

(File applications via e-docket, or if unable to do so, file one original verified application with the Chief Clerk.)

Docket No. 09-0391
ICC Office Use Only

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AUG 27 A 10:45
ILLINOIS COMMERCE COMMISSION

Please provide the appropriate information in the () areas in the heading below.

IntelePeer, Inc. :
: Application for a certificate of :
: local and interexchange authority :
: to operate as a reseller and a facilities :
: based carrier of telecommunications :
: services within the State of Illinois. :

APPLICATION FOR CERTIFICATE TO BECOME A TELECOMMUNICATIONS CARRIER
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name(including d/b/a, if any) **FEIN # 68-0556257**

IntelePeer, Inc.

Address: Street 2855 Campus Drive, Suite 200

City San Mateo State/Zip California 94403

2. Authority Requested: (Mark all that apply) 13-403 Facilities Based Interexchange
 13-404 Resale of Local and/or Interexchange
 13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

Part 710 Uniform System of Accounts for Telecommunications Carriers

Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois

Section 735.180 Directories

Other

IntelePeer, Inc. ("IntelePeer" or "Applicant") requests authorization to maintain its books and records at its principal place of business pursuant to 83 Ill. Admin. Code Part 250.

9. List jurisdictions in which Applicant is offering service(s).

Applicant is currently in the process of applying for authority to provide telecommunications services in most, if not all fifty (50) states.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

____ YES (Please provide details) X NO

11. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

____ YES X NO [confirm]

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

____ YES X NO

If YES, please list. _____

13. Will the Applicant keep its books and records in Illinois? ____ YES X NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

See the above response to Question 3.

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

Please See Exhibit D.

15. List officers of Applicant.

**Haydar Haba
Frank Fawzi
Andre Simone**

**Founder/Chief Visionary Officer
CEO & Chairman of the Board
Chief Financial Officer**

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? ____ YES X NO

If YES, list entity. _____

17. How will Applicant bill for its service(s)? (At a minimum, describe how often the Applicant will bill for service and details of the billing statement.)

IntelePeer will bill its customers directly through its own internal billing system. Bills are issued to customers on a monthly basis.

18. How does Applicant propose to handle service, billing, and repair complaints? (At a minimum, describe Applicant's internal process for complaint resolution, the complaint escalation process, the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission?)

Customers with billing questions or complaints may reach IntelePeer at its toll-free number at (866) 780-8639. Customers can contact representatives of the company during the 24 hours a day, 7 days a week. In the event of a billing dispute, IntelePeer will perform a review of the disputed billing amount and promptly attempt to reach a settlement to the mutual satisfaction of all parties. Following a full investigation to determine whether or not the charges may have been fraudulent or improper, IntelePeer may adjust the disputed bill. Applicant's repair service centers are available 24 hours a day, 7 days a week to assist customers with questions or complaints.

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? YES NO

20. What telephone number(s) would a customer use to contact your company?

(866) 780-8639 or (650) 525-9200

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

YES NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

IntelePeer will comply with applicable Illinois law as well as Federal Communications Commission regulations regarding how carriers may change a consumer's Primary Interexchange Carrier ("PIC"). IntelePeer will follow a "zero-tolerance" slamming/cramming policy that all employees that interface with customers in the sales and ordering processes are required to execute.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 732, 735, 755, 756, 757, 770, and 772?

YES NO (If no, please provide an explanation.)

Applicant will abide by all of the above referenced Illinois Administrative Code Parts except those from which it seeks a waiver in this Application. (Please see response to Question 3 above.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

YES NO

FINANCIAL

- 25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

IntelPeer is well-qualified financially to operate and expand its business. Financial information demonstrating IntelPeer's financial qualifications are provided under seal as Exhibit E. As shown in the attached information, IntelPeer is financially qualified to operate within the State of Illinois.

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? YES NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

While IntelPeer ultimately intends to provide service primarily through its own facilities, IntelPeer also expects to provide service using facilities leased from other carriers. As evidenced by the managerial biographies, attached hereto as Exhibit D, IntelPeer meets the technical requirements needed to maintain and deploy facilities.

If NO, which facility provider(s)'s services does the Applicant intend to use?

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

IntelPeer will provide fully managed, hosted, on-demand peering infrastructure to directly exchange voice traffic over IP or legacy TDM networks between any application and any telephony device. Specifically, IntelPeer seeks authority to provide facilities-based and resold local exchange and interexchange telecommunications services in Illinois. IntelPeer will offer basic local exchange services, custom calling features, and interexchange toll services, including toll free services, to business and enterprise customers.

While IntelPeer will not initially offer prepaid local exchange and interexchange services, IntelPeer may offer such services in the future. IntelPeer may also provide access services to payphone service providers. IntelPeer will offer basic local exchange services, custom calling features, and interexchange toll services, including toll free services, to business and enterprise customers. Facilities-based local exchange service will be provided via (1) commercial wholesale agreement with incumbents, (2) IntelPeer's own facilities, or (3) a combination thereof. Initially, toll services will be provided via IntelPeer's underlying long distance carrier. IntelPeer, however, seeks the full range of resold and facilities-based local exchange and interexchange authority so that it can have the flexibility in provisioning services in the future.

28. Will technical personnel be available at all times to assist customers with service problems?

YES NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? YES NO

Not applicable.

A handwritten signature in black ink, consisting of several connected strokes, positioned above a horizontal line.

(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

OATH

State of California)
County of San Mateo)) ss

Todd Smith makes oath and says that he is Vice President, Corporate Controller
(Insert here the name of affiant) (Insert the official title of the affiant)

of IntelePeer, Inc.
(Insert here the exact legal title or name of the Applicant)

that he has examined the foregoing application and that to the best of his knowledge, information,
and belief, all statements of fact contained in the said application are true, and the said application
is a correct statement of the business and affairs of the above-named applicant in respect to each and
every matter set forth therein.

[Handwritten signature]
(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/ Bandana Singh
(Title of person authorized to administer oaths)

in the State and County above named, this 6th day of Aug., 2009.

[Handwritten signature]
(Signature of person authorized to administer oath)

