290
392.300.2
392.310
392.320
392.330
392.340

Commission Rules

4 CSR 240-3.545(2)(C)
4 CSR 240-10.020
4 CSR 240-30.040
4 CSR 240-33.030

The above-referenced rules and statutory provisions have been waived to other interexchange carriers in prior cases. Dial-Around Telecom, Inc. requests waiver of same for the following reasons: It is a non-facilities-based reseller of Interexchange telecommunications services. It is not regulated by the PSC as a monopoly service provider. It relies on the competitive marketplace to determine acceptable terms and rates for the various competitive telecommunications services offered by the company.

10. Applicant has no pending actions or final, unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three (3) years of the date of the application.

11. No annual report or assessment reports are overdue.

12. Applicant pursuant to Section 386.570 RSMo, will comply with all applicable Commission Rules except those which are specifically waived by the Commission pursuant to a request filed by the Applicant.

13. Correspondence or communications pertaining to this Application should be addressed to:

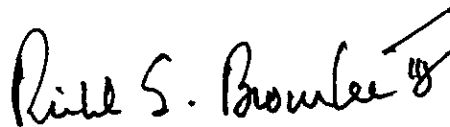
Richard S. Brownlee, III
Hendren and Andrae, LLC
P.O. Box 1069
221 Bolivar Street, Suite 300
Jefferson City, Mo. 65102
(573) 636-8135
(573) 636-5226 (fax)

Mark J. Angell
Dial-Around Telecom, Inc.
1075 Rosewood Dr.
Grapevine, TX 76051
(817) 329-7424
(817) 329-5445 (fax)

WHEREFORE, Applicant respectfully requests that the Missouri Public Service Commission grant it a certificate of service authority to provide Interexchange Telecommunications Services within the State of Missouri. Applicant also request classification as a competitive telecommunications company. In addition Applicant requests a waiver of the above-referenced rules and statutory provisions.

Respectfully submitted,

HENDREN AND ANDRAE, LLC



Richard S. Brownlee, III, #22422
221 Bolivar Street, Suite 300
P.O. Box 1069
Jefferson City, Mo 65102
(573) 636-8135
(573) 636-4905 (facsimile)

ATTORNEYS FOR DIAL-AROUND
TELECOM, INC.

CERTIFICATE OF SERVICE

Comes now Applicant, and states that copies of this Amended Application was hand delivered to the Office of Public Counsel and General Counsel on the 22nd day of October, 2003.



Richard S. Brownlee, III