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May 17, 2005

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Secretary/Chief Administrative Law Judge Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102

Missouri Public Service Commission

MAY 1 7 2005

Re:

Application of Chariton Valley Telecom Corporation for Designation as a Telecommunications Carrier Eligible for Federal Universal Service Support pursuant to 254 of the Telecommunications Act of 1996.

Dear Secretary:

Enclosed for filing please find an original and eight (8) copies of the Application for Designation as an Eligible Carrier.

Thank you for seeing this filed.

Sincerely,

Lisa Cole Chase

LCC:sjo

Enclosure

CC: PSC General Counsel OPC General Counsel

Jim Simon

FILED³

BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

Missouri Public Service Commission

Application of Chariton Valley Telecom Corporation)	
for Designation as a Telecommunications Carrier) Case No	_
Eligible for Federal Universal Service Support)	
pursuant to § 254 of the Telecommunications	.)	
Act of 1996)	

APPLICATION FOR DESIGNATION AS AN ELIGIBLE CARRIER PURSUANT TO § 254 OF THE TELECOMMUNICATIONS ACT OF 1996

COMES NOW Chariton Valley Telecom Corporation ("CV Telecom") and pursuant to § 254 of the Telecommunications Act of 1996 ("the Act"), as well as the Federal Communications Commission ("FCC") regulations found at 47 CFR 54.201, et seq. issued with the May 7, 1997 Report and Order of the FCC in FCC Docket No 96-45, and herby requests that the Missouri Public Service Commission ("Commission") designate it as a telecommunications carrier eligible under the provisions of 47 CFR 54.201(d) to receive federal universal service support.

In support of this application, CV Telecom states to the Commission as follows:

1. CV Telecom is a competitive local exchange carrier ("CLEC") certified by the Commission to provide basic local telecommunications services in the State of Missouri in Case No. TA-2002-238. CV Telecom's street address and principal place of business is 109 Butler, Macon, Missouri 63552. CV Telecom telephone number is (660) 395-9600, and facsimile number is (660) 395-4403. CV Telecom is a Missouri corporation, and copy of a Certificate of

Good Standing from the Missouri Secretary of State is marked Appendix A and attached hereto.

- 2. CV Telecom's Interconnection Agreement with Spectra for Macon, Missouri was approved by the Commission in CK-2003-0104. CV Telecom's Interconnection Agreement with Southwestern Bell Telephone, L.P. d/b/a "SBC Missouri" for the termination of toll traffic to Macon was approved by the Commission in Case No. TK-2004-0199. Pursuant to tariffs approved by the Commission, CV Telecom provides basic local telecommunications service through the use of its own facilities in one Missouri exchange, Macon.
- 3. All Correspondence, pleadings, notices, orders, and decisions in this matter should be addressed to:

Jim Simon Chariton Valley Telecom Corp. 109 Butler Macon, MO 63552 (660) 395-9600 (660) 395-4403 FAX jsimon@cvalley.net

Craig S. Johnson Andereck, Evans, Milne, Peace & Johnson, L.L.C. P.O. Box 1438 Jefferson City, MO 65102-1438 573-634-3422 573-634-7822 FAX cjohnson@aempb.com

4. Section 214(e)(1) of the Act states that a carrier may be designated as an eligible telecommunications carrier and therefore receive universal service support, so long as the carrier, throughout its service area: (1) offers the services that are supported by federal universal service support mechanisms under § 254(c) of the Act; (2) offers such services using its own facilities or a combination of its own facilities and resale of another carrier's services, including the services offered by another eligible telecommunications carrier; (3) advertises the availability of and charges for such services using media of general

distribution. Title 47 of the Code of Federal Regulations § 54.201(b) states that the commission shall, on its own motion or upon request, designate a common carrier an "eligible telecommunications carrier" so long as the carrier meets the requirements of 47 CFR 54.201(d). Title 47 CFR §54.201(c) further states that upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated by the State commission, so long as the additional requesting carrier meets the requirements of § 54.201(d).

- 5. CV Telecom, through its own facilities, offers all of the services supported by federal universal service support under § 54.201(d). Specifically, CV Telecom offers the following services:
 - 1. voice grade access to the public switched network;
 - 2. local usage;
 - 3. dual tone multi-frequency signaling or its functional equivalent;
 - 4. single-party service or its functional equivalent;
 - 5. access to emergency services;
 - access to operator services;
 - access to inter-exchange service;
 - 8. access to directory assistance; and
 - 9. toll limitation for qualifying lower-income customers.

- 6. Applicant will advertise the availability of and charges for such services using media of general distribution within its area.
- 7. Applicant acknowledges that 47 CFR 54.405 requires all eligible telecommunications carriers to make Lifeline services (as defined in 47 CFR 54.401) available to qualifying low-income customers. Applicant states Lifeline services are available to qualifying low income consumers in it's service area.
- 8. Applicant does not have any pending action, or final unsatisfied judgment 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.
- 9. Applicant does not have any annual reports or assessment fees that are overdue.

WHEREFORE, on the bases of the foregoing CV Telecom respectfully requests that the commission designate it as a telecommunications carrier eligible under the provisions of 47 CFR 54.201(d) to receive federal universal service support and for such other orders as are deemed necessary or convenient in this matter.

ANDERECK, EVANS, MILNE, PEACE & JOHNSON, L.L.C.

by Ana Chall

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ATTORNEYS FOR CHARITON VALLEY TELECOM CORP.

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was hand delivered or mailed, via U.S. Mail, postage prepaid, this day of May, 2005, to the following parties to:

General Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

General Counsel Office of the Public Counsel P.O. Box 7800 Jefferson City, MO 65102

Attorney for Chariton Valley Telecom Corp.

VERIFICATION

I, James Simon, having been duly sworn upon my oath, that I am General Manager of Chariton Valley Telecom Corporation, the Applicant, and am authorized by the Applicant to execute the foregoing Application and to make this Affidavit on its behalf, and that the matters and things state in the foregoing Application and following Appendices are true and correct to the best of my knowledge, information and belief.

Janies Simon

STATE OF MISSOURI)
COUNTY OF

Subscribed and sworn to me, a Notary Public, on this $\frac{10^{+1}}{10^{-1}}$ day of $\frac{1}{10^{-1}}$, 2005.

AUDRA E. LINEBAUGH
Notary Public - Notary Seal
STATE OF MISSOURI
Chariton County
My Commision Expires: May 27, 2006

Notary Publ

My commission expires May 27, 2006