

Docket No. _____
ICC Office Use Only

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

Xclutel, LLC :
: **09-0509**
Application for a certificate of Local and :
Interexchange authority to operate as a reseller :
of telecommunications services throughout the :
State of Illinois. :

**[AMENDED] 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 # 27-1032528**
Xclutel, LLC
Address: **247 Lakeland Drive**
City: **Palos Park** State/Zip: **Illinois, 60464**

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.

Applicant feels these waivers are appropriate to request in order to reduce the burden of regulation of telecommunications providers that provide competitive services only.

- 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

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ILLINOIS COMMERCE COMMISSION
CLERK'S OFFICE

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following: **Attached and labeled as corresponding Appendix**
- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
 - (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
 - (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
 - (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.

5. In what area of the state does the Applicant propose to provide service?

Applicant proposes to offer its' services statewide throughout the state of Illinois.

6. Please attach a sheet designating contact persons to work with Staff on the following:

This list is attached at Exhibit A

- a) issues related to processing this application
- b) consumer issues
- c) customer complaint resolution
- d) technical and service quality issues
- e) "tariff" and pricing issues
- f) 9-1-1 issues
- g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

7. Please check type of organization?

Individual

Corporation

Partnership

Date corporation was formed: **September 30, 2009**

In what state? **Illinois**

Other (Specify) **Limited Liability Company**

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

Attached as Exhibit B – Articles of Organization and an Illinois Certificate.

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

Not yet providing service

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 judgements levied against the Applicant in any other jurisdiction?

_____ YES X NO

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? X YES _____ NO

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

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. **Attached hereto as Exhibit C**

15. List officers of Applicant.

Michael Danis, President
Scott Sinclair, Chief Executive 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? X YES _____ NO

If YES, list entity. **Airdis, Inc. d/b/a Airdis Telecom**

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.)

Applicant utilizes the services of Telebill, Inc.

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?)

Once Applicant is notified of a service, billing, repair or customer complaint, Applicant will research and make every effort to resolve the issue in a timely manner. (Specifically, most issues will be resolved within 24 hours) If a Customer is not satisfied with the resolution, they may request further resolution from the Company by escalation up to the President of the Applicant. If the issue remains unresolved to the Customer, they will be notified both by the tariff and from the Company that they may contact the Commission to seek assistance in resolving the matter.

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?

(708) 273-3111

Applicant is in the process of obtaining a toll free number.

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?

Applicant requires that customers affirmatively select its services by completing a Customer Service Agreement. Applicant will abide by all Truth in Billing rules and regulations.

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.)

***Waiver of 710, 735 has been requested.**

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.

Financial Information is attached hereto as Exhibit D.

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:

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

AT&T

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).

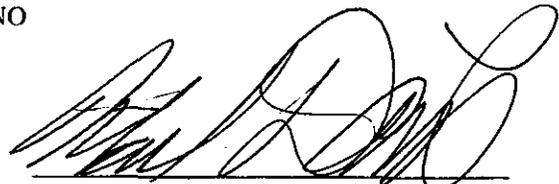
The Applicant intends to provide resold dedicated point-to-point private line service and dedicated Internet access to business and residential customers. These circuits are used for the transport of data services only. The company provides bandwidth starting and T-1 (1.544 Mbps) and proceeds into the high speed optical carrier networks up to OC192.

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



(Signature of Applicant)

LIST OF EXHIBITS

EXHIBIT A	Contact Personnel
EXHIBIT B	Illinois Articles of Organization Illinois Certificate
EXHIBIT C	Biographical Data
EXHIBIT D	Verification Affidavit
EXHIBIT E	Financial Information Requested Confidential Treatment
EXHIBIT F	Local Exchange Tariff No. 1 To be presented upon final order)
EXHIBIT G	ITAC and UTAP Applications (Copy)
EXHIBIT H	Prefiled Testimony of Michael Danis
EXHIBIT I	Petition for Confidential Treatment

LIST OF APPENDIXES

APPENDIX A	Standard Questions for Applicants Seeking Local Exchange Service Authority
APPENDIX B	9-1-1 Questions for Applicants Seeking Local Exchange Service Authority
APPENDIX C	Financial Questions for Applicants Seeking Local Exchange Service Authority
APPENDIX D	Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority