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September 3, 2003

FILED²

SEP 03 2003

Missouri Public Service Commission
Attn: Secretary of the Commission
200 Madison Street, Suite 100
P.O. Box 360
Jefferson City, Missouri 65102-0360

Missouri Public
Service Commission

Re: Everest Connections Corporation

Dear Mr. Roberts:

Please find enclosed for filing an original and eight (8) copies of the Application For Cancellation of Certificates and Tariffs filed on behalf of Everest Connections Corporation.

Copies of the filing have on this date been hand-delivered to the General Counsel's Office and the Office of the Public Counsel. Thank you.

Sincerely,


Brent Stewart

CBS/bt

Enclosure

cc: General Counsel
Office of the Public Counsel
Rachel Lipman Reiber

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

ORIGINAL²

SEP 03 2003

Missouri Public
Service Commission

In the Matter of the Application of Everest)
Connections Corporation for cancellation)
of its certificates of service authority and)
tariffs.)

Case No. _____

APPLICATION FOR CANCELLATION OF CERTIFICATES AND TARIFFS

Comes now Everest Connections Corporation ("Applicant"), pursuant to Section 392.410(5) RSMo 2000 and 4 CSR 240 2.060, and for its Application For Cancellation of Certificates and Tariffs, respectfully states as follows:

I. 4 CSR 240-2.060 REQUIREMENTS

1. Pursuant to 4 CSR 240-2.060(1)(A), Applicant states that its full legal name is Everest Connections Corporation, and for purposes of this Application its mailing address is 9647 Lackman Road, Lenexa, Kansas 66219, telephone number (913) 322-9624, fax number (913) 322-9729¹. Based on current Missouri Secretary of State records, Applicant is a foreign corporation existing under the laws of the State of Delaware and is duly authorized to operate as a foreign corporation in the state of Missouri.² Applicant states that it has provided to the Commission the Missouri Secretary of State documents required under 4 CSR 240-20.060(1)(E) in Case No. TA-2000-452, that such documents are still correct, and that same are incorporated herein by reference pursuant to 4 CSR 240-2.060(1)(G).

¹ Applicant's former mailing address at the time of initial certification was 5555 Winghaven Blvd., O'Fallon, Missouri 63366.

² Applicant has filed for State of Delaware approval to convert its corporation into a limited liability company as part of an overall corporate reorganization but has not yet received the related Missouri Secretary of State approval as of the date of this filing.

2. Pursuant to 4 CSR 240-2.060(1)(H), Applicant states that it received its certificate to provide basic local telecommunications service in Case No. TA-2000-452³ and its certificate of service authority to provide interexchange/non-switched local exchange telecommunications service in Case No. TA-2000-623. However, prior to actually offering and providing service to any Missouri customers, a corporate reorganization decision was made at the holding company level to offer the Company's telecommunications services henceforth through Applicant's newly formed affiliate, Everest Midwest Licensee, L.L.C., rather than through Applicant.⁴ Accordingly, despite having a legal corporate existence and remaining in the Commission's records as a competitive telecommunications company, Applicant has not in fact served any Missouri customers nor has it been otherwise "operational" as a practical matter since its initial certification and tariff approval. At about the time of Applicant's affiliate's certification by the Commission, Applicant sought (with the concurrence of the Commission Staff) to have its existing certificates and tariffs canceled. However, the Commission declined to do so for procedural reasons⁵, with the result being that Applicant has since officially remained on the Commission's "books" in form if not truly in substance. Applicant has since

³ The basic local exchange telecommunications service areas granted to Applicant in Case No. TA-200-452 were "all the exchanges currently served by the incumbent local exchange telecommunications companies of Southwestern Bell Telephone Company (SWBT), Sprint/United Telephone Company (Sprint), and GTE Midwest, Inc. (GTE)." Applicant received a statewide territory for Applicant's interexchange/non-switched local exchange authority in Case No. TA-2000-623.

⁴ Applicant's affiliate, Everest Midwest Licensee, L.L.C., received its basic local, interexchange and non-switched local exchange certificates in Case No. TA-2001-350 and tariff approval in Case Nos. TT-2001-352, TT-2001-353, and TT-2001-354.

⁵ See, Case No. TM-2001-313, *In the Matter of the Application of Everest Connections Corporation for Authority to Transfer Its Certificates of Service Authority to Provide Basic Local Telecommunications Services and to Provide Intrastate Interexchange and Non-Switched Local Exchange Telecommunications Services in the State of Missouri*.

changed its local counsel and the in-house personnel responsible for Applicant's regulatory affairs. This Application is being filed to at last reflect the reality of Applicant's situation and to finally have its certificates and tariffs canceled.

3. All correspondence, communications, notices, orders and decisions regarding this Application should be directed to:

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9647 Lackman Road
Lenexa, Kansas 66219
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(913) 322-9729 (fax)

4. Pursuant to 4 CSR 240-2.060(1)(K), Applicant states that it has no 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 within three (3) years of the date of this Application.

5. Pursuant to 4 CSR 240-2.060(1)(L), Applicant states that it has had no Missouri revenues or customers since the date of its certification, and that as such and based upon prior communications with the Commission Staff, no assessment fees are overdue. Applicant further states that with the exception of calendar year 2000, it unfortunately has not any subsequent annual reports. However, Applicant's failure to do so was not based on any desire on Applicant's part to ignore the Commission's regulatory requirements but rather was the result of a combination of the following factors: the 2001 corporate reorganization and delays in obtaining all necessary and related documentation from the State of Delaware and the Missouri Secretary of State's office; this Commission's certification and ongoing regulation of

Applicant's affiliate⁶, two physical moves of overall company operations and personnel changes since Applicant's initial certification; a recent change of local counsel; and the recent discovery by current company in-house personnel that Applicant had not in fact filed its past annual reports when required. As Applicant was never truly operational and has never served any Missouri customers, and under the peculiar circumstances here presented, Applicant respectfully submits that it would not be detrimental to the public interest, and that good cause exists, for the Commission to waive the requirement for Applicant to file any past-due annual reports and requests that (to the extent deemed necessary) the Commission do so when it issues its order in this case.

6. Pursuant to 4 CSR 240-2.060(1)(M), the notarized verification of Rod M. Siemers, Chief Financial Officer of Everest Global Technologies Group, L.L.C. (Applicant's parent corporation), is attached hereto and incorporated herein by reference.

II. BASIS OF APPLICATION

7. Despite being duly authorized to provide basic local exchange and interexchange/non-switched local exchange telecommunications services in Missouri in early 2000, Applicant has *never* provided any service to any Missouri customers nor has it been otherwise operational as a going concern, telecommunications company. Instead, Applicant's affiliate, Everest Midwest Licensee L.L.C., received its separate basic local exchange and interexchange/non-switched local exchange authority from this Commission in August 2001⁷ and began providing service to customers in Missouri in December 2001. Applicant earlier

⁶ To Applicant's knowledge, Applicant's affiliate is current with all assessments and annual reports.

⁷ See, Case Nos. TA-2001-350, TT-2001-352, and TT-2001-354.

had attempted in separate Commission proceedings to rescind its certificates and tariffs, but as previously mentioned, such efforts proved unsuccessful. Applicant subsequently has changed its local counsel and in-house regulatory affairs personnel, and by this Application, Applicant is now attempting to conform the Commission's regulatory records with reality.

8. Applicant does not currently offer service or actually serve any customers in Missouri and has no plans to ever do so in the future. Accordingly, no existing Missouri customers will be adversely affected by the Commission granting this Application and the customer protection requirements of Section 392.460 RSMo 2000 necessarily have been satisfied.

9. Despite Applicant's certificates of service authority and tariffs remaining in effect for purposes of the Commission's records, Applicant's corporation for all practical purposes has been operationally dissolved and is not offering or providing telecommunications services. Granting this Application provides the Commission with an efficient way to "purge" its records once and for all in the interest of regulatory economy without the need for any further regulatory action or proceedings.

10. Section 392.410(5) RSMo 1994 authorizes the Commission to alter or modify any certificate of service authority upon application of the company affected. Given all of the above, there is no legitimate reason for Applicant's existing certificates and tariffs to remain in effect and the public interest would be best served by now canceling same.

WHEREFORE, Applicant Everest Connections Corporation respectfully requests that the Commission issue its order canceling Applicant's certificates of service authority and tariffs and for any other orders deemed just and reasonable in the premises.

Respectfully submitted,

Charles Brent Stewart

Charles Brent Stewart, MoBar#34885

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that an original and fourteen copies of the foregoing was filed with the Records Department of the Missouri Public Service Commission, with a copy also sent to the General Counsel's Office and the Office of the Public Counsel by hand-delivery, this 3rd day of September, 2003.

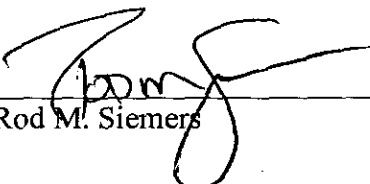
Charles Brent Stewart

VERIFICATION


State of Kansas)
) ss
County of Johnson)

I, Rod M. Siemers, being duly sworn upon oath, state:

1. I am Chief Financial Officer and Treasurer of Everest Global Technologies Group, LLC, which is the corporate parent of Everest Connections Corporation.
2. I have read and am familiar with the foregoing Application for Cancellation of Certificates and Tariff for Everest Connections Corporation.
3. The statements contained in the Application for Cancellation of Certificates and Tariff are true and correct to the best of my knowledge and belief.
4. I have been duly authorized to approve the filing of this Application for Cancellation of Certificates and Tariffs and have authorized local counsel, Stewart & Keevil, L.L.C., to make this filing on the Company's behalf.


Rod M. Siemers

Subscribed and sworn before me this 26 day of August, 2003.


Notary Public

