

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

In the Matter of the Application of)	
Access Point, Inc.)	
for a Certificate of Service Authority to provide)	Case No. CA-2008-0336
Basic Local Exchange Telecommunications Service)	
in Portions of the State of Missouri and to Classify)	
said Services and the Company as Competitive)	

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
TO PROVIDE BASIC LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE AND
FOR COMPETITIVE CLASSIFICATION**

COMES NOW Access Point, Inc., ("Applicant" or "Access Point"), by its undersigned counsel, and hereby applies pursuant to sections 392.361, 392.410, 392.420, 392.430, and 392.450 RSMo. and 4 CSR 240-2.060 and 4 CSR 240-3.510, for authority to provide facilities-based and resold basic local telecommunications service in portions of the State of Missouri , and to classify said service and Applicant as competitive. Pursuant to Sections 392.420 and 392.361, RSMo and 4 CSR 240-32.010(2), Access Point also seeks a waiver of certain Commission rules and statutory provisions. In support of its Application, Access Point states as follows:

1. Access Point, Inc. is a corporation duly organized and existing under and by virtue of the laws of the State of North Carolina, and is duly authorized to conduct business in Missouri. The nature of the Applicant's business is telecommunications. Applicant's principal place of business is 1100 Crescent Green, Suite 109, Cary, North Carolina (NC) 27518. Its telephone number is 919-851-4838 and its toll-free customer service number is 1-800-957-6468.

2. Access Point was previously granted certificate of service authority from the Missouri Public Service Commission to provide interexchange services in Case No. TA-98-106 (Order issued October 15, 1997). Pursuant to 4 CSR 240-2.060(1)(C), a Certificate of Good Standing to transact business in Missouri, issued by the Missouri Secretary of State, is attached hereto and incorporated herein by reference as **Exhibit A**.

3. An officer's verification of the information contained in the Application is attached hereto.

4. All correspondence, communications, pleadings, notices, orders and decisions relating to this Application should be addressed to:

William D. Steinmeier
Mary Ann (Garr) Young
William D. Steinmeier, P.C.
P.O. Box 104595
Jefferson City, Missouri 65110-4595
Telephone: (573) 659-8672
Facsimile: (573) 636-2305

Thomas M. Forte
Consultant to Access Point, Inc.
Technologies Management, Inc.
2600 Maitland Center Parkway, Suite 300
Maitland, Florida (FL) 32751
Telephone: (407) 740-3001
Facsimile: (407) 740-0613

All inquiries or communications regarding the ongoing operations of Access Point should be addressed to:

Jason Brown
Regulatory Affairs
Access Point, Inc.
1100 Crescent Green, Suite 109
Cary, North Carolina (NC) 27518
Telephone: (919) 851-4838
Facsimile: (919) 851-5422

5. By this Application, Access Point requests a certificate of authority to provide

competitive facilities-based and resold basic local exchange services to residential and business customers throughout all exchanges served by Southwestern Bell Telephone, L.P. d/b/a AT&T Missouri (AT&T Missouri). The exchanges in which Access Point seeks authority are listed in the approved tariffs of AT&T Missouri, and will be listed in Applicant's basic local service tariff. Access Point's proposed service areas will follow the respective exchange boundaries of the stated incumbent LEC and shall be no smaller than an exchange as required by Section 392.455(3) RSMo. Applicant may seek authorization to provide service in exchanges served by other incumbent LECs in a subsequent proceeding.

6. Upon certification, Applicant will provide services by combining unbundled network elements and reselling services obtained from AT&T Missouri pursuant to interconnection agreement(s) that Applicant has filed or will file with the Commission. Applicant may also acquire services and facilities from other carriers operating in the State. Access Point will, through interconnection with other carriers or resale of other carriers' services, provide access to 911 and enhanced 911 emergency services and provide directory assistance and operator assisted calling, dual party relay services, and other miscellaneous services currently provided by incumbent local exchange carriers. Access Point intends to provide local service using unbundled network combinations offered by AT&T Missouri and via resold services. Access Point may eventually provide local services via its own switching facilities. Access Point plans to commence offering basic local service upon receiving Commission approval of its interconnection agreement(s) and related tariffs.

7. Pursuant to this Application, Access Point seeks authority to offer and provide all forms of facilities-based and resold basic local telecommunications service to customers within Missouri as defined in 386.020(4) RSMo.

8. Applicant possesses the technical and managerial expertise and experience necessary to provide the services it proposes as required by Section 392.455(1) RSMo. Access Point will initially utilize resold services and combinations of network elements provided by the underlying carrier(s). Underlying carriers will perform all local switching, routing and call completion functions. Company personnel have experience working with underlying carriers of long distance and local services. Applicant's technical and managerial personnel are well qualified to direct the delivery and billing of the proposed services. A listing of Applicant's principal management employees and their qualifications is attached

hereto and incorporated herein as **Exhibit B**.

9. Applicant possesses the necessary financial resources and abilities to provide the services it proposes as required by Section 392.455(1), RSMo and has the necessary capital to conduct its proposed operations in Missouri. Applicant will late-file its financial statements as **Exhibit C**, as permitted by 4 CSR 240-2.060 (2).

10. Access Point, Inc. seeks classification of itself and its services as competitive, with accompanying reduced regulation pursuant to Sections 392.361, RSMo and 4 CSR 240-3.510(1)(A). Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation and that granting this request will allow greater price and service options for telephone users.

11. Access Point, Inc. will offer basic local telecommunications services as a separate and distinct service in accordance with applicable law. Access Point will give consideration to equitable access for all Missourians, regardless of where they might reside or their income, to affordable telecommunications services in Access Point's proposed service areas in accordance with the law.

12. Applicant is willing to comply with all applicable Commission rules and is willing to meet all relevant service standards including, but not limited to, quality of service, billing, and tariff filing and maintenance. Additionally, Access Point agrees that, pursuant to Section 392.455(3), RSMo, its service area shall be no smaller than an exchange. Consistent with the Commission's treatment of other certificated competitive local exchange telecommunications companies, Applicant requests the following statutes and regulations be waived for Access Point, Inc. and its basic and non-basic local exchange service offerings:

STATUTES

392.210.2	- Uniform System of Accounts
392.240.1	- Just and 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 & Debt
392.320	- Stock dividend payment
392.330	- Issuance of securities, debt and notes
392.340	- Reorganization(s)

REGULATIONS

4 CSR 240-3.550(5)(C)	- Exchange boundary maps
4 CSR 240-10.020	- Depreciation fund income
4 CSR 240-30.040	- Uniform system of accounts

13. Applicant acknowledges 4 CSR 240-3.510(1)(C), which requires that a tariff and any applicable interconnection agreements must be filed with the Commission and approved before service can be provided. Applicant will file a proposed basic local exchange services tariff with a forty-five (45) day effective date as soon as possible.

14. Applicant submits that the public interest will be served by Commission approval of this Application because Applicant's proposed service will create and enhance competition and expand customer service options, consistent with the legislative goals set forth in the Telecommunications Act of 1996 and Chapter 392, RSMo. Prompt approval of this Application also will expand the availability of innovative, high quality and reliable telecommunications services within the State of Missouri.

15. Notwithstanding the provisions of Section 392.500, RSMo., as a condition of certification and competitive classification, Access Point agrees that, unless otherwise ordered by the Commission, Access Point's originating and terminating switched exchange access rates will be no greater than the lowest Commission-approved corresponding access rates in effect for each ILEC within those service area(s) in which Applicant seeks authority to provide service. Additionally, pursuant to the Commission's Report and Order in Case No. TO-99-596, Access Point agrees that if the ILEC in whose service area the Applicant is operating decreases its originating and/or terminating access service rates, the Applicant shall file an appropriate tariff amendment to reduce its originating and/or terminating access rates within thirty (30) days of the ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap on switched access rates.

16. Access Point has no pending or final judgments or decisions against it from any state or federal agency or court that involve customer rates or service.

17. Access Point has no annual report or assessment fees that are overdue.

WHEREFORE, Applicant Access Point, Inc. respectfully requests that the Commission grant it a certificate of service authority to provide basic local telecommunications service as herein requested, classify Applicant and Applicant's proposed basic local services as competitive, and grant waivers of aforesaid statutes and regulations, at the Commission's earliest convenience.

Respectfully submitted,

/s/ William D. Steinmeier

William D. Steinmeier MoBar #25689

Mary Ann (Garr) Young MoBar #27951

WILLIAM D. STEINMEIER, P.C

P.O. Box 104595. 2031 Tower Drive

Jefferson City MO 65110-4595

Telephone: 573-659-8672

Facsimile: 573-636-2305

Email: wds@wdspsc.com

Email: myoung@wdspsc.com

ATTORNEYS FOR APPLICANT

Access Point, Inc.

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been served electronically on the Office of Public Counsel at opcservice@ded.mo.gov and on the General Counsel's office at gencounsel@psc.mo.gov this 14th day of April 2008.

/s/ William D. Steinmeier

William D. Steinmeier

VERIFICATION

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

Richard E. Brown, being first duly sworn, deposes and says: That he is the Chief Executive Officer and President for Access Point, Inc. the Applicant in the foregoing Application; that he has read the foregoing Application, knows the contents thereof and is authorized to verify the accuracy of same; and that the statements contained in the Application are true to his best knowledge, information and belief.

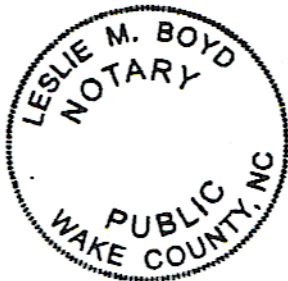
Richard E. Brown

Richard E. Brown
CEO and President
Access Point, Inc.

Subscribed and sworn to before me this 31st day of March 2008.

Leslie M. Boyd

Notary Public



My commission expires: 6-20-12

ACCESS POINT, INC.

APPENDIX A

**Certificate of Authority
from
Missouri Secretary of State**

STATE OF MISSOURI



Robin Carnahan
Secretary of State

**CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING**

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

ACCESS POINT, INC.

using in Missouri the name

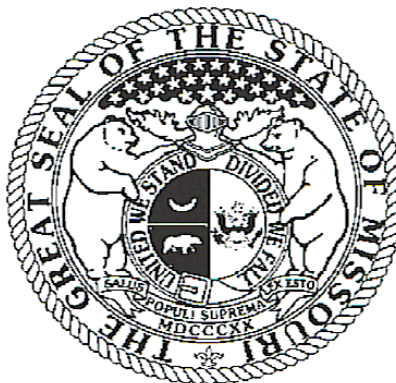
**ACCESS POINT, INC.
F00445490**

a NORTH CAROLINA entity was created under the laws of this State on the 3rd day of September, 1997, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 27th day of February, 2008

A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State



ACCESS POINT, INC.

APPENDIX B

Profiles of Key Management Employees

Key Management

Access Point, Inc. was founded in 1996 by a team with over 50 years of combined experience. The following is a brief description of the qualifications and experience of Access Point's senior management team.

Richard E. Brown – CEO. Mr. Brown founded Access Point in March 1996. Prior to founding Access Point, he was employed at BTI which was then a regional reseller serving the BellSouth region. As a key executive of BTI, Mr. Brown helped to grow the organization from \$2.2 million in sales to over \$120 million and from 15 employees to over 500. Mr. Brown joined BTI in 1986 as Controller, and was promoted to Executive Vice President of Finance in 1991. In that role, he wrote the business plan and raised \$10 million in seed capital to start FiberSouth, a competitive access provider, as well as securing all financing required to grow BTI. In 1993, Mr. Brown also helped found Optex, a telecom billing company that specialized in developing software for switchless resellers. He served on the Board until it was sold in 1997 to Clairmont Technology and ultimately to CBSI, a publicly traded worldwide provider of information technology services. From 1980 to 1982, he was senior cost accountant at Brown Boveri Electric. In 1983, he joined Baker Perkins in Goldsboro as a plant cost accountant, and was promoted to General Accounting Manager in 1985. Mr. Brown is a 1979 graduate of the University of South Carolina with a BA in Accounting and became a CPA in 1987.

Robin A. Byers – COO. Mr. Byers joined Access Point in March 1996 as a co-founder. Over the last 20 years Mr. Byers has held a series of sales and management positions in the telecom industry. In 1990, he joined BTI as a Regional Sales Manager, was promoted to Divisional Sales Manager in 1992 and then to Director of Sales in 1994. As the Director of Sales, was responsible for leading the Direct Sales efforts at BTI. Mr. Byers led a Sales Team consisting of 150 Sales Representatives in 26 offices in the Southeast and Mid-Atlantic regions of the U.S. While in that role, Mr. Byers increased the average revenue-per-rep in the Direct Sales force by 11% and successfully opened 5 new markets. From 1986 to 1990, Mr. Byers was employed as a Sales Representative and promoted to Sales Manager at MOBILECOMM, a BellSouth Company. Mr. Byers attended Ohio State University.

J. Sean Wilson – Controller. Sean Wilson joined Access Point in early 2004 and brings more than 13 years of unique and diverse financial experience to the company. Mr. Wilson joined us from Deltacom Communications/BTI where he served as Manager of Accounting Operations. While employed with DeltaCom/BTI, Mr. Wilson held other positions such as General Ledger Manager and Revenue Assurance Manager. Mr. Wilson is a graduate of North Carolina State University with a Degree in Accounting. He is also a Certified Public Accountant and Certified Management Accountant.

Gregory Taylor – Vice President of Information Services

Mr. Taylor first joined Access Point in April 1999 with over six years of experience in the industry. Prior to that, he held the position of VP of Operations with Topcoat Software, Inc. a company that he helped form in 1998. Before the formation of that venture, he was with BTI for a period of six years, beginning as a Cost Analyst in 1992 and rising to the position of Cost Accounting Manager in 1997. In 2001 Mr. Taylor left the company for a period, working for Convergys – Information Management Group in the implementation of their billing and order tracking applications. He then re-joined Access Point in 2002 to head up the development of the company's next-generation OSS. Mr. Taylor received a BS in Accounting from East Carolina University in 1991.

Debra Pasquale – Vice President of Service Delivery

Mrs. Pasquale brings nearly 20 years of telecommunications experience to Access Point. Working for companies such as AT&T and BTI, Debra has proven herself to be a results-driven professional with excellent leadership and management skills. Most recently, Debra held the position of Vice President of Service Delivery with ITC-Deltacom. Her career with ITC-Deltacom spanned a nine-year period, where she began as a provisioner / circuit designer. She was promoted several times up through management, becoming a Vice President with the first eight years. Her outstanding performance has been recognized by the receipt of several awards including the Operational Excellence Award for Extraordinary Achievement and the Sales MVP in 2003. Debra is currently attending Wake Technical Community College.

Chris Kasprzak – Director of Customer Service

Mr. Kasprzak has over 15 years of telecommunications and service experience. He joined Access Point in 2000 and was promoted to Director of Customer Service in 2004. His previous experience includes ten years at GTE/Verizon, where he was responsible for major account development and management of a national Call Center. Prior to that, Mr. Kasprzak worked as a Sales and Marketing Director for the hotel industry. Mr. Kasprzak holds a BA in Public Administration from North Carolina Central University.

Scott Blanton – Director of Information Technology

Scott Blanton came to Access Point from Easter Seals of North Carolina where he served as Network Administrator from December 1995 to October 1998. Before that he was in IT Services at BTI, beginning with them in July 1994. Mr. Blanton has 8 years of industry and management experience. He holds multiple Certifications in the IT field including; Microsoft Certified Systems Engineer and Certified Novell Engineer. Mr. Blanton holds a BA in History from North Carolina State University, August 1993.

Jared Welch – Director of Product Development

Mr. Welch brings over 9 years of management experience to Access Point. Prior to joining Access Point, he owned and operated his own businesses. Before becoming an entrepreneur, he worked with a telecommunications company, BTI, in their service provisioning department where he received an award for making an immediate impact in the 2nd quarter of 1999. Before joining the telecommunications industry, Mr. Welch was a Manager for Midway Airlines in their Baggage Service and Operations departments from 1996 to 1999. Mr. Welch joined Access Point in 2000 and was promoted to Local Service Manager in 2001 and then on to become a Director in 2004. Mr. Welch attended the University of NC at Chapel Hill.

Jim Hart – Director of Operational Support Systems

James Hart joined Access Point in 1999 after serving several years with MCI/WorldCom. After starting with Access Point as a member of the billing team, Mr. Hart rose to the position of Billing Manager and was promoted to Director of Operational Support Systems in 2006. Through his 8 years of telecommunications and service experience, Mr. Hart has successfully lead the implementation and management of multiple OSS/BSS systems. Mr. Hart received a BS in Business Administration from the Kenan-Flagler Business School at the University of North Carolina at Chapel Hill.

ACCESS POINT, INC.

APPENDIX C

Financial Information

(to be late-filed)
