

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

In the Matter of the Application of	)	
<b>DCT Telecom Group, Inc.</b>	)	
for Certificate of Service Authority to Provide	)	
Intrastate Interexchange and Non-Switched	)	Case No. _____
Local Exchange Telecommunications Services	)	
within the State of Missouri and for	)	
Competitive Classification.	)	

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY  
AND FOR COMPETITIVE CLASSIFICATION**

Comes now DCT Telecom Group, Inc. ("Applicant" or "Company"), by and through counsel, and pursuant to Sections 392.361, 392.410, 392.420, 392.430, 392.440 RSMo, and 4 CSR 240-2.060 and 4 CSR 240-3.510, files this verified Application requesting that the Missouri Public Service Commission (hereinafter "the Commission") issue an order that:

- (a) grants Applicant certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services, pursuant to Chapter 392 RSMo;
- (b) grants competitive status to Applicant and Applicant's requested services;
- (c) waives certain Commission rules and statutory provisions pursuant to Sections 392.420 and 392.361 RSMo, consistent with the Commission's past treatment of other certificated providers of competitive interexchange and non-switched local exchange telecommunications services; and
- (d) approves Applicant's separately submitted proposed tariff.

In support of its request, Applicant states that:

1. Applicant is a foreign corporation formed and operating under the laws of the State of Ohio and is duly authorized to transact business in the State of Missouri. The character of the business performed by Applicant is telecommunications. Pursuant to the

relevant provisions of 4 CSR 240-2.060, a certificate of authority from the Missouri Secretary of State's Office is attached hereto and incorporated herein by reference as **Appendix A**. Applicant's principal place of business is 27877 Clemens Road, Westlake, OH 44145.

2. All communications, notices, orders and decisions respecting this Application and proceeding should be addressed to:

William D. Steinmeier  
Mary Ann (Garr) Young  
William D. Steinmeier, P.C.  
2031 Tower Drive  
Jefferson City, Missouri 65109  
Tel: (573) 659-8672  
Fax: (573) 636-2305  
Email: [wds@wdspc.com](mailto:wds@wdspc.com)  
[myoung0654@aol.com](mailto:myoung0654@aol.com)

Patrick D. Crocker  
Early, Lennon, Crocker & Bartosiewicz, P.L.C.  
900 Comerica Building  
Kalamazoo, Michigan 49007-4752  
Tel: (269) 381-8844  
Fax: (269) 381-8822  
Email: [pcrocker@earlylennon.com](mailto:pcrocker@earlylennon.com)

with a copy to:

Anthony F. Romano, Jr.  
DCT Telecom Group, Inc.  
27877 Clemens Road  
Westlake, OH 44145  
Telephone: (440) 892-0300

Questions concerning Applicant's ongoing operations should be directed to Mr. Romano at the above address and phone number. Questions regarding Applicant's proposed tariff should be directed to Ms. Young.

3. By this Application, Applicant proposes to provide various types of intrastate interexchange and non-switched local exchange (private line) telecommunications services throughout the state of Missouri. Specifically, Applicant seeks authority to provide a full range of "1+" interexchange services, MTS, out-WATS, in-WATS, and Calling Card Services, and where appropriate, non-switched local exchange/private line services.

Applicant will provide telecommunications services to residential and business customers.

4. Pursuant to 4 CSR 240-3.510(1), which requires that an application for a certificate of service authority to provide interexchange, local exchange or basic local exchange service shall include a proposed tariff with no less than a forty-five (45) day effective date, Applicant is separately filing its proposed interexchange (IXC) and non-switched local exchange (LE) tariff, designated as P.S.C. Mo. No. 1. Applicant's proposed tariff contains the rules, conditions and description of services and rates, and bears an effective date forty-five (45) days after the issued date. Applicant respectfully requests approval of its IXC and non-switched local exchange tariff, P.S.C. Mo. No. 1.

5. Applicant requests that it and all its services proposed herein be classified as competitive. Applicant believes that the highly developed state of the interexchange and local exchange telecommunications services market in Missouri and nationwide ensures that its proposed services will be subject to sufficient competition to warrant a less rigorous degree of regulation.

6. As a new market entrant, Applicant requests streamlined regulatory treatment afforded similarly situated telecommunications carriers in Missouri. Likewise, to the extent the Commission has granted other competitive interexchange and local exchange carriers waiver of certain of the Commission's rules and regulations, Applicant respectfully requests that it be granted the same waivers.

7. Consistent with the Commission's treatment of other certificated telecommunications companies, Applicant respectfully requests that, pursuant to §392.361.5 and §392.420, RSMo, the following statutes and regulations be waived with

respect to its interexchange and non-switched local exchange service offerings:

### **STATUTES**

§ 392.210.2	--	Uniform System of Accounts
§ 392.240(1)	--	Rates-Rentals-Service & Physical Connections
§ 392.270	--	Valuation of Property (Ratemaking)
§ 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 and Notes
§ 392.340	--	Reorganization(s)

### **RULES**

4 CSR 240-3.545(2)(C)	--	Posting of Tariffs
4 CSR 240-10.020	--	Depreciation Fund Income
4 CSR 240-30.040	--	Uniform System of Accounts
4 CSR 240-33.030	--	Minimum Charges

8. Applicant will comply fully with all applicable Commission rules except those that are specifically waived by the Commission pursuant to the Company's request herein. To the extent that the Commission may modify its waiver policies, Applicant respectfully reserves the right to amend its waiver requests accordingly.

9. Pursuant to 4 CSR 240-2.060 (1) (K), Applicant states that it does not have any pending action 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 with three (3) years of the date of this Application.

10. Pursuant to 4 CSR 240-2.060 (1) (L), Applicant states that no Commission

annual report or assessment fees are overdue.

11. Applicant is financially capable of providing the services proposed. Applicant also possesses the necessary technical and managerial expertise and experience necessary to provide the services it proposes to offer at standards that will meet or exceed all service standards established by the Commission.

12. Applicant submits that the public interest will be served by Commission approval of this application because Applicant's proposed services will create and enhance competition and expand customer service options consistent with the legislative goals set forth in the federal 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.

WHEREFORE, DCT Telecom Group, Inc. respectfully requests that the Commission: (1) grant it certificate of service authority to provide intrastate interexchange and non-switched local exchange telecommunications services within the State of Missouri; (2) grant Applicant and its proposed services competitive status; (3) waive the application of the above-referenced statutes and Commission rules; and (4) approve its separately-submitted tariff.

Respectfully submitted,

***/s/ William D. Steinmeier***

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William D. Steinmeier, MoBar #25689  
Mary Ann (Garr) Young, MoBar #27951  
WILLIAM D. STEINMEIER, P.C.  
2031 Tower Drive  
P.O. Box 104595  
Jefferson City, MO 65110-4595  
(573) 659-8672 (phone)  
(573) 636-2305 (fax)  
[wds@wdspsc.com](mailto:wds@wdspsc.com)  
[myoung0654@aol.com](mailto:myoung0654@aol.com)

ATTORNEYS FOR DCT TELECOM GROUP, INC.

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Verified Application has been served electronically on the General Counsel's Office and the Office of the Public Counsel this 7th day of June 2004.

***/s/ William D. Steinmeier***

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William D. Steinmeier

**APPENDIX A**  
**Secretary of State Certificate**

# STATE OF MISSOURI



Matt Blunt  
Secretary of State  
CERTIFICATE OF AUTHORITY

WHEREAS,

*DCT TELECOM GROUP, INC.*  
*F00573157*


using in Missouri the name

*DCT TELECOM GROUP, INC.*

has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of Ohio.

NOW, THEREFORE, I, MATT BLUNT, Secretary of State of the State of Missouri, do hereby certify that said corporation is from this date duly authorized to transact business in this State, and is entitled to all rights and privileges granted to Foreign Corporations under the General and Business Corporation Law of Missouri.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 2nd day of March, 2004.

  
Secretary of State





## Verification

**VERIFICATION**

Anthony F. Romano, Jr., President of DCT Telecom Group, Inc., first being duly sworn  
h, deposes and says that he has read the foregoing Application and verifies that the  
ents made therein are true and correct to the best of his knowledge, information and

DCT Telecom Group, Inc.

By:

Anthony F. Romano  
Anthony F. Romano, Jr.

The foregoing instrument was acknowledged before me this 22 day of July 2003  
hony F. Romano, Jr.

Donald E. Jamison, Notary Public  
State of Ohio  
NOTARY PUBLIC: Commission Expires July 22, 2007  
My Commission Expires: \_\_\_\_\_  
County of Cuyahoga State of Ohio