

In the Matter of the Application)
of Fox Communications Corporation)
for a Certificate of Interexchange Authority)
to Operate as Non-facilities Based)
Reseller of Interexchange Telecommunications)
Services in the State of Illinois.)
_____)

EST. 11-11 2:11:12
Docket No. 03-0222

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

Fox Communications Corporation ("Applicant" or "Fox"), pursuant to the Illinois Public Utilities Act ("the Act"), 220 ILCS 5/13-404 (1995) *Resale of Interexchange*, and in accordance with the Illinois Commerce Commission's ("Commission") standard *Application for Certificate to Become a Telecommunications Carrier*, hereby applies to the Commission for a Certificate of Service Authority to operate as a non-facilities-based reseller of interexchange telecommunications services throughout the State of Illinois. Applicant proposes to offer interexchange telecommunications services including outbound "1 plus," toll free, and post paid calling card services to both residential and business customers. In support of its Application, Applicant provides the following information:

GENERAL INFORMATION

1. Corporate Information

- a. Applicant's legal name, address, telephone number and facsimile number are:

Fox Communications Corporation
5210 Carillon Point
Kirkland, Washington 98033

Telephone: 425.562.2900
Facsimile: 425.828.7889

Fox will not operate under a fictitious ("doing business as") name.

b. Applicant's Federal identification number ("FEIN") is 91-1434110.

2. Authority Requested

Applicant requests authority to provide resold interexchange service throughout the State of Illinois pursuant to 220 ILCS 5/13-404, Resale of interexchange services.

3. Request for Waivers

Pursuant to Section 220 ILCS 5/13-402, Applicant requests the following waivers:

a. 83 Illinois Administrative Code, Part 710, the Uniform System of Accounts for Telecommunications Carriers, as it relates to Applicant's proposed authority, with the understanding that Applicant will maintain its accounting records according to Generally Accepted Accounting Principles in a level of detail similar to the accounting system which it currently uses and in sufficient detail to comply with all applicable tax laws;

b. 83 Illinois Administrative Code, Part 735, which governs credit, billing, deposits and termination of services; and

c. 83 Illinois Administrative Code 250 and Section 220 ILCS 5/5-106, allowing Applicant to keep its books and records outside the State of Illinois in the State of Washington.

The granting of the requested waivers would be consistent with the Commission's orders in other proceedings and the purpose and underlying policy of Article XIII of the Act.

4. Applicant is not requesting local exchange authority.

5. Applicant proposes to provide service within and throughout the State of Illinois.

6. Contact Persons:

a. Communications and correspondence relating to this Application should

be addressed to:

Andrew O. Isar
Miller Isar, Inc.
7901 Skansie Avenue, Suite 240
Gig Harbor, Washington 98335
Tel: 253.851.6700
Fax: 253.851.6474
E-mail: aisar@millerisar.com

b) – g) Communications and correspondence concerning consumer issues, customer complaint resolution, technical and service quality issues, “tariff” and pricing issues, 9-1-1 issues and security/law enforcement should be addressed to:

Robert Benson
Fox Communications Corporation
5210 Carillon Point
Kirkland, Washington 98033
Telephone: 425.562.2900
Facsimile: 425.828.7889
E-mail: rbenson@whoscalling.com

7. Type of Organization

Applicant is a corporation organized under the laws of the State of Washington on January 5, 1989.¹

8. Articles of Incorporation and Certificate of Authority

A copy of Applicant’s Articles of Incorporation are attached as **Exhibit A**. A copy of Applicants Certificate of Authority to Transact Business from the Secretary of State is attached as **Exhibit B**.

9. Jurisdictions of Service Provision

¹ Applicant was incorporated PHONELINK, Inc. On July 21, 1992 Applicant changed its name to Fox Communications Corporation, as evidenced in its Articles of Amendment at **Exhibit A**.

Applicant is providing service in the States of Washington and Oregon, and intends to provide service to other states in the future.

10. Certificate Suspensions or Revocations

Neither Applicant nor any principal in Applicant, has been denied Certificate of Service or had its certification revoked or suspended in any jurisdiction in its current or other name.

11. Complaints or Judgments

No complaints or judgments have been levied against the Applicant in any other jurisdiction.

12. Service Provision Under Alternative Names

Applicant has not provided service under any other name.

13. Location of Books and Records

Applicant has requests a waiver from 83 Illinois Administrative Code Part 250 in paragraph 3 *Supra*, so that it may maintain its books and records in Kirkland, Washington.

MANAGERIAL INFORMATION

14. Managerial and Technical Resources

As a non-facilities based reseller, Applicant will rely on the technical expertise of its underlying carrier for service provision. Applicant possesses the requisite managerial resources and experience to meet the Commission's service quality obligations, as evidenced by the corporate biographical statements attached as **Exhibit C**.

15. Applicant's Officers

<u>Name</u>	<u>Title</u>
Lonnie Benson	Chief Executive Officer
Steve Forbes	President

16. Ownership or Other Interests in Other Telecommunications Providers

No officer of Applicant has an ownership or other interest in any other entity that has provided or is currently providing telecommunications service.

17. Billing Procedures

Applicant engages with a billing contractor to render monthly service bills, pursuant to Commission rules. Invoices to customers are rendered on a monthly basis and contain the prior calendar month's usage charges and current monthly recurring charges, pursuant to tariffed rates where applicable. Invoices are rendered or about the first week of the following month in which service was rendered. Invoices are due upon receipt. Unpaid bills become subject to late payment fees 30 days after the bill is rendered. Subscribers are subject to service termination in accordance with applicable Commission service termination regulation.

18. Complaint Resolution Process

All complaints and customer service issues will be referred to the Applicant's Customer Service Department, which can be reached at the Applicant's toll free number, 800.488.2812. Customer Service representatives will be available from 6:00 a.m. to 6:00 p.m. Pacific Time, Monday through Friday. Messages may be left for Customer Service representatives after normal business hours. Customer Service representatives will respond promptly to the customer. In the event that a customer is not satisfied after contacting Customer Services, the complaint will be referred to the Company's Regulatory Manager for review and disposition. Customers will also be informed that, if they remain dissatisfied, they may contact the Illinois Commerce Commission.

19. Personnel Availability

Customer Service representatives will be available at Applicant's business office from 6:00 a.m. to 6:00 p.m. Pacific Time, Monday through Friday, to respond to inquiries about service and billing. After normal business hours, messages may be left for Customer Service representatives or the Customer Service manager may be paged in case of an emergency.

20. Customer Contact Telephone Numbers

Customers may contact Applicant by calling Applicant's toll free telephone number, 800.488.2812.

21. Slamming and Cramming Laws

Applicant avers that it will abide by all Federal and State slamming and cramming laws pursuant to Section 220 ILCS 5/13-902 of the Public Utilities Act and Section 258 of the federal 1996 Telecommunications Act.²

22. Slamming and Cramming Procedures

Applicant intends to rely on written letters of agency, pursuant to 47 C.F.R. §64.1150 and Commission rules. Applicant will issue its own bills.

23. Provisions of Illinois Administrative Code Applicable to Local Exchange Carriers

Applicant is not requesting authority to operate as a local exchange carrier.

24. Tariffs

Applicant's proposed tariff is attached as **Exhibit D**.

FINANCIAL INFORMATION

25. Financial Statements

Applicant's financial statements, which are attached as **Exhibit E**, demonstrate that the Applicant's financial strength is sufficient to enable Applicant to provide and maintain service in the State of Illinois. Applicant requests confidential treatment of its financial information and has filed its financials under protective seal.

TECHNICAL INFORMATION

26. Equipment and Facilities

Applicant is a non-facilities based reseller. Thus, all equipment and facilities will be owned, operated and managed by Applicant's underlying carrier.

² 47 U.S.C §258.

27. Services to be Provided

Applicant proposes to provide resold interexchange outbound "One Plus" toll free, and postpaid calling card services throughout the State of Illinois.

28. Availability of Technical Personnel

Applicant's technical personnel will be available at all times to assist customers with service problems.

29. Payphone Service

Applicant does not propose to provide payphone service.

CONCLUSION

Applicant has demonstrated that it meets the technical, financial and managerial requirements of Section 220 ILCS 5/13-404 of the Act. The granting of this Application by the Commission will further contribute to the development of meaningful interexchange competition in the State of Illinois, will promote the more efficient use of existing facilities, and is in the public interest.

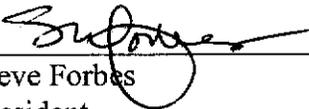
WHEREFORE, Fox Communications Corporation respectfully requests that the Illinois Commerce Commission grant a Certificate of Service Authority authorizing Fox to provide resold interexchange telecommunications services in the State of Illinois

(Signature on Following Page)

Respectfully submitted, this 25th day of March, 2003.

Fox Communications Corporation

By:



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President
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Facsimile: 425.828.7889

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7901 Skansie Ave., Suite 240
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Telephone: 253.851.6700
Facsimile: 253.851.6474

Applicant's Regulatory Consultants

BEFORE THE STATE OF
ILLINOIS COMMERCE COMMISSION

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LIST OF EXHIBITS

- | | |
|-----------|---|
| EXHIBIT A | ARTICLES OF INCORPORATION |
| EXHIBIT B | CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS |
| EXHIBIT C | BIOGRAPHICAL STATEMENTS |
| EXHIBIT D | TARIFF |
| EXHIBIT E | FINANCIAL STATEMENTS |