



Anthony Gillette
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March 31, 2008

Public Utilities Commission
Capitol Building, First Floor
500 East Capitol Avenue
Pierre, South Dakota 57501

RE: CLEC/ACCESS/IXC APPLICATION

Dear Sir or Madam:

Enclosed is one (1) original and three (3) copies of Kentucky Data Link, Inc.'s ("KDL") application for authority to provide resold and facilities-based local exchange, exchange access, and interexchange telecommunications services in the State of South Dakota. I have also enclosed a check in the amount of Two Hundred Fifty Dollars (\$250.00) to cover the filing fee.

Exhibit 6 to this filing is being provided under seal in a separate .pdf document, in accordance with Commission practice. This exhibit contains financial data for KDL. This data constitutes competitively sensitive trade secret information that is proprietary to KDL and is not routinely disclosed in any public forum. Given the competitive nature of the telecommunications market, public disclosure of this financial data would cause KDL competitive harm by providing competitors with information that could be used against it in the market. Therefore, KDL respectfully requests that Exhibit 6 be accorded confidential treatment and not be made a part of the public record in this proceeding or otherwise disclosed to the public.

Please acknowledge your receipt of this document by file-stamping the spare copy which is enclosed, and return it to me in the enclosed postage prepaid envelope.

Please contact me if you have any questions or concerns. I can be reached at either (913) 754-3341 or anthony.gillette@kdline.com.

Sincerely,

Anthony D. Gillette
Corporate Counsel

Encl.

cc: File

**BEFORE THE SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION**

In the Matter of the Application of:

KENTUCKY DATA LINK, INC.

for Authority to provide Resold and
Facilities-Based Local Exchange, Exchange
Access, and Interexchange Telecommunications
Services in the State of South Dakota

Docket No:

APPLICATION

Kentucky Data Link, Inc. (hereafter "KDL" or "Applicant"), by and through counsel, pursuant to S.D. Codified Laws § 49-31-76 and the rules and regulations of the South Dakota Public Utilities Commission (hereafter "Commission"), hereby submits its Application for a Certificate of Authority to provide resold and facilities-based local exchange, exchange access, and interexchange telecommunications services throughout the service territory of Qwest Corporation (hereafter "Qwest").

In support of its application, Applicant states the following:

I. APPLICANT INFORMATION

A. The Applicant's name, address, telephone number, facsimile number, web page URL, and e-mail address:

Answer: Kentucky Data Link, Inc.
3701 Communications Way
Evansville, IN 47715
Telephone: (800) 709.5690
Facsimile: (812) 759-0999
E-Mail: information@kdline.com
Web: www.kdline.com

B. A description of the legal and organization structure of the Applicant's company:

Answer: Applicant is a corporation formed and in good standing under the laws of the State of Kentucky. A copy of Applicant's Certificate of Existence is attached as Exhibit 1. Applicant currently has three Board members and six corporate officers.

Board Members: Albert E. Cinelli, Chairman
Cole W. Hawks
John C. Greenbank

Officers: John C. Greenbank, President
Ed Corr, Vice-President - Tax
Lohn H. Weber, Vice-President & C.F.O.
David Dobbs, Vice-President – Construction
John Iber, Vice-President - Operations
Cole W. Hawks, Executive VP, Secretary

These Directors and Officers may be reached at the following addresses:

Kentucky Data Link, Inc.
8829 Bond Street
Overland Park, KS 66214

C. The name under which the Applicant will provide services if different than above.

Answer: Applicant will only use its legal name to provide service in South Dakota.

D. A copy of the Applicant's Certificate of Authority to transact business in South Dakota from the Secretary of State:

Answer: See attached Exhibit 2.

E. The location of the Applicant's principal office, if any, in this state and the name and address of its current registered agent, if applicable:

Answer: Applicant does not have an office in the State of South Dakota. Its Registered Agent is as follows:

National Registered Agents, Inc.
300 S. Phillips Ave, Suite 300
Sioux Falls, SD 57104-6322

F. A description of the Applicant's experience providing any telecommunications services in South Dakota or in other jurisdictions, including the types of services provided, and the dates and nature of state and federal authorization to provide the services:

Answer: Applicant is a telecommunications company that currently holds CLEC & IXC certifications in 19 states (including the District of Columbia), and it is offering its services

throughout those areas. Applicant is currently operating its own fiber network that consists of approximately 25,000 route miles of fiber. Applicant's Network Operations Center is located in Evansville, IN.

A list of specific states that Applicant is certified in can be found below, in response to Question IV (F).

- G. Names and addresses of Applicant's affiliates, subsidiaries, and parent organizations, if any:

Answer: Q-Comm Corporation, (Parent Corp.)
8829 Bond Street
Overland Park, KS 66214

Q Services Company, (Affiliate)
8829 Bond Street
Overland Park, KS 66214

Norlight, Inc. (Affiliate)
8829 Bond Street
Overland Park, KS 66214

Norlight Telecommunications, Inc. (Affiliate)
8829 Bond Street
Overland Park, KS 66214

Cinergy MetroNet, Inc. (Affiliate)
8829 Bond Street
Overland Park, KS 66214

II. SERVICE INFORMATION

- A. A list and specific description of the telecommunications services the Applicant intends to offer, and how the services will be provided including:

- (a) Information indicating the classes of customers the applicant intends to serve:

Answer: Residential and business class customers.

- (b) Information indicating the extent to and time-frame by which applicant will provide service through the use of its own facilities, the purchase of unbundled network elements, or resale:

Answer: Applicant will initially rely on resale, commercial wholesale, and the purchase of unbundled network elements to offer its services. Applicant intends to construct its own facilities once it develops a customer base which is dense enough to justify such construction.

- (c) A description of all facilities that the Applicant will utilize to furnish the proposed services, including any facilities of underlying carriers; and

Answer: Because it will initially provide service using a combination of UNE's, resale, and commercial wholesale services, Applicant will initially rely on the facilities and services of the underlying ILEC, Qwest.

- (d) Information identifying the types of service it seeks authority to provide by reference to the general nature of the service:

Answer: Applicant intends to provide local exchange telecommunications services, exchange access, and interexchange telecommunications services, through for instance, the use of leased unbundled network elements from ILEC's, commercial wholesale agreements, resale of services, and/or any combination thereof. Specific services that Applicant seeks authority to provide the following:

1. Local exchange services for business and residential customers to terminate and originate local calls;
2. Switched local exchange services such as flat-rate and measured-rate local services;
3. Vertical services, direct inward and outward dialing trunks, and carrier access;
4. Other switched local services that currently exist or will exist in the future;
5. Non-switched local services (e.g., private line) that currently exist or will exist in the future.
6. Digital subscriber line, ISDN, fiber, and other high capacity line services.
7. Interexchange telecommunications services.

- B. A service area map or narrative description indicating with particularity the geographic area proposed to be served by Applicant:

Answer: Applicant is requesting authority to provide service throughout the Qwest service areas. A map of this area is attached as Exhibit 3.

- C. Information regarding the technical competence of the Applicant to provide its proposed local exchange services including:

- (a) A description of the education and experience of the Applicant's management personnel who will oversee the proposed local exchange services:

Answer: See attached Exhibit 4.

- (b) Information regarding policies, personnel, or arrangement made by the Applicant which demonstrates the Applicant's ability to respond to customer complaints and inquiries promptly and to perform facility and equipment maintenance necessary to ensure compliance with any commission quality of service requirements:

Answer: Applicant has a long history of providing high quality telecommunications services to its customers.

Applicant has designated departments established to handle customer service, billing and repair issues. Applicant provides a toll free number that is printed on every billing statement. Complaints are generally resolved through a Customer's interaction with Applicant's customer service department. Should the customer service department be unable to resolve a particular issue, Applicant has escalation procedures in place under which complaints are escalated to the corporate regulatory department. These complaints are typically resolved within 30 to 45 days.

To the extent that Applicant is relying on the ILEC to provide various network elements and services, Applicant will rely on said ILEC to provide proper and timely maintenance and repairs. Applicant also has its own highly experienced and qualified technical staff that is used to maintain its own

network, currently consisting of approximately 25,000 route miles of fiber crossing 19 states.

- E. Information explaining how the Applicant will provide customers with access to emergency services such as 911 or enhanced 911, operator services, interexchange services, directory assistance, and telecommunications relay services:

Answer: Applicant intends to obtain wholesale arrangements from the ILECs to provide these services.

- F. Information detailing the following matters associated with interconnection to provide proposed local exchange services:

- (a) The identity of all local exchange carriers with which the Applicant plans to interconnect:

Answer: Applicant currently intends to interconnect with Qwest, with the ultimate goal of interconnecting with all companies whose service territories are open to competition.

- (b) The likely timing of initiation of interconnection service and a statement as to when negotiations for interconnection started or when negotiations are likely to start; and

Answer: Applicant is sending a letter to initiate negotiations on an interconnection agreement concurrently with its filing of this application.

- (c) A copy of any request for interconnection made by the applicant to any local exchange carrier:

Answer: See attached Exhibit 5.

III. FINANCIAL INFORMATION

- A. Applicant's financial statements, for the most recent 12 month period, including a balance sheet, income statement, and cash flow statement.

Answer: A copy of Applicant's CONFIDENTIAL financial statements are attached as Exhibit 6. These financial statements have been audited.

IV. REGULATORY INFORMATION

- A. The names, addresses, telephone number, facsimile number, and E-mail address of Applicant's representative to whom all inquiries must be made regarding complaints and regulatory matters and a description of how the applicant handles customer service matters.

Answer: All communications, correspondence and pleadings with respect to this Application, commission complaints, and ongoing regulatory questions should be directed to the following:

Anthony D. Gillette
Kentucky Data Link, Inc.
8829 Bond Street
Overland Park, KS 66214
Telephone: (913) 754-3341
Facsimile: (812) 759-0999
E-Mail: anthony.gillette@kdline.com

A customer may contact a customer service representative in an effort to resolve any dispute or concern. If the customer is unhappy with the response provided by the customer service representative, customer may escalate the matter. The customer may also, at any time, contact the Commission to obtain assistance in resolving the matter.

- B. Information concerning how the applicant plans to bill and collect charges from customers.

Answer: Applicant will handle its billing and collection internally, through its existing systems. No 3rd party company will be utilized.

- C. Information concerning Applicant's policies relating to solicitation of new customers and a description of the efforts the applicant shall use to prevent the unauthorized switching of interexchange customers.

Answer: Applicant is in compliance with all FCC and state requirements regarding marketing and service provisions. Applicant uses written letters of authority in addition to 3rd party verification on all orders. New orders are not provisioned without these two required steps.

D. Information concerning how the Applicant will make available to any person information concerning the Applicant's current rates, terms, and conditions of any telecommunication services.

Answer: Pursuant to 49-31-12.2, Applicant will keep a copy of its tariff posted on its website for public viewing.

E. Information concerning how the Applicant will notify a customer of any materially adverse change to any rate, terms, or condition of any telecommunications service being provided to the customer. The notification must be made at least thirty days in advance of the change.

Answer: Pursuant to § 49-31-12.2, Applicant shall provide written notice 30 days, at a minimum, in advance to its customers and the Commission of any rate increase.

F. A list of the states in which the Applicant is registered or certified to provide telecommunications services, whether the Applicant has ever been denied registration or certification in any state, and the reasons for any such denial, a statement as to whether or not the Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified, and a detailed explanation of why the applicant is not in good standing in a given state, if applicable:

Answer: Applicant is registered in the following states:

Alabama (2006)
Arkansas (2004)
Georgia (2005)
Illinois (2002)
Indiana (2002)
Iowa (2007)
Kentucky (2002)
Michigan (2005)
Mississippi (2004)
Missouri (2006)
North Carolina (2005)
North Dakota (2008)
Ohio (2003)
Pennsylvania (2006)
Tennessee (2004)
Virginia (2003)
Washington D.C. (2008)
West Virginia (2004)

Wisconsin (2007)

Applicant has never been denied registration/certification in any state, and Applicant is in good standing with all of the Public Service/Utilities Commissions in the aforementioned states.

- G. A description of how the Applicant intends to market its services, its target market, whether the Applicant engages in any multilevel marketing, and copies of any company brochures used to assist in the sale of services;

Answer: Applicant attest that it is in compliance with all FCC and state requirements regarding marketing and service provisions. Applicant uses only integrated direct marketing tactics to promote its products and services, including, referral partners, trade shows, and pre-existing business relationships. Applicant does not use multi-level marketing in any manner.

- H. Federal tax identification number

Answer: 61-1196739

- I. The number and nature of complaints filed against the applicant with any state or federal regulatory commission regarding the unauthorized switching of customers telecommunications provider and the act of charging customers for services that have not been ordered:

Answer: Applicant has not had a Commission complaint filed for either of the foregoing reasons.

- J. A written request for waiver of those rules the Applicant believes to be inapplicable:

Answer: No waivers requested

- K. Other information requested by the Commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the interexchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws.

Answer: Any such information will be provided upon request.

WHEREFORE, Applicant respectfully requests that the South Dakota Public Utilities Commission grant this Application to issue a Certificate of Authority to permit Applicant to provide competitive facilities-based and resold local exchange, exchange access, and interexchange telecommunications services in the State of South Dakota.

Respectfully Submitted,

Anthony D. Gillette, Corporate Counsel
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