



John Chuang
Corporate Counsel

8829 Bond Street
Overland Park, KS 66214
Tel: 913.754.3339
Fax: 812.759.1647
chuang@cinergycom.com

June 10, 2008

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

RE: CLEC/ACCESS APPLICATION

Dear Sir or Madam:

Norlight Telecommunications, Inc. ("NTI") has electronically filed an application for authority to provide resold and facilities-based local exchange and exchange access services in the State of South Dakota.

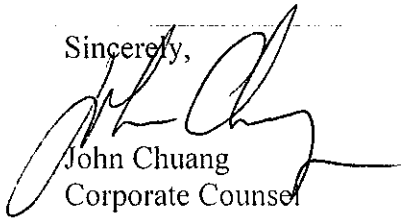
You should note that NTI desires to file its financial documents confidentially, and it therefore has not included that information in the electronically filed application. Instead, pursuant to Commission practice, NTI has attached a CD containing a single .pdf document containing its confidential financial data.

NTI's financial data constitutes competitively sensitive trade secret information that is proprietary and not routinely disclosed in any public forum. Given the competitive nature of the telecommunications market, public disclosure of this financial data would cause NTI competitive harm by providing competitors with information that could be used against it in the market. Therefore, NTI respectfully requests that its financial information 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) 754-3339 or chuang@cinergycom.com.

Sincerely,



John Chuang
Corporate Counsel

cc: File

**BEFORE THE SOUTH DAKOTA
PUBLIC UTILITIES COMMISSION**

In the Matter of the Application of:

NORLIGHT TELECOMMUNICATIONS, INC.

Docket No:

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

APPLICATION

Norlight Telecommunications, Inc. (hereafter "NTI" 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 and exchange access 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: Norlight Telecommunications, Inc.
13935 Bishops Drive
Brookfield, WI 53005
Telephone: (877) 700-4535
Facsimile: (812) 759-0999
E-Mail: sales@norlight.com
Web: www.norlight.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 Wisconsin. 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
Bob Rogers
Anthony J. Candelario

Officers: Bob Rogers, President
Ed Corr, Vice President - Tax
Lohn H. Weber, Vice President, Treasurer
Anthony J. Candelario, Vice President, Secretary
Brent Hill – Vice President
Mike Farmer – Executive Vice President

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

Norlight Telecommunications, Inc.
13935 Bishops Drive
Brookfield, WI 53005

- 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 authorizations to provide these services.

Answer: Applicant is a telecommunications company that currently holds CLEC and/or IXC certifications in 26 states, and it is offering its services throughout those areas. Applicant's Network Operations Center is located in Brookfield, WI.

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

G. Names and addresses of Applicant's affiliates, subsidiaries, and parent organizations.

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

Kentucky Data Link, 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 service the Applicant intends to offer, and how the service will be provided including:

a) Information indicating the classes of customers the applicant hopes to serve:

Answer: Residential and business class customers, along with institutional customers such as governmental agencies and schools & libraries.

- 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 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 seeks authority to provide local exchange telecommunication services and exchange access services, through the use of leased UNE's, commercial wholesale agreements, resale of services, its own facilities, and/or combinations of the foregoing. Applicant specifically seeks authority to provide the following services:

1. Local exchange services for business, governmental, 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 current exist or will exist in the future;
6. Digital subscriber line, ISDN, fiber, and other high capacity line 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 arrangements made by the Applicant which demonstrate the Applicant's ability to respond to customer complaints and inquires 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 facilities.

- D. 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 agreements from the ILECs to provide these services.

- E. 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 being filed electronically herewith.

IV. REGULATORY INFORMATION

- A. The names, addresses, telephone number, facsimile number, E-mail address, and toll free number of Applicant's representative to whom all inquires 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:

John Chuang
Norlight Telecommunications, Inc.
13935 Bishops Drive
Brookfield, WI 53005
Telephone: (913) 754-3339
Facsimile: (812) 759-1647
E-Mail: chuang@cinergycom.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 to a supervisory level. 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 third party company will be utilized.

- C. 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 internet website for public viewing.

- D. 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, advance notice to its customers and the Commission of any rate increase.

- E. 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:

California (1996)
Colorado (2005)
Connecticut (2004)
Florida (1996)
Georgia (1998)
Illinois (2000)
Indiana (1996)
Kansas (1997)
Massachusetts (1996)
Michigan (2005)
Minnesota (1994)
Missouri (1996)
Nebraska (1996)
Nevada (1996)
New York (1996)

North Dakota (2008)
Ohio (2003)
Oklahoma (1997)
Pennsylvania (1997)
Rhode Island (1996)
South Dakota (1996)
Tennessee (1996)
Texas (1996)
Washington (1997)
Wisconsin (2003)
Wyoming (1996)

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.

- F. 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 attests 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.

- G. Federal tax identification number:

Answer: 61-1196739

South Dakota tax number:

Answer: 73-001-391712867E-ST-001

- H. 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.

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

Answer: No waivers requested

J. 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.

K. Will Applicant provide notice to the Commission of any changes in the information required by Rule 20:10:32:03?

Answer: Yes, Applicant will notify the Commission of any such modifications.

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 exchange and exchange access services in the State of South Dakota.

Respectfully Submitted,



John Chuang, Corporate Counsel
MORLIGHT TELECOMMUNICATIONS, INC.
8829 Bond Street
Overland Park, KS 66214
Telephone: (913) 754-3339
Facsimile: (812) 759-1647
E-Mail: chuang@cinergycom.com

Exhibit 1

United States of America

State of Wisconsin



DEPARTMENT OF FINANCIAL INSTITUTIONS

Division of Corporate & Consumer Services

To All to Whom These Presents Shall Come, Greeting:

I, RAY ALLEN, Deputy Administrator, Division of Corporate & Consumer Services, Department of Financial Institutions, do hereby certify that

NORLIGHT TELECOMMUNICATIONS, INC.

is a domestic corporation or a domestic limited liability company organized under the laws of this state and that its date of incorporation or organization is October 8, 1991.

I further certify that said corporation or limited liability company has, within its most recently completed report year, filed an annual report required under ss. 180.1622, 180.1921, 181.1622 or 183.0120 Wis. Stats., and that it has not filed articles of dissolution.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department on January 31, 2008.

A handwritten signature in black ink, appearing to read 'Ray Allen'.

RAY ALLEN, Deputy Administrator
Division Of Corporate & Consumer Services
Department of Financial Institutions

Effective July 1, 1996, the Department of Financial Institutions assumed the functions previously performed by the Corporations Division of the Secretary of State and is the successor custodian of corporate records formerly held by the Secretary of State.

DFI/Corp/33

To validate the authenticity of this certificate

Visit this web address: <http://www.wdfi.org/apps/ccs/verify/>

Enter this code: **49155-A48715BF**

Exhibit 2

000-10000-0000

State of South Dakota

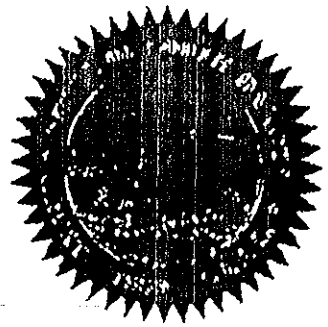


OFFICE OF THE SECRETARY OF STATE

AMENDED CERTIFICATE OF AUTHORITY

I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that duplicate of the Application for an Amended Certificate of Authority of NORLIGHT, INC. (WI) to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, 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 Amended Certificate of Authority and attach hereto a duplicate of the application to transact business in this state under the name of NORLIGHT TELECOMMUNICATIONS, INC.



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 April 10, 1997.

Joyce Hazeltine

JOYCE HAZELTINE
Secretary of State

1

State of South Dakota

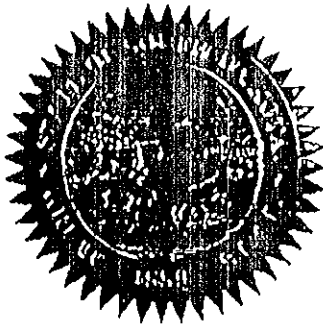


OFFICE OF THE SECRETARY OF STATE

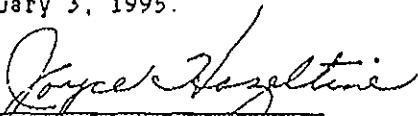
CERTIFICATE OF AUTHORITY

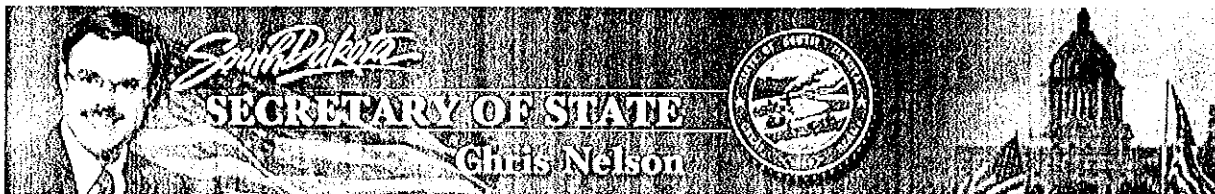
I, JOYCE HAZELTINE, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of NORLIGHT, INC. (WI) to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, have been received 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 to transact business in this state under the name of NORLIGHT, INC.



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 January 3, 1995.


JOYCE HAZELTINE
Secretary of State



Detail by Entity Name

NORLIGHT TELECOMMUNICATIONS, INC.

Filing Information

Corporate ID **FB017559**
 Incorporation/Qualification Date **01/03/1995**
 Home State **WI**
 Status **Good Standing**
 Last Annual Report **01/01/2008**

NOTE: This is not an official document

Registered Agent Name & Address

NATIONAL REGISTERED AGENTS, INC
 300 S PHILLIPS AVE, STE 300
 SIOUX FALLS , SD
 57104-6322

Imaged Documents

Date Imaged	Filed Document	Pages
1/2008	ANNUAL REPORT	2
10/2007	STATEMENT OF CHANGE	2
1/2007	ANNUAL REPORT	2
2/2006	ANNUAL REPORT	8
1/2005	ANNUAL REPORT	2
3/2004	ANNUAL REPORT	10
10/2003	STATEMENT OF CHANGE	2
3/2003	ANNUAL REPORT	4
9/2002	STATEMENT OF CHANGE	2
3/2002	ANNUAL REPORT	5
4/2001	ANNUAL REPORT	2
3/2000	ANNUAL REPORT	3
5/1999	ANNUAL REPORT	4
4/1998	ANNUAL REPORT	4
5/1997	NAME CHANGE	7

A Statement of Change may be attached to an annual report. If the document desired is not listed, contact the office of the Secretary of State.

2/1997	ANNUAL REPORT	6
4/1996	ANNUAL REPORT	3
2/1995	<u>CERTIFICATE OF</u> <u>AUTHORITY</u>	6

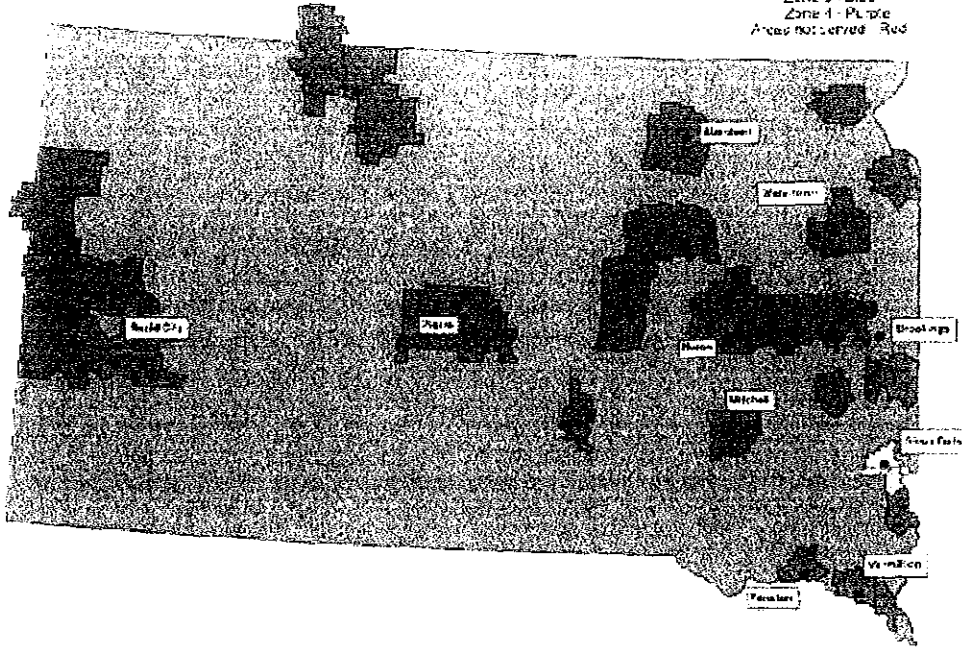
[Contact Us](#) | [Privacy](#) | [South Dakota State Home Page](#)

Copyright © 2018 South Dakota Secretary of State. All Rights Reserved.

Exhibit 3

South Dakota: US West, Inc.

US West Inc.
South Dakota
Zone 1 - Yellow
Zone 2 - Green
Zone 3 - Blue
Zone 4 - Purple
Areas not served - Red



[View more states ▶](#)

Exhibit 4

NORLIGHT TELECOMMUNICATIONS, INC. KEY PERSONNEL PROFILES

Robert E. Rogers - President

Mr. Rogers has been in the telecommunications industry for over 36 years. Although most of his tenure has been with Norlight and affiliated companies he has held positions with other organizations on both coasts. Throughout his career he has led specific departmental groups and business units covering; Engineering, Operations, Outside Plant, Network Planning, Sales and Satellite/Video Services. He has held roles from Project Engineer, Senior Engineer, Engineering Manager, Vice-President – Operations and Engineering to Senior Vice President. At this time Rogers serves as President – Norlight Telecommunications, Inc.

Mr. Rogers holds degrees in Broadcast Technology and Electrical Engineering. He is a member of the IEEE, the Society of Broadcast Engineers (SBE), National Spectrum Managers Association (NSMA), the Milwaukee School of Engineering (MSOE) Corporation Board and has served on the Ascent Regional Advisory Board and the Board of Directors for the Competitive Telecommunications Association (CompTel).

Brent Hill - Sr. Vice President

Mr. Hill oversees all sales and marketing, as well as the customer operations and financial analysis functions for the business. Before his current role, Mr. Hill was Vice President, Customer Operations for Cinergy Communications Commercial Services business unit, his groups included Field Services, Repair, Project Implementation and Sales Engineering; additionally, he has functional responsibility for the company's Internet Consulting Group (ICG). Brent joined Cinergy Communications in April 2004 as the Director of the ICG.

Prior to working for Cinergy Communications, he garnered more than 15 years of sales and management experience in the voice and data industry, plus more than five years working for Bell Labs in software development. Brent holds a Bachelors of Science in Computer Science from Purdue University and a Masters of Business Administration from Northern Illinois University.

Michael J. Farmer, Executive Vice President

Mr. Farmer is responsible for sales in the Education, Government, and Healthcare markets. Throughout his career, Mr. Farmer has served as a senior executive in several telecommunications and utility companies, including over 25 years of experience at Ameritech. Most recently he was the Chief Integration Officer for the acquisition by Q-Comm of Norlight, which was consummated in early 2007. Prior to this assignment he was the Chief Operating Officer for Cinergy MetroNet, a fiber to the premise overbuilder, serving rural communities in Indiana. In this capacity he was responsible for engineering, customer operations, and marketing.

Prior to joining Q-Comm in late 2003, Mr. Farmer served as Chief Operating Officer of First Mile Technologies, where he was responsible for implementing the company's business plan to offer local and long distance telephone, cable television, high speed internet and security monitoring services to new residential developments in metropolitan Indianapolis. Mr. Farmer has also served as President of Shape Energy Resources, a Dow Chemical backed energy venture, and President and General Manager of Ameritech Advanced Data Services. He received a Bachelor of Science degree in Business Administration from Indiana State University and an MBA from Indiana University.

Lohn H. Weber – Chief Financial Officer, Vice President, and Treasurer

A graduate of the University of Missouri, Columbia, Mr. Weber is a Vice-President, Chief Financial Officer, and Treasurer of Norlight. Mr. Weber, a CPA with an extensive background in accounting, joined the company's senior management team in 1996. Prior to joining Norlight, Mr. Weber worked for Baird, Kurtz and Dobson, a large Midwest regional public accounting firm. He has 16 years of experience in accounting with 7 specifically in Telecom.

Ed Corr – Vice President - Tax

Mr. Corr is Vice-President of Tax for Norlight. He oversees the tax department and is responsible for handling all state and federal taxing requirements, along with many state and federal regulatory requirements. Mr. Corr joined the Norlight management team in December of 2004 and brings with him over 15 years of business and management experience. He received his Bachelor of Science in Accounting and his Masters of Science in Accounting, Tax from Oklahoma State University in 1985 and 1986 respectively. Prior to working for Norlight, Mr. Corr was with Deloitte & Touche, LLP, (formerly Deloitte, Haskins & Sells) for six years where he achieved the position of Tax Manager. He was co-founder and Senior Partner of Walsh, Corr & Associates, CPA's for eight years. For several years he was also President of his own consulting company.

Anthony J. Candelario – Vice President, Corporate Counsel, Secretary

Mr. Candelario manages the legal and regulatory affairs of Norlight. Mr. Candelario has been intimately involved in the company's operations and has developed an expertise in negotiating interconnection agreements and pole attachment agreements. Mr. Candelario received his Bachelor of Science in Business Administration and Bachelor of Arts in Economics from the University of Kansas and his Juris Doctorate from the University of Kansas School of Law. Before joining the company in October of 2001, Mr. Candelario worked as corporate counsel for various public and private companies.

Exhibit 5



John Chuang
Corporate Counsel

8829 Bond Street
Overland Park, KS 66214
Tel: 913.754.3339
Fax: 812.759.1647
chuang@cinergycom.com

June 9, 2008

Qwest
Manager - Interconnection Agreements
1801 California St., 24th Floor
Denver, CO 80202

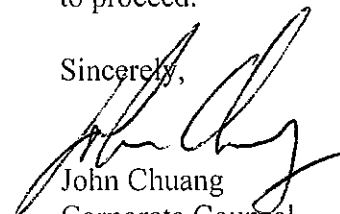
Re: Bona Fide Request for Interconnection in South Dakota

To Whom It May Concern:

Please accept this letter as a request for an interconnection agreement between Norlight Telecommunications, Inc. ("NTI"), a competitive local exchange carrier, and Qwest, an incumbent local exchange carrier, pursuant to Sections 251 and 252 of the Telecommunications Act of 1996. NTI is requesting negotiations of mutually acceptable terms for a comprehensive interconnection agreement for South Dakota.

Please respond with Qwest's receipt and acknowledgement of this request. I look forward to working with Qwest toward an interconnection agreement that meets the spirit of the Act. Please contact me at your earliest convenience so we can determine how best to proceed.

Sincerely,



John Chuang
Corporate Counsel

cc: File