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February 2, 1999

VIA FEDERAL EXPRESS

Mr. Dale Roberts
Executive Secretary
Missouri Public Service Commission
301 W. High Street, Suite 530
Jefferson City, MO 65101

FILED
FEB 3 1999
Missouri Public
Service Commission

Re: *In the Matter of the Application of Harcourt Telco, L.L.C. For a Certificate of Public Convenience and Necessity in the State of Missouri For the Purpose of Providing Data High Speed Communications Technologies for Non-Basic, Non-Switched Local Exchange Services and Interexchange Services. (IntraLATA and InterLATA Toll) and Designation as a Competitive Telecommunications Company*
Case No. TA-99-150

Dear Mr. Roberts:

310

Enclosed for filing with the Commission are the original and 14 copies of:

1. Page 4 of the Application;
2. The title page of the Tariff;
3. Page 4 of the Tariff;
4. Page 16 of the Tariff;
5. Page 17 of the Tariff; and
6. Page 18 of the Tariff.

The changes made to each of these pages were at the suggestion of the Missouri Public Service Commission. Also enclosed are two additional copies of each of these document, which I would ask that you return marked "filed" in the enclosed envelope. By copy of this letter, two copies of this document have been sent to the Office of Public Counsel. If you should have any question, please do not hesitate to contact me.

Mr. Dale Roberts
February 2, 1999
Page 2

SONNENSCHN NATH & ROSENTHAL

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

Lisa Creighton
Lisa C. Creighton

LCC/cmw
Enclosures

cc: Office of Public Counsel (w/enclosures)

PARTICIPATING CARRIERS

None

EXPLANATION OF SYMBOLS

R - to signify a rate reduction
I - to signify a rate increase
C - to signify a changed regulation
T - to signify a change in text but no change in a rate
or regulation
S - to signify a reissued matter
M - to signify a matter relocated without change
N - to signify a new rate or regulation
D - to signify a discontinued rate or regulation
Z - to signify a correction
N/A - to signify a non-active service

WAIVERS

Pursuant to Case No. TA-99-150, the Missouri Public Service Commission has waived the following statutes and rules:

	<u>Statutory Provisions</u>
392.210.2	System of Accounts
392.240(1)	Rates-reasonable average return on investment
392.270	Property valuation
392.280	Depreciation rates
392.290	Issuance of securities
392.300.2	Acquisition of Stock
392.310	Stock and debit issuance
392.320	Stock dividend payment
392.330	Issuance of securities, debts and notes
392.340	Reorganization

Issued: January 22, 1999

Effective: March 8, 1999

Issued by: James F. Kaushman
Harcourt Telco, L.L.C.
8020 Daytona Drive
Clayton, Missouri 63105

2. REGULATIONS (cont'd.)

2.3 Obligations of the Customer (cont'd)

2.3.1 Payment Arrangements (cont'd)

- (E) Charges shall be deemed correct and properly billed if the Customer fails to notify the Company in writing with reasonable detail that it is disputing a particular charge within thirty (30) days after the date of the invoice.
- (F) A fee up to the highest amount permitted by applicable law will be charged for all returned checks.

2.3.2 Service Deposits

- (A) The Customer may be required to make a Service deposit if the Customer has not established its creditworthiness to the satisfaction of the Company, consistent with 4 C.S.R. 240-33.050.
- (B) Upon deactivation of Service or after a one-year period of non-delinquency in the payment for Service, the Customer may withdraw this deposit, provided the deposit is not credited against bills for Service and the Customer supplies satisfactory proof of the right to receive the deposit.

2.3.3 Liability of the Customer

The Customer shall be liable for any damages to or loss of the Company's equipment, facilities or Service or for any injury to the Company's personnel caused by the negligence or willful act of the Customer's officers, employees, agents or contractors.

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2. REGULATIONS (cont'd)

2.4 Confidential Information

The Customer shall submit to the Company true and exact information relating to its Service orders and shall advise the Company of any change in such information. The Customer shall have authority to submit such information to the Company. All information exchanged between the Company and Customer shall be kept confidential except that the Company may make Customer information available where necessary to employees or agents of the Company for the purpose of providing Service.

2.5 Use of Service

- (A) The Service shall not be used for any unlawful purpose.
- (B) The Service shall be used in a manner consistent with the terms of this tariff and the policies and regulations of all federal, state and local governmental authorities having jurisdiction over the Service.
- (C) The Service or any rights associated therewith may not be assigned or in any manner transferred without the written consent of the Company.

2.6 Termination of Service for Cause

- (A) Upon non-payment of any sum owing to the Company for more than forty-five (45) days beyond the date the bill for Service is mailed by the Company, or upon violation of any of the terms or conditions governing the furnishing of Service under this tariff, the Company may, without incurring any liability, terminate the furnishing of Service to the Customer under this tariff, consistent with 4 C.S.R. 240-33.070.

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2. REGULATIONS (cont'd)

2.6 Termination of Service for Cause (cont'd.)

- (B) The Company reserves the right to terminate Business Service without notice if it deems such action necessary to protect against fraud or to protect its personnel, agents, equipment, facilities or Service.
- (C) Notwithstanding (A) & (B) above, the Business Service shall terminate automatically upon the initiation by or against the Business Customer of a proceeding in bankruptcy, reorganization, insolvency, receivership or assignment for the benefit of creditor.
- (D) Termination of Service for cause does not relieve the Customer of the obligation to pay all charges that have accrued under this tariff.

3. SERVICE OFFERINGS AND RATES

3.1 Service Offerings

Applicant offers xDSL services.

xDSL are non-switched, local exchange technologies that allow multiple forms of data, voice and video to be carried over standard twisted pair copper, or UNEs.

Services offered by Harcourt Telco, L.L.P. do not include access to/from the Public Switched Network. Harcourt Telco, L.L.P. provides data connections only and does not assign or otherwise route traffic by the use of telephone numbers, i.e., NPA-NXX-XXXX.

In the event Harcourt Telco, L.L.P. begins to provide service to/from the Public Switched Network, Harcourt Telco, L.L.P. will file tariffs reflecting the rates, terms and conditions for such services.

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HARCOURT TELCO, L.L.C.
REGULATIONS AND SCHEDULE OF CHARGES FOR
DATA HIGH SPEED COMMUNICATIONS
TECHNOLOGIES FOR NON-BASIC, NON-SWITCHED
LOCAL EXCHANGE SERVICES
WITHIN THE STATE OF MISSOURI

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4.