

Lance J.M. Steinhart, P.C.
Attorney At Law
1720 Windward Concourse
Suite 115
Alpharetta, Georgia 30005

Also Admitted in New York
and Maryland

Telephone: (770) 232-9200
Facsimile: (770) 232-9208
Email: lsteinhart@telecomcounsel.com

August 29, 2008

VIA E-DOCKET

Ms. Patty VanGerpen
Executive Director
South Dakota Public Utilities Commission
500 East Capitol Avenue
Pierre, SD 57501-5070
(605) 773-3201

Re: Pulse Telecom LLC

Dear Ms. VanGerpen:

Enclosed please find Pulse Telecom LLC's Application for A Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota.

The application fee of \$250.00 is being sent directly to the commission under separate cover.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

Lance J.M. Steinhart
Attorney for Pulse Telecom LLC

Enclosures
cc: Marius Malai

(1) The applicant's name, address, telephone number, facsimile number, web page URL, and E-mail address;

Pulse Telecom LLC
1451 W. Cypress Creek Road, Suite 300
Ft. Lauderdale, Florida 33309
Telephone: (954) 489-2725
Facsimile: (954) 342-0272
Toll-Free Customer Service: (800) 816-4734
Web Page: www.pulsetele.com
E-mail Address: office@pulsetele.com

(2) A description of the legal and organizational structure of the applicant's company;

Applicant was organized in the State of Delaware on September 27, 2006. A copy of the Applicant's Certificate of Formation is attached hereto as Exhibit A. The Applicant has no parent company or subsidiaries.

(3) The name under which applicant will provide local exchange services if different than in subdivision (1) of this section;

Pulse Telecom LLC

(4) A copy of the applicant's certificate of authority to transact business in South Dakota from the Secretary of State;

A copy of Applicant's Certificate of Authority to transact business as a foreign corporation in the State of South Dakota is attached hereto as Exhibit B, along with a copy of Applicant's sales tax license.

(5) 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;

The Applicant has no principal office in South Dakota. The name and address of the Applicant's current registered agent is:

TCS Corporate Services, Inc.
C/O Marilyn Person
819 West Third
Pierre, South Dakota 57501

(6) A list and specific description of the telecommunications services the applicant intends to offer;

Applicant is a reseller that intends to offer interexchange services, including 1+ and 101XXXX outbound dialing, 800/888 toll-free inbound dialing, directory assistance, data services and postpaid calling card service. The Applicant will not offer prepaid calling card services.

(7) A detailed statement of how the applicant will provide its services;

Applicant does not own or maintain any transmission facilities or switching equipment in the State of South Dakota. The Applicant will provide services through its underlying carriers utilizing facilities provided by Qwest or other facilities-based carriers. As a reseller, Applicant has no points of presence in the State of South Dakota, thus Applicant neither owns, leases, nor operates any switching, transmission, or other physical facilities in the State of South Dakota, and no such facilities will be used by Applicant in providing service in the State of South Dakota.

(8) A service area map or narrative description indicating with particularity the geographic area proposed to be served by the applicant;

Applicant intends to provide services on a statewide basis.

(9) For the most recent 12 month period, financial statements of the applicant including a balance sheet, income statement, and cash flow statement. The applicant shall provide audited financial statements, if available;

Applicant's financial statements for the most recent 12 month period are attached hereto as Exhibit C. Since the Applicant will not require advance payments, deposits or prepayments of any kind, including prepaid calling cards, the Applicant will not be filing a surety bond.

(10) The names, addresses, telephone number, facsimile number, E-mail address, and toll free number of the applicant's representatives to whom all inquiries must be made regarding complaints and regulatory matters and a description of how the applicant handles customer service matters;

All inquiries regarding regulatory matters should be addressed to:

Marius Malai, Director
1451 W. Cypress Creek Road, Suite 300
Ft. Lauderdale, Florida 33309
Toll-Free Telephone: (954) 489-2725; (800) 816-4734 (toll-free)
Facsimile: (954) 342-0272

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Marius Malai, Director
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Toll-Free Telephone: (954) 489-2725; (800) 816-4734 (toll-free)
Facsimile: (954) 342-0272

(12) Information concerning the 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;

Pulse will not submit a change order for intrastate toll service until Pulse has obtained the customer's written authorization to submit the order which includes the following information from the customer:(1) The customer billing name, billing telephone number and billing address and each telephone number to be covered by the change order; 2) The decision to change; and (3) The customer's understanding of the change fee, if any.

(13) Information concerning how the applicant will make available to any person information concerning the applicant's current rates, terms, and conditions for all of its telecommunications services;

The Applicant will make available to any person information concerning the applicant's current rates, terms, and conditions for all of its telecommunications services through a toll-free telephone number, or through the Applicant's web site.

(14) Information concerning how the applicant will notify a customer of any materially adverse change to any rate, term, 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;

The Applicant will notify a customer of any materially adverse change to any rate, term, or condition of any telecommunications service being provided to the customer through either a message in the bill, or a bill insert. The notification will be made at least thirty days in advance of the change.

(15) 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;

Applicant is currently authorized to provide service pursuant to certification, registration, notification or on an unregulated basis in Arizona, Arkansas, California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. The Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified. The Applicant

has never been denied registration or certification in any state.

(16) 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;

Applicant intends to market its services to primarily to residential customers and to small to mid-sized businesses. All sales personnel will have telecommunications service experience. Applicant will market through direct sales by employees and agents. Applicant does not intend to engage in multilevel marketing. Applicant's marketing materials are currently being developed and are not available at this time.

(17) Federal tax identification number and South Dakota sales tax number;

Applicant's Federal tax identification number is 20-5640097.

Applicant's South Dakota sales tax number is 73-001-205640097E-ST-001

(18) The number and nature of complaints filed against the applicant with any state or federal regulatory commission regarding the unauthorized switching of a customer's telecommunications provider and the act of charging customers for services that have not been ordered;

None

WHEREFORE, the undersigned Applicant requests that the South Dakota Public Utilities Commission enter an order granting this application.

DATED this 20 day of May, 2008.

Pulse Telecom LLC

By: 

Lance J.M. Steinhart, Its Counsel

Lance J.M. Steinhart, PC

1720 Windward Concourse

Suite 115

Alpharetta, Georgia 30005

(770) 232-9200 (Phone)


(770) 232-9208 (Facsimile)

lsteinhart@telecomcounsel.com (E-Mail)

State of Kentucky

County of Jefferson

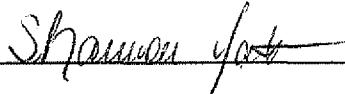
Marius Malai, being first duly sworn, deposes and says that he is the Director of Pulse Telecom LLC, the Applicant in the proceeding entitled above, that he has read the foregoing application and knows the contents thereof; that the same are true of his knowledge, except as to matters which are therein stated on information or belief, and to those matters he believes them to be true.



Marius Malai

Director

Subscribed and sworn to before this 03 day of April, 2008.



Notary Public

My Commission expires: _____



LIST OF EXHIBITS

A - CERTIFICATE OF FORMATION

B - CERTIFICATE OF AUTHORITY & SALES TAX LICENSE

C - FINANCIAL INFORMATION

D - MARKETING MATERIAL

EXHIBIT A - CERTIFICATE OF FORMATION

STATE OF DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE OF FORMATION
OF
PULSE TELECOM LLC

1. The name of the limited liability company is PULSE TELECOM LLC.
2. The address of its registered office in the State of Delaware is 1201 Orange St. Suite 600, Wilmington, New Castle County, Delaware, 19801. The name of its registered agent at such address is Presidential Services Incorporated.
3. (Use this paragraph only if the company is to have a specific date of dissolution: "The latest date on which the limited liability company is to dissolve is _____".)
4. (Insert any other matters the members determine to include herein.)

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Formation on September 27, 2006.

BY: Kevin W. Wessell

Authorized Person
President of Presidential Services Incorporated

NAME: Kevin Wessell

Type or Print
President of Presidential Services Incorporated

EXHIBIT B - CERTIFICATE OF AUTHORITY & SALES TAX LICENSE

State of South Dakota



OFFICE OF THE SECRETARY OF STATE

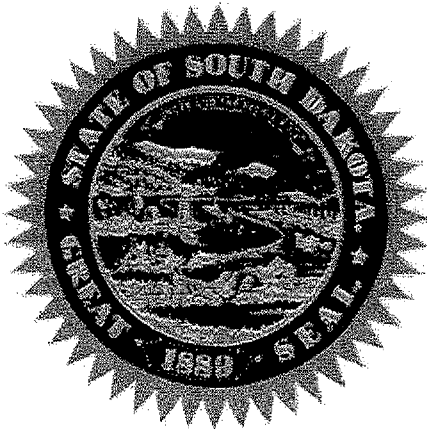
Certificate of Authority Limited Liability Company

ORGANIZATIONAL ID #: FL003253

I, **Chris Nelson**, Secretary of State of the State of South Dakota, hereby certify that duplicate of the Application for a Certificate of Authority of **PULSE TELECOM LLC (DE)** to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Limited Liability Company Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the application for certificate of authority.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this December 18, 2006.



Chris Nelson

Chris Nelson
Secretary of State

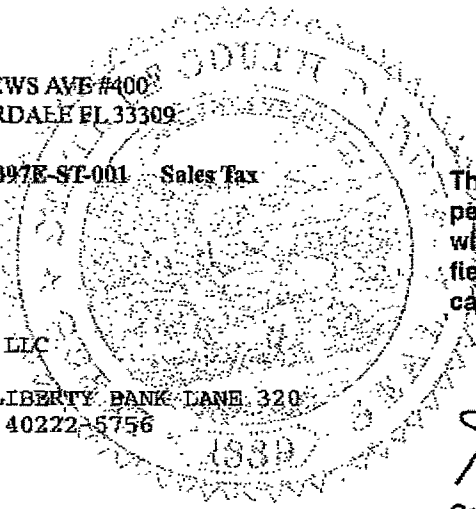


ISSUE DATE:	04/11/07		
EXPIRATION DATE:	NONE		
LOCATION:	6600 N ANDREWS AVE #400 FORT LAUDERDALE FL 33309 USA	<p>This license entitles the business or person to whom it is issued to transact whatever business or activity is specified on this license until it expires or is cancelled.</p>	
LICENSE:	73-001-205640097E-ST-001 Sales Tax		
	PULSE TELECOM LLC PULSE TELECOM C/O MGM 1230 LIBERTY BANK LANE 320 LOUISVILLE KY 40222-5756 USA	 Paul Kinsman Secretary of Revenue & Regulation	
NON-TRANSFERABLE			

EXHIBIT C - MARKETING MATERIAL
Not Available

EXHIBIT D - FINANCIAL INFORMATION

Balance Sheet
As of 12/31/2007

Pulse Telecom, LLC (PUU)

Assets

Current Assets

1001-00-000	HSBC- Main Bank Account	\$ 1,194.96	
1002-00-000	BB&T - 8337	\$ 4,945.69	

Total Current Assets: \$ 6,140.65

Accounts Receivable

1200-00-000	Accounts Receivable-Trade	\$ 503,200.19	
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Total Accounts Receivable: \$ 503,200.19

Other Current Assets

1315-00-000	Due from Others	\$ 11,600.00	
1320-00-000	Prepaid Expenses	\$ 4,383.41	
1325-00-000	Security Deposit	\$ 250.00	

Total Other Current Assets: \$ 16,233.41

Total Assets: \$ 525,574.25

Liabilities

Current Liabilities

2000-00-000	Accounts Payable	\$ 1,455,415.51	
2006-00-000	Accrued Expenses	\$ 34,775.44	
2100-00-000	Sales Taxes Payable	\$ 71,916.89	

Total Current Liabilities: \$ 1,562,107.84

Other Current Liabilities

2500-00-000	Due to MGM	\$ 1,130.00	
2700-00-000	Notes payable to Shareholder	\$ 9,500.00	

Total Other Current Liabilities: \$ 10,630.00

Total Liabilities: \$ 1,572,737.84

Equity

3030-00-000	Shareholder Contributions	\$ 500.00	
3200-00-000	Retained Earnings	\$ 43,326.47	
3200-00-000	Retained Earnings-Current Year	\$-1,090,990.06	

Total Equity: \$-1,047,163.59

Total Liabilities & Equity: \$ 525,574.25

For management use only.

Statement of Cash Flows
For Period Ending 12/31/2007

Pulse Telecom, LLC (PUU)

Operating Activities

Net Income (Loss) \$-1,090,990.06

Adjustments

1200-00-000	Accounts Receivable-Trade	\$-431,014.70	
1320-00-000	Prepaid Expenses	\$-4,383.41	
1325-00-000	Security Deposit	\$-250.00	
2000-00-000	Accounts Payable	\$ 1,450,287.55	
2006-00-000	Accrued Expenses	\$ 34,775.44	
2100-00-000	Sales Taxes Payable	\$ 63,558.18	
2500-00-000	Due to MGM	\$-4,546.95	

Total Adjustments: \$ 1,108,426.11

Net Cash Provided - Operating Expenses: \$ 17,436.05

Investing Activities

1315-00-000	Due from Others	\$-11,600.00	
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Net Cash Used - Investing Activities: \$-11,600.00

Financing Activities

Net Cash Used - Financing Activities: \$ 0.00

Net Increase in Cash: \$ 5,836.05

Cash & Equivalent at Begin of Year: \$ 304.60

Cash & Equivalent at End of Year: \$ 6,140.65