

In the Matter of the Application of)
N.W. Communications Co. d/b/a Fastwyre)
Broadband for Authorization to Expand) Case No. _____
Video Service Authorization)

1

3. Applicant currently provides, or intends to provide, “video service” through a “video service network” to customers located in various “political subdivision[s]” within the state of Missouri, as those terms are defined in Section 67.2677, RSMo. Some of those customers are or will be located within the corporate limits of a city, town, or village, while other customers are or will be located in various unincorporated areas.

4. On December 11, 2009, Applicant was granted video service authority to serve the following political subdivisions in Case No. KA-2010-0156:

Political Subdivision
City of Graham
Nodaway County

5. On August 2, 2011, Applicant was granted video service authority to serve the following political subdivisions in Case No. KA-2012-0023:

Political Subdivision
City of Schell
City of Hermitage
Hickory County

6. On January 3, 2012, Applicant was granted video service authority to serve the following political subdivisions in Case No. KA-2012-0185:

Political Subdivision
City of Rich Hill
City of Wheatland

Bates County

7. On March 4, 2014, Applicant was granted video service authority to serve the following political subdivisions in Case No. KA-2014-0220:

Political Subdivision
City of Maitland
City of Skidmore
City of Weaubleau
City of Humansville
Holt County
Polk County

8. Applicant asks the Commission to issue, in accordance with Sections 67.2679.4 and .7, RSMo., a video service authorization that will allow Applicant to provide video service in the following additional political subdivisions, which assess the following video service provider fees:

Political Subdivision	Fee Amount
Johnson County	0%
City of Warrensburg	5%
City of Knob Noster	4%
Pettis County	0%
City of Sedalia	2.45%
City of La Monte	3%
Vernon County	0%

City of Nevada	5%
----------------	----

9. Attached is an affidavit signed by an officer of NWC making the six affirmations required in Section 67.2679 RSMo.

10. NWC has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates. NWC is not currently subject to the regulatory jurisdiction of the Commission, except as provided under the Video Service Providers Act, §§67.2679 – 67.2714 RSMo. Thus, NWC does not have any overdue annual reports or assessment fees.

MOTION FOR WAIVER

11. Commission Rule 20 CSR 4240-4.4.017(1) provides that “(a)ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case.” A notice was not filed 60 days prior to the filing of this Application. As such, and to the extent required, Applicant seeks a waiver of the 60-day notice requirement.

12. Rule 20 CSR 4240-4.017(1)(D) provides that a waiver may be granted for good cause. In this regard, Applicant declares (as verified below) that it has had no communication with the Office of the Commission (as defined by Commission Rule 20 CSR 4240-4.015(10)) within the prior 150 days regarding any substantive issue likely to be in this case. Accordingly, for good cause shown, Applicant moves for a waiver of the 60-day notice requirement of Rule 20 CSR 4240-4.017(1) and acceptance of this Application at this time.

WHEREFORE, NWC respectfully requests that the Commission issue its order granting NWC video service authorization for the political subdivisions listed above.

Respectfully submitted,

/s/ Brian T. McCartney

Brian T. McCartney Mo. Bar 47788
W.R. England, III Mo. Bar 23975
Brydon, Swearengen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
bmccartney@brydonlaw.com
573/635-7166
Attorneys for N.W. Communications Co.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail this 22nd day of August, 2022, to counsel of record.

Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102
opcservice@opc.mo.gov

/s/ Brian T. McCartney

AFFIDAVIT

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)


I, John Walter, being first duly sworn, depose and state that I am the Secretary of N.W. Communications Co., the Applicant in the subject proceeding, and by virtue of this position I am authorized to make this affidavit on behalf of the Company; and that the following is true and correct to the best of my knowledge, information, and belief:

1. N.W. Communications Co. agrees to comply with all applicable federal and state laws and regulations;
2. A list of political subdivisions to be served by N.W. Communications Co. under this authority is accurately set forth in the Notice of Change Application to which this affidavit is attached;
3. The principal Missouri office of N.W. Communications Co. is 208 Ash Street, Maitland, MO, 64466-0112. Its principal executive officers are:

George Mack	Chief Operating Officer
John Walter	Secretary

4. The company has filed, or will timely file, with the Federal Communications Commission all forms required by that agency prior to offering video service.
5. N.W. Communications Co. agrees to comply with all applicable regulations concerning use of public rights of way, as provided in Sections 67.1830 to 67.1846.

6. N.W. Communications Co. is legally, financially, and technically qualified to provide video service.
7. By signing this form, I hereby certify that neither I, nor any other member of this filing party, has had communications with a Commissioner, Commission Advisor, Regulatory Law Judge, member of the General Counsel or any member of their support team in the sixty (60) days prior to the filing date of this form regarding any substantive issue included in this filing. If any communication of this sort has occurred in the previous sixty (60) day period, I further certify this application was held until sixty (60) days have passed from the date of the subject communication, or we have requested a waiver for good cause as allowed by Commission Rule 20 CSR 4240-4.017(1)(D).



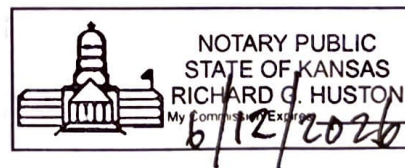
John Walter
Secretary
N.W. Communications Co.

Subscribed and sworn to before me this 19th day of August, 2022.



Notary Public

My Commission Expires: 6/12/2026



List of Political Subdivisions to be Served by N.W. Communications

Johnson County
Diane Thompson, County Clerk
300 N. Holden St.
Warrensburg, MO 64093

City of Warrensburg
Jodi Schneider, City Clerk
102 S. Holden St.
Warrensburg, MO 64093

City of Knob Noster
Amy Schouten, City Clerk
201 N. State St.
Knob Noster, MO 65336

Pettis County
Nick La Strada, Clerk
Pettis County Courthouse
215 E. 5th St.
Sedalia, MO 65301

City of Sedalia
Arlene Silvey, City Clerk
Municipal Building Office 100
200 South Osage Ave.
Sedalia, MO 65301

City of La Monte
Dana Yeater, Manager
La Monte City Hall
107 North Main Street
La Monte, MO 65337

Vernon County
Mike Buehler, County Clerk
100 W. Cherry St.
Nevada, MO 64772

City of Nevada
Bev Baker, City Clerk
Nevada City Hall
110 S. Ash St.
Nevada, MO 64772