

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE)
APPLICATION OF)
1 800 COLLECT, INC.)
)
FOR A CERTIFICATE OF AUTHORITY) Docket No.
TO PROVIDE ALTERNATE OPERATOR)
SERVICES IN SOUTH DAKOTA)**

APPLICATION

Application is hereby made to the South Dakota Public Utilities Commission (the "Commission") pursuant to SDCL 49-31-3 and § 20:10:24:02 for an Order granting 1 800 Collect, Inc. ("Applicant") a Certificate of Authority to Provide Interexchange Telecommunications Services in the State of South Dakota ("Application"). The following information is furnished in support thereof:

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

1 800 Collect, Inc.

1658 Gales Boulevard, Suite B., San Diego, California 92154

Telephone: (619) 710-1650

Facsimile: (619) 710-0838

Toll-Free Customer Service: (800) 284-2913

Web Page: www.faircall.com

E-mail Address: support@faircall.com

- (2) **A description of the legal and organizational structure of the Applicant's company;**

Applicant was organized in the State of Florida on November 12, 1993. A copy of the Applicant's Articles of Incorporation is attached hereto as Exhibit A.

- (3) **The name under which Applicant will provide interexchange services if different than in subdivision (1) of this section;**

1 800 Collect, Inc.

- (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.

- (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:

Incorp Services, Inc.
400 North Main Avenue, Suite 206
Sioux Falls, South Dakota 57104

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

The company will provide alternate operator telecommunications services. The company will handle operator-assisted calls, such as collect, third party billed, person-to-person and credit card calls from payphone locations and other traffic aggregator locations, such as hotels and hospitals. The company will not provide service to correctional/confinement facilities. Calls will be completed by either a live operator or an automated service, and services will be available 24 hours per day, & days per week.

(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 point 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 24 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:

Gregorio Galicot, President
1658 Gales Boulevard, Suite B.
San Diego, California 92154
Toll-Free Telephone: (800) 284-2913
Phone: (619) 710-1650
Facsimile: (619) 710-0838
E-Mail: support@faircall.com

All inquiries regarding complaints should be addressed to:

Alicia Castillo, Customer Service Manager
1658 Gales Boulevard, Suite B.
San Diego, California 92154
Toll-Free Telephone: (800) 284-2913
Phone: (619) 710-1650
Facsimile: (619) 710-0838
E-Mail: support@faircall.com

Applicant's customer service department may be contacted via a toll-free number. The Company will maintain a Customer Service Department exclusively for Customer's questions, requests for service, complaints and trouble handling. The Applicant's Customer Service address and toll free number will be clearly posted on the aggregators' payphone. Customer Service Representatives will be available 8:00 A.M. to 5:00 P.M. standard time Monday through Friday. After hours, and on holidays, Customers will be automatically forwarded to an answering service for messaging and paging. If the customer is not satisfied with the complaint resolution, customer will be advised it can contact the Commission for resolution.

(11) Information concerning how the Applicant plans to bill and collect charges;

The Company intends to bill via credit card, collect calls and through 800 access calls. Any end uses bills will be done through a billing clearing house that has contracts with LECs.

- (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;**

Not applicable for Operator Service Providers

- (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 upon request during the operator assisted call, 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 following notice will be posted on or in close proximity to the telephone in plain view of anyone using the telephone a notice in bold type:

“SERVICES FROM THIS TELEPHONE MAY BE AT RATES DIFFERENT FROM YOUR LONG DISTANCE COMPANY. BEFORE PLACING YOUR CALL YOU HAVE THE RIGHT TO REQUEST INFORMATION REGARDING CHARGES FROM THE OPERATOR. INSTRUCTIONS FOR REACHING THE TELECOMMUNICATIONS COMPANY OF YOUR CHOICE ARE AVAILABLE FROM THAT COMPANY.”

The notice will also include the name and address of the Applicant and a customer service toll-free telephone number for receipt of further service and billing information.

- (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 Florida Kentucky, Washington D.C., Iowa, Idaho, Michigan, Montana, New Jersey, North Dakota, Utah and Wyoming. The Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified. The Applicant is currently seeking authorization in all 50 States. 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 traffic aggregator locations, such as hotels and hospitals. 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 52-1873855. Applicant's South Dakota sales tax number has been applied for and a copy of the license card will be provided to the Commission upon receipt. Exhibit D.

- (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 20th day of December 2011.

1 800 Collect, Inc.

By: _____

Lance J.M. Steinhart, Esq.

Lance J.M. Steinhart, P.C.

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Alpharetta, Georgia 30005

(770) 232-9200 (Phone)


(770) 232-9208 (Facsimile)

lsteinhart@telecomcounsel.com (E-Mail)

State of California

County of San Diego

Gregorio Galicot, being first duly sworn, deposes and says that he/~~she~~ is the President of 1 800 Collect, Inc., the Applicant in the proceeding entitled above, that he/~~she~~ has read the foregoing application and knows the contents thereof; that the same are true of his/~~her~~ knowledge, except as to matters which are therein stated on information or belief, and to those matters he/~~she~~ believes them to be true.



Gregorio Galicot
President

Subscribed and sworn to before this 1 day of NOV, 2011.



Notary Public

My Commission expires: June 14, 2012

