

**BEFORE THE
SOUTH DAKOTA PUBLIC SERVICE COMMISSION**

Application of)
)
Teliix, Inc.) **Docket No. TC19-_____**
)
for a Certificate of Authority to Provide)
Local Exchange and Interexchange)
Long Distance Services in the State of)
South Dakota)

APPLICATION OF TELIAX, INC.

Pursuant to Sections 20:10:32:03 and 20:10:24:02 of the Administrative Rules of South Dakota, Teliix, Inc. (“Teliix” or “Applicant”) hereby applies for a certificate of authority from the South Dakota Public Utilities Commission (“Commission”) to provide local exchange services and interexchange long distance services in the state of South Dakota. Teliix submits the following information in support of this Application:

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

Teliix, Inc.
2150 W 29th Ave, #200
Denver, Colorado 80211
Toll Free/Regulatory 888-483-5429
Telephone: 303-629-8301
Facsimile: 303-629-8344
Toll Free: 888-483-5429
Website: <https://www.teliix.com>

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

Teliix, Inc. is a Colorado corporation incorporated on October 6, 2004. A copy of the Applicant's Articles of Incorporation is attached as **Exhibit A**.

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

The Applicant will provide services under the name shown in Question 1.

- (4) **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;**

Teliix, Inc. has no principal office in South Dakota.

The name and address of Applicant's current registered agent is:

Corporation Service Company
503 South Pierre Street
Pierre, SD 57501

- (5) **A copy of its certificate of authority to transact business in South Dakota from the secretary of state;**

A copy of the Applicant's certificate of authority to transact business in South Dakota from the Secretary of State is attached as **Exhibit B**.

- (6) **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 or federal authorization to provide the services;**

Teliix has not previously provided telecommunications services in South Dakota. Teliix is currently authorized to provide telecommunications services in Alabama, Colorado, District of Columbia, Delaware, Florida, Georgia, Iowa, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, Nevada, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, Texas, Utah, Virginia¹, and Washington. A chart summarizing the types of services authorized and the dates of authorization is attached as **Exhibit C**.

- (7) **Names and addresses of applicant's affiliates, subsidiaries, and parent organizations, if any;**

Not Applicable.

- (8) **A list and specific description of the types of services the applicant seeks to offer and how the services will be provided including:**

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

Teliix, Inc. will provide its services to small business customers.

¹ Applicant is authorized to provide service in Virginia as Teliix Virginia, LLC.

- (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;**

Applicant intends to provide service as soon as practicable upon grant of this Application. However, initiation of operations will first require negotiation of interconnection agreements with other service providers, including successful completion of the installation and/or procurement of any facilities needed for Applicant to provide services in South Dakota. As the time periods required to complete such actions may vary, a firm timeline for the initiation of service has not yet been established.

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

Applicant does not currently own facilities or property in South Dakota but will acquire or construct facilities in the state as necessary to provide its services. To facilitate deployment of services, Applicant intends to enter into interconnection agreements and/or other agreements with other service providers as permitted under the federal Telecommunications Act of 1996, 47 U.S.C. § 251(c).

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

Teliix proposes to offer wholesale and retail competitive telecommunications service, including local exchange, interexchange, and exchange access services, within the State of South Dakota using its own facilities and services available from other facilities-based carriers.

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

The Applicant requests authority to provide service throughout the state of South Dakota, excluding those areas served by a rural telephone company.

Teliix's service areas and exchanges will mirror those established of its underlying carrier. Teliix concurs in the service maps of those carriers, as currently filed with the Commission and as subsequently redefined. For these reasons, Teliix requests that it be exempted from the requirement to provide a service area map in its filing.

(10) 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; and

Attached hereto as **Exhibit D** is a description of the education and experience of Teliix's management personnel.

(b) Information regarding policies, personnel, or arrangements 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;

Teliix's Customer Support Center is the central point of contact for customers to report incidents and submit requests. It is accessible 24 hours per day, 7 days a week to handle any service, billing, or repair complaints. The Customer Support Center can be reached via telephone at 1-888-483-5429 or by email via the company website at www.teliix.com. Teliix will perform network and equipment maintenance necessary to ensure that appropriate service levels are maintained.

(11) 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;

Teliix will enter into interconnection agreements with CenturyLink QC (Qwest) and other certificated LECs. Under such agreements, Teliix customers will be able to access emergency services such as 911 or enhanced 911. Such calls will be routed through the underlying carrier to the appropriate emergency agency serving the originating location. Access to local operator services, directory assistance and telecommunications relay services will also be made available.

- (12) **For the most recent 12-month period, financial statements of the applicant consisting of balance sheets, income statements, and cash flow statements. The applicant shall provide audited financial statements, if available;**

The requested financial information is provided in **Exhibit E**, which is being filed under seal.

- (13) **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;**

Teliix will enter into interconnection agreements with CenturyLink QC (Qwest) and other certificated LECs as Customer demand warrants.

- (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**

Teliix anticipates negotiating the interconnection agreements concurrent with the processing of this application.

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

See response to 13(b) above.

- (14) **A description of how the applicant intends to market its local exchange services, its target market, whether the applicant engages in multilevel marketing, and copies of any company brochures that will be used to assist in sale of the services;**

The Company plans to initially market its services to wholesale customers and to business customers. Marketing of services will be done through its direct sales staff.

- (15) **If the applicant is seeking authority to provide local exchange service in the service area of a rural telephone company, the date by which the applicant expects to meet the service obligations imposed pursuant to § 20:10:32:15 and applicant's plans for meeting the service obligations;**

Teliix is not seeking to provide service in rural territories. The Company may, upon receipt of a request from service from a prospective customer, enter into interconnection and/or resale agreements with a rural telephone company. The Company has no such requests at the present time.

- (16) **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;**

Please see **Exhibit C** for list of state certifications. Applicant has never been denied registration or certification in any state. Applicant is in good standing with the appropriate regulatory agencies in the states where it is authorized to provide service.

- (17) **The names, addresses, telephone numbers, E-mail addresses, and facsimile numbers of the applicant's representatives to whom all inquiries must be made regarding customer complaints and other regulatory matters;**

Contact for Customer Complaints

David Aldworth, President/CEO
Teliix, Inc.
2150 W 29th Ave, #200
Denver, Colorado 80211
Telephone: 303-629-8301
Facsimile: 303-629-8344
Email: daldworth@teliix.com

Contact Regulatory Matters

David Aldworth, President/CEO
Telephone: 303-629-8301
Facsimile: 303-629-8344
Email: daldworth@teliix.com

- (18) **Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services;**

Teliix will bill customers directly. Customer payments will be made directly to the Company and the Company will have no payment centers in South Dakota.

- (19) **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 local service customers by the applicant, its employees, or agents;**

Teliix utilizes a direct sales approach to its marketing efforts. The Company does not utilize any form of multilevel marketing in the sale of its services. The Company uses written or electronic LOA to prevent the unauthorized switching of local service customers.

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

Teliix has never had a complaint filed against it for the unauthorized switching of a customer's local exchange service.

- (21) 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;**

Teliix will post the current rates, terms and conditions for its local and interexchange services offered in South Dakota on its website located at www.teliix.com. The Company's switched access services tariff will be filed with the Commission.

- (22) 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;**

Teliix will notify customers directly or via bill insert, thirty days in advance of the change, as warranted by the nature of the change.

- (23) A written request for waiver of those rules believed to be inapplicable;**

None.

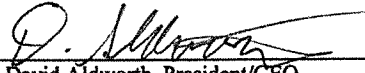
- (24) Federal tax identification number and South Dakota sales tax number; and**

Teliix, Inc. Federal Tax Identification Number is 20-3479949. The Company will obtain its South Dakota tax license number upon commencing service in South Dakota.

- (25) **Other information requested by the commission needed to demonstrate that the applicant has sufficient technical, financial, and managerial capabilities to provide the local exchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws.**

Granting this application will serve the public interest. Teliix has experience operating as a telecommunications provider as provided in Exhibit D. The Company is technically, financially and managerially qualified to provide local and interexchange services in South Dakota based on the Company's experience in other markets. Accordingly, Teliix, Inc. respectfully requests that the Commission grant this Application expeditiously.

Respectfully submitted,



David Aldworth, President/CEO
Teliix, Inc.
2150 W 29th Ave, #200
Denver, Colorado 80211

Dated: April 8, 2019