

XYN Communications of Illinois, LLC :

Application for a certificate of :
(local and interexchange) authority :
to operate as a facilities-based :
carrier) of telecommunications services :
throughout the State of Illinois. :

10-0406

2010 JUN 24 A 11:13 AM
COMMUNICATIONS DIVISION

**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 # 27-1813383 (XYN Holdings International, LLC, parent company)

XYN Communications of Illinois, LLC

Address: Street 8275 S Eastern Avenue, #200

City Las Vegas State/Zip NV 89123

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
(See Exhibit C.)

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 (ILEC will publish Applicant's customer information in their directory.)

Other – 83 Ill. Adm Code Part 250 (see No. 13.); Part 725.500(o) and 725.620(b) (see Exhibit B(9)).

For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:

- (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?

Initially service will be provided in the Chicago area, but the Company seeks authority to provide service throughout the State of Illinois.

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

- 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.

See Exhibit E.

7. Please check type of organization?

Individual Corporation
 Partnership Date corporation was formed _____
In what state? Illinois on 2/8/2010
 Other (Specify) Limited Liability Company (LLC)

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

See Exhibit F.

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

None _____

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) NO

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

YES NO

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

YES NO

If YES, please list. _____

13. Will the Applicant keep its books and records in Illinois? YES NO
If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

Applicant requests a waiver of 83 Ill. Adm Code Part 250. Applicant's headquarters is in Las Vegas, NV, and it would be extremely inconvenient to maintain books and records within Illinois.

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.

See Exhibit H.

15. List officers of Applicant.

Edward St. Croix, CEO _____

Shawn Sims, President _____

Mark Bunnell, Chief Operating Officer Heidi Dohse, Chief Information 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 NO

If YES, list entity. Avalon Telecom Services, Inc. and NuWave Holdings, Inc.

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 will bill monthly and bills will contain detailed descriptions of services and rates provided.

XYN Communications of Illinois, LLC ("XYN Communications") will bill on a monthly basis for services and the due date of that billing is dependent on the customer installation date. XYN Communications is striving to be a "Green" company and we utilize an e-mail billing notification. The customers billed invoice contains descriptions of the services that they are being billed for, as well as details of any calls that they are being charged for. It also itemizes all taxes, surcharges and any additional fees that may be included.

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?)

Applicant maintains a fully staffed and trained customer service center to handle service issues, as well as billing and repair complaints. These employees will attempt to resolve consumer issues to the consumer's satisfaction on that first call. If that is not possible, the call will be escalated to a manager for resolution. If the customer is still not satisfied, the consumer will be given contact information for the Illinois Commerce Commission and instructions for seeking resolution at the Commission.

Upon successful installation, all customers receive a "Welcome" Kit from XYN Communications. This "Welcome" Kit contains important information on their services; equipment provided, contact information, procedures to follow in the event of a service issue and an escalations document.

XYN Communications has e-mail avenues available to customers, such as billing@XYNcom.com, and support@XYNcom.com. For simple billing questions customers are directed and encouraged to contact the billing department. For service related issues, customers are directed and encouraged to follow the process below.

XYN Communications has a commitment to our customers to respond to Trouble Tickets 24 hours a day, 7 days a week, 365 days a year. XYN Communications has both a Toll Free Customer Support telephone number and will have a Customer Support Web Portal. Customers are directed and encouraged to open a Trouble Ticket via the Web Portal, but in the event that they call the Toll Free number, a ticket will be opened for them. If nobody is available to answer the call live, a voicemail notification is sent out to all engineering cell phones and an e-mail notification is sent to all engineering cell phones if a Trouble Ticket is opened. Once the Trouble Ticket has been opened, it has the visibility of multiple engineers that are capable of addressing and resolving issues, from simple programming to major outages. The Company has a 4 hour commitment to review and respond to all Trouble Tickets in the system.

The Trouble Ticket system automatically generates an e-mail to all support engineers that are trained to address any customer issues. If the ticket has not been responded to in the 4 hour commitment window, the system automatically generates a notification to the next level support manager. Automatic escalation procedures are in place, via the Trouble Ticket system. Customers are also given an escalation document that can be followed in the event that they are not getting a timely response. It is the Company's policy to ensure that all customers are handled in a timely and appropriate manner.

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?

Customers may use Applicant's toll-free number 888-599-6996 or call the Company directly at 702-750-0023.

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?

Upon acceptance of XYN Communications' services, our customers are required to give us a list of any parties that are authorized to make changes to their account. They are also required to create a password to that account and any authorized party calling in to make changes are required to have that password. Any notification that the Company receives from an alternate Carrier to port out any customer number is followed up on, verified (both with the alternate Carrier and the customer) and approved or denied accordingly. The Company will make every effort to ensure that no customer is moved to an alternate service without the express written consent of the customer.

The Company will also, upon request of a change to an account, verify the identity of the customer, that they agree to the changes requested, and verify what changes apply to which number(s) and which services. The Company makes a commitment to its customers that they will not be billed for any services they did not authorize and will only add services to a customer's account when the customer themselves calls to add the services.

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 (with the exception of the Parts the Applicant is seeking a waiver for)

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.

XYN Communications of Illinois, LLC is a newly organized limited liability company; therefore it has no income statements or balance sheets. Co-owner, Mark Bunnell, is willing to provide personal funding through liquidation of part of his funds should the Company need additional funding. The Company does not foresee that it will have significant start up costs as the primary costs - the switching network has already been paid for. The Company also will not be collecting deposits or requiring advance payments from its business customers. See Exhibit G.

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:

Applicant will install point of presence including soft switching equipment, in carrier hotels in Chicago. From there Applicant will order trunks to ILEC access tandems in order to route traffic to and from end users.

XYN Communications' nation-wide structure includes strategically placing a high-capacity Lucent compact soft switch in carrier hotel in Chicago creating a super POP. XYN will interconnect at this POP with Tier1 bandwidth providers at gigabit speeds to ensure carrier class reliability and maximum coverage on in the mid-west. XYN Communications also has two super POP locations at One Wilshire in Los Angeles and 60 Hudson in New York City. These two super pops will be interconnected to each other to provide nation- wide service offerings. The Super pop architecture at One Wilshire consists of two Broadcade IP core routers, two Broadcade IP core layer2/3 switches and a carrier class Lucent compact softswitch with built-in redundancy. XYN has also deployed a Juniper SSG-550 carrier class firewall for network security and VPN IPSEC for a more secure method of connecting to its end users.

XYN Communications' will connect its east coast and mid-west end users to the carrier hotel in Chicago, and also provide them with disaster recovery measures via the SIP protocol. End users will provision their equipment to access both the NY and LA Lucent switches and if one is unavailable, the dynamic SIP protocol will automatically re-route their traffic around the failed node. XYN Communications' state of the art voice over IP network provides class 4 and 5 services to end users. The total cost of this super pop was approximately \$1 million.

The Applicant does not plan any construction of its own outside of existing facilities and will seek Commission authorization before doing so. This network will be created by entering into interconnection agreements with incumbent local exchange carriers ("ILECs").

Please see Exhibit H for evidence of technical experience.

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).

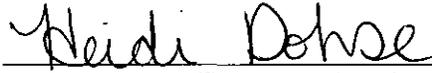
Limited Facilities-Based and/or Resold Local Exchange, IntraLATA and InterLATA Interexchange Telephone Service

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? *N/A*

_____ YES _____ NO



(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

OATH

State of Nevada)
)ss
County of Clark)

Heidi Dohse makes oath and says that she is Chief Information Officer
(Insert here the name of affiant) (Insert the official title of the affiant)

of XYN Communications of Illinois, LLC
(Insert here the exact legal title or name of the Applicant)

that she 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.

Heidi Dohse
(Signature of affiant)

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

in the State and County above named, this 18th day of June 2010.



Carol H Lisowski
(Signature of person authorized to administer oath)