

DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP

2101 L Street NW • Washington, DC 20037-1526

Tel (202) 785-9700 • Fax (202) 887-0689

Writer's Direct Dial: (202) 955-6658

E-Mail Address: [AlbertsC@dsmo.com](mailto:AlbertsC@dsmo.com)

April 25, 2000

RECEIVED

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PUBLIC SERVICE  
COMMISSION

VIA FEDERAL EXPRESS

Ms. Helen C. Helton  
Executive Director  
Public Service Commission  
730 Schenkel Lane  
P.O. Box 615  
Frankfort, Kentucky 40602

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9500

Re: Notice Of Intent And Request Of Birch Telecom of the South, Inc. For Certification As A Utility In The Commonwealth of Kentucky

Dear Ms. Helton:

On behalf of Birch Telecom of the South, Inc. ("Birch"), pursuant to KRS 278.020, the rules and regulations applicable thereto, the Telecommunications Act of 1996, and the Commission's January 8, 1998 *Order* in Case No. 370, we hereby submit an original and four (4) copies of Birch's Notice of its Intent to provide intrastate telecommunications services statewide to consumers within the Commonwealth of Kentucky as a Utility.

The items required by the Commission's January 8, 1998 *Order* in Case No. 370 are set forth below:

I. The Name And Address Of The Company:

Birch Telecom of the South, Inc.  
2020 Baltimore Avenue  
Kansas City, Missouri 64108-1914

II. The Articles Of Incorporation Or Partnership Agreement:

A copy of Birch's Certificate of Incorporation is attached hereto as Exhibit A.

III. The Name, Street Address, Telephone Number, And Fax Number (If Any), Of The Responsible Contact Person For Customer Complaints And Regulatory Issues:

*For Regulatory Issues:*

Gregory C. Lawhon  
Birch Telecom of the South, Inc.  
2020 Baltimore Avenue  
Kansas City, Missouri 64108-1914  
Telephone: (816) 300-3000  
Facsimile: (816) 300-3247

*For Customer Complaints:*

Charles Fuller  
Birch Telecom of the South, Inc.  
2020 Baltimore Avenue  
Kansas City, Missouri 64108-1914  
Telephone: (816) 300-3000  
Facsimile: (816) 300-3247

IV. A Notarized Statement By An Officer Of The Utility That The Utility Has Not Provided Or Collected For Intrastate Service In Kentucky Prior To Filing The Notice Of Intent Or, Alternatively, A Notarized Statement By An Officer That The Utility Has Provided Intrastate Service And That It Will Refund Or Credit Customer Accounts For All Monies Collected For Intrastate Service:

Notarized Statement signed by Gregory C. Lawhon, Birch's Senior Vice-President of Public Policy and General Counsel, indicating that Birch has not provided or collected for intrastate service in Kentucky, is attached hereto as Exhibit B.

V. A Statement That The Utility Does Not Seek To Provide Operator Assisted Services To Traffic Aggregators As Defined In Administrative Case No. 330. Or, Alternatively, That The Utility Does Seek To Provide Operator-Assisted Service To Traffic Aggregators But That In So Doing It Is Complying With The Commission's Mandates In Administrative Case No. 330:

Notarized Statement signed by Gregory C. Lawhon, Birch's Senior Vice-President of Public Policy and General Counsel, indicating that Birch does not seek to provide operator assisted services to traffic aggregators as defined in Administrative Case No. 330 is attached hereto as Exhibit C.

On January 5, 2000, BellSouth Telecommunications, Inc. and Birch initiated their negotiations for an interconnection agreement. In accord with the Commission's rules and regulations, the interconnection agreement executed by the parties will be submitted to the Commission for its approval.

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Birch has also attached hereto its proposed Tariffs for its services. In accord with the Commission's rules and regulations, the proposed tariffs are being filed on thirty days' notice, and each bears an issue date of April 26, 2000 and an effective date of May 26, 2000.

We respectfully request that the Commission provide us with written confirmation that Birch is now Certified as a Utility in the Commonwealth of Kentucky

We have included an extra copy of this filing, marked "Stamp and Return," as well as a self-addressed, pre-paid overnight airbill and delivery envelope. Please stamp and return the extra copy to confirm your receipt.

Any inquiries regarding this filing may be directed to the undersigned.

Respectfully submitted,  
BIRCH TELECOM OF THE SOUTH, INC.

By   
Colin M. Alberts

CMA/mjo  
Enclosures