

**ORIGINAL**

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**  
365 WIRELESS, LLC

Docket No. \_\_\_\_\_  
ICC Office Use Only

Application for a certificate of Local and Interexchange Authority to operate as a reseller of telecommunications services in (list specific area) in the State of Illinois.

12-0070

**APPLICATION FOR CERTIFICATE TO BECOME A TELECOMMUNICATIONS CARRIER**

**I. GENERAL (To be completed by All Applicants)**

1. Applicant's Name (including d/b/a, if any) FEIN # 45-1474326

365 Wireless, LLC

Address: Street 1500 Trotters Cove

City Atlanta State/Zip GA 30338

*Note: Assumed business names must be provided if and only if registered with the Illinois Secretary of State's Office.*

2. Authority Requested: (Mark all that apply)

Interexchange Service (Authorities: See Sections 13-401, 13-403 and 13-404 of the IPUA)

- Facilities Based Prepaid Interexchange Service
- Facilities Based Non-Prepaid Interexchange Service
- Resold Prepaid Interexchange Service
- Resold Non-Prepaid Interexchange Service
- Interexchange Public Pay Telephone Service

Local Exchange Service (Authorities: See Sections 13-401, 13-404, and 13-405 of the IPUA)

- Facilities Based Prepaid Local Exchange Service
- Facilities Based Non-Prepaid Local Exchange Service
- Resold Prepaid Local Exchange Service
- Resold Non-Prepaid Local Exchange Service
- Local Exchange Public Pay Telephone Service

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 ILLINOIS COMMERCE COMMISSION

Cellular Radio/Wireless Telephone Service (*Authorities: See Section 13-401 of the IPUA*)

FCC Permitted or Licensed Prepaid Cellular Radio/Wireless Telephone Service

FCC Permitted or Licensed Non-Prepaid Cellular Radio/Wireless Telephone Svc.

Resold Prepaid Cellular Radio/Wireless Telephone Service

Resold Non-Prepaid Cellular Radio/Wireless Telephone Service

Other Telecommunications Services (Specify) (*Authorities: See Section 13-401 of the IPUA*)

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3. For each service that the Applicant is requesting authority to provide, please specify the area or areas of the State for which the applicant is seeking authority to provide such service and the services (as designed in question 2 above) that will be provided in each area.

Applicant intends to offer service to Business customers only, primarily in non-rural areas, with Greater Chicago being Applicant's chief service area. Applicant intends to provide local exchange and interexchange services to Business customers only located in non-rural local areas.

4. Contact Information - Please provide contact information, including name(s), address(es), telephone number(s), and e-mail address(es), for personnel or entities responsible for the areas below:

- a) Issues related to processing this application;

Tony D. Cash  
General Counsel of 365 Wireless, LLC  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 678.916.0628  
Fax. 678.916.0698  
Email. [tony@365wireless.net](mailto:tony@365wireless.net)

- b) Designated agent (*Note: Applicants must have an Illinois In-State Designated Agent listed. An additional Out-of-State Designate Agent is permitted, but not required.*)

The Applicant's in-state designated agent is:

National Registered Agents, Inc.  
200 West Adams Street  
Suite 2007  
Chicago, IL 60606

- c) Business Operations (*Note: The contact numbers reported in this questionnaire are intended to be used by the ICC Staff to contact the Applicant as issues arise. They are not intended to be contact numbers used by customers or the general public. If separate contacts apply for different issue areas, please report the separate numbers by issue below.*)

- i) Consumer issues;

Clive Marsh  
Chief Financial Officer  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 970.722.6223  
Fax. 678.916.0698  
Email: [cmarsh@365wireless.net](mailto:cmarsh@365wireless.net)

Customer complaint resolution;

Joe White  
VP Operations  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 970.722.6232  
Fax. 678.916.0698  
Email. [joe@365wireless.net](mailto:joe@365wireless.net)

- ii) Technical and service quality issues;

Joe White  
VP Operations  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 970.722.6232  
Fax. 678.916.0698  
Email. [joe@365wireless.net](mailto:joe@365wireless.net)

- iii) "Tariff" and pricing issues;

Tony D. Cash  
General Counsel of 365 Wireless, LLC  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 678.916.0628  
Fax. 678.916.0698  
Email. [tony@365wireless.net](mailto:tony@365wireless.net)

iv) 9-1-1 issues;

Joe White  
VP Operations  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 970.722.6232  
Fax. 678.916.0698  
Email. [joe@365wireless.net](mailto:joe@365wireless.net)

v) Security/law enforcement issues;

Tony D. Cash  
General Counsel of 365 Wireless, LLC  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 678.916.0628  
Fax. 678.916.0698  
Email. [tony@365wireless.net](mailto:tony@365wireless.net)

vi) Regulatory issues.

Tony D. Cash  
General Counsel of 365 Wireless, LLC  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 678.916.0628  
Fax. 678.916.0698  
Email. [tony@365wireless.net](mailto:tony@365wireless.net)

*Note: The name and contact information above must be kept current. Changes in the applicants Designated Agent(s) should be directed to the Chief Clerk's Office of the ICC at 217-782-7434. All other changes should be directed to the Telecommunications Division of the ICC at 217-524-5073.*

5. How is the Applicant organized?

Individual

Partnership

Corporation:

Date Corporation was formed: March 29, 2011

State of incorporation: Georgia

Other (Specify) Limited Liability Company

6. Please attach a copy of articles of incorporation. Applicants that are not Illinois corporations should also submit a copy of its Certificate of Authority to Transact Business in Illinois as issued by the Secretary of State.

Applicant is a Georgia limited liability company duly formed on March 29, 2011, and currently in good standing in said State. A copy of the Certificate of Organization is attached as EXHIBIT "A".

A copy of the Certificate of Authority to Transact Business in Illinois is attached as EXHIBIT "B".

7. Has the Applicant been issued by the Federal Communications Commission a construction permit or an operating license to construct or operate a cellular radio system in the areas, or a portion of the area, for which the Applicant seeks a Certificate of Service Authority?

\_\_\_\_\_ YES  NO

If YES, please provide all relevant license or permit numbers:

8. Does applicant represent that it will comply with all current and future applicable Illinois and Federal laws, rules, and regulations?

YES \_\_\_\_\_ NO

**II. MANAGERIAL (To be completed by All Applicants except Cellular Radio/Wireless Applicants)**

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

365 has an experienced management team with diverse managerial and technical experience in the telecommunications industry. Management profiles have been attached hereto as EXHIBIT "C."

2. Please attach a current organization chart.

A current organization chart of 365 is attached hereto as EXHIBIT "D".

3. List officers of Applicant.

Ms. Bridgett Weller, President

Mr. Clive Marsh, Chief Financial Officer

4. Does the Applicant currently, or has it in the past, held a certificate from the Illinois Commerce Commission?

\_\_\_\_\_ YES  NO

5. Does the Applicant currently, or has it in the past, provided service under any other name in Illinois?

\_\_\_\_\_ YES  NO

If YES, please provide all other names under which service is being or has been provided.

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6. Is any affiliate of the Applicant providing, or has any affiliate provided, service in Illinois?

YES  NO

If YES, please provide the names of all affiliates under which service is being or has been provided in Illinois.

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

YES  NO

If YES, describe fully. \_\_\_\_\_

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8. Have there been any complaints or judgments levied against the Applicant in Illinois in this or another name?

YES  NO

If YES, describe fully. \_\_\_\_\_

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9. List jurisdictions other than Illinois in which the Applicant is offering service(s).

Applicant has recently been certified to offer service in New York, Florida, and Texas and is beginning the provisioning process to offer service in those states. Applicant is also in the process of obtaining authorization to provide telecommunications service throughout the United States. In no case has Company's Application been dismissed or denied.

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

YES  NO

If YES, describe fully. \_\_\_\_\_

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11. Have there been any complaints or judgments levied against the Applicant in any jurisdiction other than Illinois in this or another name?

YES  NO

If YES, describe fully. \_\_\_\_\_  
\_\_\_\_\_

12. 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, please list, by officer, each entity in which the officer has an ownership or other interest.

\_\_\_\_\_  
\_\_\_\_\_

13. 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 use its in-house billing staff to provide each customer a monthly invoice detailing customer's current charges (including recurring and non-recurring charges) as well as the specific services for which the customer is being billed. The bill will show the previous balance, payments applied, and list any taxes or surcharges for which the customer is responsible including 911. The invoice will provide a toll-free Customer Service telephone number where customers may call with any questions about the invoice.

14. 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, and the timeframe and process by which the customer is notified by Applicant that they may seek assistance from the Commission.)

Applicant's customer service representatives are available to assist its customers and will respond in a prompt and professional manner to all customers' inquiries. Customer Service Support will be provided during normal business hours (9:00am to 5:00pm EST) Monday through Friday. During non-business hours, customers may leave a recorded message at the toll-free Customer Service number at 888.820.4540. Applicant's customer service representatives are prepared to respond to a broad range of service matters, including inquiries regarding: (1) types of services offered by Applicant and the rates associated with such services; (2) monthly billing statements; (3) problems or concerns pertaining to a customer's current service; and (4) general service matters. After investigation by the Company's Customer Service Support Team, an unresolved Customer complaint may be escalated to Applicant's VP Operations where Company's service metric is to communicate a reply to the customer within three business days. As stated in Applicant's forthcoming Illinois tariff, Customer may escalate any remaining unresolved complaints to the Commission for further investigation. Applicant will file said tariff prior to providing service as required by the Commission.

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

16. What telephone number(s) would a customer use to contact the Applicant?

The Applicant's toll-free Customer Service number is 888.820.4540.

17. If granted authority to operate as provider of anything other than a Pay Telephone service, will the applicant file tariffs prior to providing service in Illinois and within 2 years of Application approval?

YES  NO

18. How many employees does the Applicant employ? Applicant has 18 employees at present.

19. Has the Applicant reviewed all ICC rules applicable to the services it seeks to provide?

YES  NO

Note: See <http://www.ilga.gov/commission/jcar/admincode/083/083parts.html> for the ICC's Title 83: Public Utility Rules.

20. Will the Applicant abide by all ICC rules applicable to the services it seeks to provide?

YES  NO

21. If granted the authority to operate as a telecommunications provider, will the Applicant comply with all the applicable filing requirements listed in Appendix A?

YES  NO

22. If granted the authority to operate as a telecommunications provider, will the applicant remit all applicable taxes, contributions, or other assessments specified in Appendix A?

YES  NO

**III. FINANCIAL (To be completed by All Applicants except Cellular Radio/Wireless Applicants)**

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

365 has just begun the significant deployment of its extensive telecommunications network and all related network assets throughout the United States. As such, certified audited financial statements do not yet exist for the entity. In support of its application, Applicant has attached its pro forma income statement and balance sheet, a Certified Statement of Capitalization signed by 365's Chief Financial Officer, Mr. Clive Marsh, and a Bank Letter of Deposit attached hereto as EXHIBIT "E".

2. Does the Applicant have a financial relationship with any other companies?

YES  NO

If YES, please provide the names of all companies with which the Applicant has a financial relationship and a brief explanation of the relationship.

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3. Will the Applicant keep its books and records in Illinois? \_\_\_\_\_ YES  NO

*Note: If the Applicant will not keep its books and records in Illinois, then the Applicant must request a waiver of Code Part 250.*

4. Has the applicant or any other company with which the Applicant has a financial arrangement filed for bankruptcy within the last 7 years?

\_\_\_\_\_ YES  NO

If YES, please explain: \_\_\_\_\_

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**IV. TECHNICAL (To be completed by All Applicants except Cellular Radio/Wireless Applicants)**

1. 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).

365 intends to offer local exchange service to Business customers only throughout the state. Applicant also intends to provide interexchange service to business customers only located in non-rural local exchange carriers' service areas within the State.

2. Does Applicant utilize its own equipment and/or facilities?  YES \_\_\_\_\_ NO

If YES, please provide a brief description of the facilities Applicant owns and intends to utilize.

Applicant is facilities-based Competitive Local Exchange Carrier (CLEC) utilizing current and state of the art, VoIP Soft-switch technology. 365 has deployed a Class 4/5 VoIP Soft-switch capable of handling 10,000s of end customers. The core Soft-switch is located in the 365 Wireless Atlanta colocation environment (AtlantaNAP). Connectivity to all locations is provided through an extensive SONET-fiber backbone network that is being deployed.

If YES, please explain what services will be offered with these facilities and where the Applicant will utilize its own facilities.

Applicant intends to offer local exchange services to Business customers using these facilities. Local connectivity to the LEC tandems and end-offices to provide "local access", is provided via LEC trunking from the LEC switch to the 365 Wireless POI locations in each LATA in which Applicant will offer service. Depending upon size and traffic volume, 365 Wireless may deploy local edge-router/ media gateway devices locally in those markets. In smaller markets, a physical POI interface location will be deployed providing a logical and physical interface to the core VoIP Soft-switch.

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

Applicant has a fully-staffed Network Operations Center ("NOC") in Atlanta, Georgia with trained personnel to diagnose network problems and address them in an urgent manner. Applicant's NOC personnel are responsible for monitoring the telecommunications network for alarms or certain conditions that may require special attention to avoid customer-affecting impact on the network's performance.

The NOC is responsible for monitoring for power failures, communication line alarms and other performance issues that may affect the network. NOC associates analyze problems, perform troubleshooting, communicate with site technicians and other NOCs of Applicant's underlying carriers, and track problems through resolution. For severe conditions that are impossible to anticipate, the NOC has procedures in place to immediately contact technicians to remedy the problem. Applicant's NOC is currently staffed with six highly-trained, full-time technical associates.

If YES, and if the Applicant is a switch based provider, please provide an attachment that includes the following information regarding each switch: (i) switch type, (ii) address, (iii) CLLI code, (iv) location of remotes or POIs, and (v) any tandems to which the switch is homed.

Applicant's proposed network configuration for its facilities-based services is attached as EXHIBIT "F". Applicant has not yet provisioned local trunking for the areas it intends to serve in Illinois but will begin the provisioning process upon approval by the Commission. Information regarding Applicant's CLLI code, location of remotes/POIs, and tandems to which the switch is homed will be available within 30-90 days after Commission approval and will be forwarded to the Commission at that time as requested.

3. Does Applicant lease equipment and/or facilities?  YES  NO

If YES, please provide a brief description of the facilities the Applicant leases and the entity or entities from which such equipment or facilities are leased.

Applicant intends on leasing facilities from its underlying carriers and will enter interconnection agreement discussions with said carriers upon approval of its Application by the Commission. Applicant will only offer such services after approval by the Commission.

If YES, please explain what services will be provided with these facilities and where the Applicant will utilize these leased facilities.

Applicant proposes to use leased facilities to offer local exchange services to Business customers in non-rural areas, chiefly in the Greater Chicago area.

If YES, please include evidence that Applicant possesses the necessary technical resources to maintain and operate said facilities.

Applicant possesses a highly-trained professional technical staff as described in the response to Question 2. In addition to the technical expertise of its own employees, Applicant will rely upon the telecommunications experience and resources of its underlying carriers. It has formed relationships with these carriers which allow for maximum use of their technical resources, support systems and diagnostic capabilities.

4. Does Applicant resell services?  YES  NO

If YES, please provide a brief description of the entity or entities from which wholesale service is purchased.

Applicant intends to interconnect with the networks of AT&T, Verizon, Qwest and other facilities-based CLEC's certified to provide service in the State of Illinois. Applicant may offer resold services in select areas where facilities-based offerings are not economically practicable.

If YES, please explain what services will be provided through resale and where the Applicant will provide resold services.

The Company proposes to offer Switched Access Local Exchange Service, originating and terminating traffic between a customer premises and an IXC Point of Presence (POP), via shared local trunks using a local switch provided by an underlying carrier where such services are more economically practicable than providing service via its own facilities. Where Applicant intends on offering resold services, these services will be routed solely over facilities owned by other certified carriers. Applicant also intends to offer interexchange services. Applicant intends on offering both the local exchange and interexchange services to Business customers only throughout the State in non-rural areas.

5. Does the Applicant provide its own repair service?

YES  NO

If NO, please provide the name of the entity or entities providing repair service for the Applicant.

Applicant's technical personnel in the Atlanta NOC will conduct performance monitoring of its network and will rely on its underlying carriers to perform repair responsibilities. Applicant has established such relationships with AT&T, Verizon, Qwest, and other CLEC's. Applicant has service agreements in place with the manufacturers of its state-of-the art switching equipment which is located in the 365 Wireless Atlanta colocation environment (AtlantaNAP).

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

\_\_\_\_\_ YES X NO

If NO, please provide the hours of assistance.

Customer Service Support will be provided during normal business hours (9:00am to 5:00pm EST) Monday through Friday. During non-business hours, customers may leave a recorded message at the toll-free Customer Service number at 888.820.4540.

7. If Applicant intends to provide Public Pay Telephone 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
8. If Applicant intends to provide Public Pay Telephone service, please explain the method the Applicant will used to comply with Section 771.330 of the ICC's rules.

*Note: See <http://www.ilga.gov/commission/jcar/admincode/083/08300771sections.html> for the ICC's Pay Telephone Service Provider rules.*

**V. WAIVERS (To be completed by All Applicants except Cellular Radio/Wireless Applicants)**

*Note: If Applicant is seeking any waivers or variances of Commission rules and regulations in this proceeding, then, other than when explained below, please attach an explanation of why the Applicant is seeking any waiver or variance.*

*Local Exchange Service authority applicants under Sections 13-401, 13-404 and/or 13-405 generally seek waivers of Part 710, Section 735.180 of Part 735 and Part 250. Additionally, a waiver from Parts 730.115 and 732.60 may be requested for those applicants that will only be providing data services.*

*Interexchange Service authority applicants under Sections 13-401, 13-403 and 13-404 generally request waivers of Parts 710, 735 and 250 of Title 83 of the Illinois Administrative Code*

*Public Pay Telephone Service authority applicants under Sections 13-401, 13-403, 13-404, and/or 13-405 generally request waivers of Parts 710, 735 and 250 of Title 83 of the Illinois Administrative Code*

**Local Exchange Service** Please indicate which waivers Applicant is requesting.

X Part 710 Uniform System of Accounts for Telecommunications Carriers

X Part 735.180 Directories (within 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)

Part 730.115 and 732.60 Service Quality and Customer Credit Quarterly Reporting – Waiver is available for carriers providing Data Services only. (ref. 13-517c)

Part 250 Public Utility Books and Accounts (maintaining books and records out of state)

Others (Please indicate which additional waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance)

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Interexchange Service Please indicate which waivers Applicant is requesting.

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

Part 250 Public Utility Books and Accounts (maintaining books and records out of state)

Others (Please indicate which additional waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance).

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Local and Interexchange Public Pay Telephone Service Please indicate which waivers Applicant is requesting.

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

Part 250 Public Utility Books and Accounts (maintaining books and records out of state)

Others (Please indicate which additional waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance)

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1. If the Applicant is requesting a waiver of Part 710, what circumstances warrant a departure from the prescribed Uniform System of Accounts (“USOA”)?

Applicant respectfully requests that it be exempt from any record-keeping rules or regulations that might require a carrier to maintain its financial records in conformance with the Uniform System of Accounts (“USOA”). The USOA was developed by the FCC as a means of regulating

telecommunications companies subject to rate base regulation. Applicant is not an incumbent local exchange carrier and is a "non-dominant" carrier under 47 CFR § 32.11(a) and therefore not subject to USOA by the FCC.

As a competitive carrier, Applicant maintains its book of accounts in accordance with Generally Accepted Accounting Principles ("GAAP"). Applicant does not possess the detailed cost data required by USOA, nor does it maintain detailed records on a state-specific basis. Applicant asserts that because it utilizes GAAP, the Commission will have a reliable means by which to evaluate Applicant's operations. Therefore, Applicant hereby respectfully requests to be exempt from the USOA requirements of the Commission.

2. If the Applicant is requesting a waiver of Part 710, then will records be maintained in accordance with Generally Accepted Accounting Principles ("GAAP")?

X  YES \_\_\_\_\_ NO

3. If the Applicant is requesting a waiver of Part 710, then will applicants accounting system provide an equivalent portrayal of operating results and financial condition as the USOA?

X  YES \_\_\_\_\_ NO

4. If the Applicant is requesting a waiver of Part 710, then will applicant maintain its records in sufficient detail to facilitate the calculation of all applicable taxes and surcharges?

X  YES \_\_\_\_\_ NO

5. If the Applicant is requesting a waiver of Part 710, then does the accounting system currently in use by Applicant provide sufficiently detailed data for the preparation of Illinois Gross Receipts Tax returns?

X  YES \_\_\_\_\_ NO

If YES, What specific accounts or sub-accounts provide this data?

Gross Sales – 00110.

Gross Revenue from Other Sources 00220.

Company uses cash basis accounting method.

6. If the Applicant is requesting a waiver of Part 710, then will the Applicant provide annual audited statements when required or requested subsequent to granting of the waiver?

X  YES \_\_\_\_\_ NO

Note: See <http://www.icc.illinois.gov/forms/results.aspx?st=3&t=2> for Annual Reports instructions for detail.

7. If the Applicant is requesting a waiver of Part 710, does the Applicant understand that the requested waiver of Part 710 will not excuse it from compliance with future Commission rules or amendments to Part 710 otherwise applicable to the Company?

YES  NO

**VI. TELEPHONE ASSISTANCE PROGRAMS (To be completed by Local Exchange Service Applicants)**

1. Has the Applicant signed and returned the ITAC Membership Application and Agreement to Commission Staff?

YES  NO

Note: See <http://www.icc.illinois.gov/telecommunications/Certification.aspx> for application forms.

2. Will the Applicant's billing system be able to distinguish between resale and facilities based service for the collection of the ITAC line charge?

YES  NO

3. Has the Applicant signed and returned the Universal Telephone Access Corporation (UTAC) - Membership Application to Commission Staff?

YES  NO

Note: See <http://www.icc.illinois.gov/telecommunications/Certification.aspx> for application forms.

4. Will the Applicant solicit, collect, and remit the voluntary contributions from its telephone subscribers to support the Telephone Assistance Programs?

YES  NO

5. Does the Applicant realize that it will not be able to receive any of the federal reimbursements for the Lifeline and Link-Up Programs if it is not an eligible carrier?

YES  NO

6. Does the Applicant plan on filing to become an Eligible Telecommunications Carrier?

YES  NO

**VII. 911 SERVICE (To be completed by Local Exchange Service Applicants)**

1. Will the Applicant ensure that 911 traffic is handled in accordance with the 83 Illinois Administrative Code Part 725 and the Emergency Telephone System Act?

YES  NO

Note: See <http://www.icc.illinois.gov/911/> for links to the Emergency Telephone System Act and other 911 related rules and regulations.

2. Who will be responsible for building and maintaining the 911 database for your local exchange customers?

Joe White  
VP Operations  
Tel. 970.722.6232  
Fax. 970.722.6231  
Email. [joe@365wireless.net](mailto:joe@365wireless.net)

3. How often will the Applicant update the 911 database with customer information?

Applicant will use the 911 services of its underlying carriers. Consistent with this, Applicant will supply the 911 service provider in 365 Wireless, LLC's service area with accurate information necessary to update the E-911 database at the time Applicant submits orders to the local exchange telecommunications company whose service is being resold. Applicant will update the 911 database upon the issuance of orders to its underlying provider.

4. Please explain the procedures the Applicant will use to collect 911 surcharges and transmit them to the local 911 systems.

The amount of the 911 surcharge collected by the Applicant from customer invoices shall be paid to the particular municipality or county or Joint Emergency Telephone System Board not later than 30 days after the surcharge is collected. Applicant intends on transmitting the 911 surcharges collected either via wire transfer or by Company check, whichever is practicable for both the entity and Company.

**VIII. PREPAID SERVICE (To be completed by Local Exchange Service Applicants that Provide Prepaid Service)**

1. Will customers have the ability to sign up with any long distance company they choose?

YES  NO

2. Will customers have the ability to use dial around long distance companies?

YES  NO

3. Will customers have access to the Illinois Relay Service?

YES  NO  
4. Will customers be able to make 1-800 calls for free?

YES  NO

5. Will the Applicant offer operator services?

YES  NO

6. Please describe how applicant plans to collect the monthly fee to be paid in advance.

7. Will customers' monthly bills show a breakdown of services, features, surcharges, taxes, etc.?

YES  NO

8. Will customers pay an installation fee?

YES  NO

If YES, will payment arrangements be offered for the installation fee?

YES  NO

9. Will telephone service be in the Applicant's name or the customer's name?

YES  NO

If YES, please describe how information will appear in data bases, such as 9-1-1, directory assistance, etc.?

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10. Will applicant offer prepaid service as a monthly service or as a usage service?

Monthly  Usage

11. Will applicant provide a warning when the remaining value of service is about to cease?

YES  NO

If YES, is the customer given more than one notice of the remaining value of service?

YES  NO

If YES, how much advance notice is given to the customer of the remaining value of service?

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12. If the customer is in the middle of a call will they be disconnected when the remaining value of service has expired?

YES  NO

If YES, are customers made aware of potentially being disconnected during a call when the remaining value of service expires?

\_\_\_\_\_ YES \_\_\_\_\_ NO

13. When does the timing of a call start? \_\_\_\_\_

14. If the person called does not answer, is any time deducted from the customer's account?

\_\_\_\_\_ YES \_\_\_\_\_ NO

15. Will there be any other instances in which the Company would disconnect a customer, other than running out of prepaid time?

\_\_\_\_\_ YES \_\_\_\_\_ NO

If YES, please explain. \_\_\_\_\_

16. When a customer runs out of time is their phone immediately disconnected or on suspension?

\_\_\_\_\_ YES \_\_\_\_\_ NO

If YES, will they still be able to receive calls?

\_\_\_\_\_ YES \_\_\_\_\_ NO

17. Are the Applicant's services available to TTY callers?

\_\_\_\_\_ YES \_\_\_\_\_ NO

18. How will the Applicant handle a complaint from a customer who disputes the amount of time used or remaining?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. The Public Utilities Act requires a local calling area that has no time or duration charges. How will the Applicant define each customer's untimed local calling area?

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_



Clive N. Marsh,  
Chief Financial Officer

Tony D. Cash  
General Counsel of 365 Wireless, LLC  
1500 Trotters Cove  
Atlanta, Georgia 30338  
Tel. 678.916.0628  
Fax. 970.722.6231  
Email. [tony@365wireless.net](mailto:tony@365wireless.net)

**VERIFICATION**

This application shall be verified under oath.

**OATH**

State of Georgia )  
 ) ss  
County of Fulton )

Clive N. Marsh makes oath and says that he is Chief Financial Officer  
(Insert here the name of affiant) (Insert the official title of the affiant)

of 365 Wireless, LLC (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.

  
\_\_\_\_\_  
(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/ \_\_\_\_\_  
(Tony D. Cash/Notary Public)

in the State and County above named, this 25<sup>th</sup> day of January, 2012

  
\_\_\_\_\_  
(Signature of person authorized to administer oaths)



## **LIST OF EXHIBITS**

**EXHIBIT A: CERTIFICATE OF ORGANIZATION**

**EXHIBIT B: CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN ILLINOIS**

**EXHIBIT C: MANAGEMENT PROFILES**

**EXHIBIT D: CURRENT ORGANIZATION CHART**

**EXHIBIT E: FINANCIAL DOCUMENTATION**

**PRO FORMA INCOME STATEMENT  
PRO FORMA BALANCE SHEET  
CERTIFIED STATEMENT OF CAPITALIZATION  
BANK LETTER OF DEPOSIT**

**EXHIBIT F: APPLICANT'S PROPOSED NETWORK CONFIGURATION**