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ILLINOIS COMMERCE COMMISSION

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ORIGINAL
ILLINOIS COMMERCE
COMMISSION

2014 APR -7 A 9:54

CHIEF CLERK'S OFFICE

14-0288

In the Matter of the Petition of)
Legent Comm LLC d/b/a Long Distance)
America and d/b/a Long Distance Services for a)
Certificate of Interexchange Authority to Operate as)
a reseller of telecommunications services in the)
State of Illinois)
and)
the Petition of **Legent Communcations**)
Corporation d/b/a Long Distance America)
to cancel its Certificate of Authority)
)
)

Docket No.:

**Joint Petition for Certificate to
Become a Telecommunications Carrier
and
Cancellation of Authority**

Legent Comm LLC d/b/a Long Distance America and d/b/a Long Distance Services ("Legent LLC" or "Applicant") and Legent Communications Corporation d/b/a Long Distance America ("Legent Corp.") (jointly, the "Petitioners") respectfully submit this Joint Petition requesting that: (1) Legent LLC be granted a Certificate of Interexchange Authority to operate as a reseller of telecommunications services in the State of Illinois; and (2) the Certificate of Authority granted to Legent Corp. in Docket Number 02-0109 on April 24, 2002 be canceled and its tariff withdrawn.

The Petitioner's provide the following information in support of this request:

Legent Communications Corporation has undergone an internal corporate reorganization, whereby it created Legent Comm LLC to serve its telecommunications customers. This reorganization will not impact customers, as service will continue under the current rates, terms and conditions. The ultimate ownership and management of the entity serving Illinois customers is not changing, as both Legent Communications Corporation and Legent Comm LLC are 100% owned and managed by Scott A. White, the Managing Member of Legent Comm LLC.

To facilitate this reorganization, Legent Corp. seeks to cancel its Certificate of Authority issued by the Commission in Docket No. 02-0109 on April 24, 2002, and Legent LLC requests that it simultaneously be granted authority to provide resold interexchange telecommunications services in Illinois.

All Illinois customers served by Legent Corp. will be served by Legent LLC. This change will be completely transparent to the customers, who will see no change to their current rates, terms and conditions of service, and no change to the ownership or management of their service provider. Moreover, existing customers will continue to be served under the same d/b/a --Long Distance America.

Legent Corp. does not have any outstanding obligations in the form of deposits, advance payments or prepayments.

In support of its request for interexchange authority to operate as a reseller of telecommunications services, Legent LLC submits the following information:

I. GENERAL

1. **Applicant's Name (including d/b/a, if any)** FEIN # 46-2409781
Legent Comm LLC d/b/a Long Distance
Services d/b/a Long Distance America

Address: Street 3595 S Town Center Drive, Suite 112

City Las Vegas State/Zip NV 89135

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

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.

The Applicant proposes to offer interexchange telecommunications service statewide.

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;
- Sharon Thomas, Consultant to Legent Comm LLC
Technologies Management, Inc.
2600 Maitland Center Parkway Suite 300
Maitland, FL 32751
Telephone: 407-740-3031
Facsimile: 407-740-0613
Email: sthomas@tminc.com

- 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.*)

Corporation Service Company
801 Adlai Stevenson Drive
Springfield, IL 62703
Phone: (800) 927-9800

- 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;

Regulatory Manager
Legent Comm LLC
3595 S Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

- ii) Customer complaint resolution;

Regulatory Manager
Legent Comm LLC
3595 S Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

- iii) Technical and service quality issues;

Regulatory Manager
Legent Comm LLC
3595 S Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

iv) "Tariff" and pricing issues;

Regulatory Manager
Legent Comm LLC
3595 S Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

v) 9-1-1 issues;

Regulatory Manager
Legent Comm LLC
3595 S Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

vi) Security/law enforcement issues;

Regulatory Manager
Legent Comm LLC
3595 S. Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

vii) Regulatory issues;

Regulatory Manager
Legent Comm LLC
3595 S. Town Center Drive, Suite 112
Las Vegas, NV 89135
Telephone: 702-425-4545
Facsimile N/A
Email: regulatory@legentcom.com

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: _____

State of incorporation: _____

- Other (Specify): Limited Liability Company organized in Nevada

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.

Exhibit 1 contains the Articles of Organization and the Certificate of Authority to Transact Business in Illinois.

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

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.

See Exhibit 2 for resumes of key personnel.

2. Please attach a current organization chart.

N/A (See Exhibit 2 for evidence of managerial and technical resources and ability).

3. List officers of Applicant.

Scott A. White, Managing Member

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.

Note: The Applicant itself does not provide and has not provided service under any other name in Illinois; however, Legent Communications Corporation, the Applicant's Joint Petitioner in this docket, has provided service in Illinois.

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.

See response to Item 5.

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:

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:

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

AR, AZ, CA, CO, GA, IA, IN, KS, MA, MD, MI, MO, MT, NC, NJ, NV, NY, OH, OR, PA, SC, TX, UT, VA, WA and WY.

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:

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.

Scott A. White, Managing Member of the Applicant, and sole owner is also the sole owner of Legent Communications Corporation, the Applicant's Joint Petitioner in this docket.

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.)**

The Applicant will utilize LEC billing for its services; services will be billed monthly. The Applicant will comply with all applicable federal and state billing rules.

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.)**

Customer service calls, including calls regarding service, billing and repair, will be handled by a third-party customer service provider, who responds to calls placed to the Company's toll free customer service number. The third-party provider has an escalation process in place and will further escalate issues to the Company for resolution if they are unable to resolve the customer's issue. The Company will inform the customer who is not satisfied with the Company's resolution of their concern of their right to have the problem reviewed by the Commission and will furnish them with the telephone number and address of the Commission's Consumer Affairs Division. The third-party provider and the Company will comply with all Illinois rules regarding the handling of service, bill and repair issues and complaint resolution.

15. **Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing?**

YES NO

Note: Service and billing calls received via the Company's toll free customer service number are handled by the Company's third-party agent, as described in response to Item 14.

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

866-469-0829

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?**

1 full-time employee. Other personnel are hired on a contract basis or are employed by third-party outsource vendors.

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?**

- YES NO

III. FINANCIAL

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.

See Exhibit 3.

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.

Note: the Applicant is 100% owned by Scott A. White, who also owns Legent Communications Corporation; however, the two entities are financially separate from one another.

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:

IV. TECHNICAL

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).**

The Applicant provides non-prepaid, resold interexchange 1+ voice services.

2. **Does Applicant utilize its own equipment and/or facilities?**

YES NO

3. **Does Applicant lease equipment and/or facilities?**

YES NO

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.

The Applicant purchases services from various other interexchange carriers on a wholesale basis.

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

Interexchange voice services throughout the state of Illinois.

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.

As an reseller of interexchange services, the Applicant does not own or control any facilities that may require repair. Any repair to the network and facilities of the Applicant's underlying carriers would be handled by those carriers.

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

YES NO

If NO, please provide the hours of assistance.

Technical personnel are available from 8 am to 7pm M-F and Sat from 9 am to 1 pm.

7. **Will the Applicant provide payphone service?**

YES NO

WAIVERS

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)

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

As a competitive provider, the Applicant is not required to comply with the USOA in any other state and to meet such a requirement in Illinois would be unduly burdensome. The Commission routinely grants waivers of this requirement to competitive carriers.

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

■ 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?**

■ 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?**

■ 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?**

■ YES NO

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?**

■ 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

WHEREFORE, the Joint Petitioners respectfully request that: (1) Legent Com LLC d/b/a Long Distance America and d/b/a Long Distance Services be granted a Certificate of Interexchange Authority to operate as a reseller of telecommunications services in the State of Illinois; and that (2) the Certificate of Authority granted to Legent Communications Corporation d/b/a Long Distance America in Docket Number 02-0109 on April 24, 2002 be canceled and its tariff canceled.

Legent Comm LLC

By:



Scott A. White, Managing Member

Legent Communications Corporation

By:



Scott A. White, President

OATH

State of Nevada)
) ss
County of Clark)

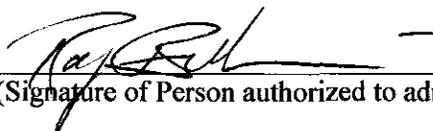
Scott A. White makes oath and says that he is Managing Member of Legent Comm LLC and the President of Legent Communications Corporation; that he has examined the foregoing Joint Petition and that to the best of his knowledge, information, and belief, all statements of fact contained therein are true, and the said Joint Petition is a correct statement of the business and affairs of the above-named companies in respect to each and every matter set forth therein.



Scott A. White
Managing Member, Legent Comm LLC
President, Legent Communications Corporation

Subscribed and sworn to before me, a Notary Public

in the State and County above named, this 28th day of MARCH, 2014.



(Signature of Person authorized to administer oath)

