

**BEFORE THE
SOUTH DAKOTA PUBLIC SERVICE COMMISSION**

**APPLICATION FOR A CERTIFICATE OF AUTHORITY
ON BEHALF OF
SPECTROTEL, INC.**

D/B/A ONETOUCH COMMUNICATIONS D/B/A TOUCH BASE COMMUNICATIONS

Pursuant to Rule 20:10:24:02 of the Commission's Telecommunications Services Rules, Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications ("Spectrotel") submits the following registration information:

1. The name, address and telephone number of the Applicant.

Spectrotel, Inc.

d/b/a OneTouch Communications d/b/a Touch Base Communications

3535 State Highway 66, Suite 7

Neptune, NJ 07753

Telephone: (732) 345-7000

Facsimile: (732) 345-7893

Toll Free Customer Service: (888) 773-9722 Business Customers

(888) 700-5850 Residential Customers

2. If sole proprietorship, the full name and business address of its owner; if a partnership, the full name and business address of each partner; if a corporation, a listing of the full name and business address of each corporate officer and director; if a limited liability corporation, the full name and business address of each partner.

A listing of the corporate officers and respective address for Spectrotel is provided in Attachment V.

3. The name under which the Applicant will provide these services if different than in subdivision (1) of this section:

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

4. If a corporation

(a) 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:

Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications has no principal office in South Dakota.

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

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

- (b) **A list of shareholders owning twenty (2) percent or more of the interest in the business.**

Mr. Jack Dayan owns 100% of the Company's stock.

- (c) **The state in which the applicant is incorporated, the date of incorporation and a copy of its certificate of incorporation.**

Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications is a Delaware corporation incorporated on February 29, 2000. All listing of the corporate officers, and respective addresses, for Spectrotel can be found in **Attachment V**.

A copy of the Applicant's certificate of authority to transact business in South Dakota from the Secretary of State is included as **Attachment I** to the application.

5. **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.**

The Applicant initially proposes to provide local service using unbundled network combinations available from the incumbent local exchange company (ILEC) and via resold services. Interexchange toll services will be provided via resale..

The Company proposes to offer resold interexchange voice communications services to residential and business customers throughout the state.

Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications has no plans to construct switching or transmission facilities in South Dakota.

Exhibit VI lists the states where the Application is providing service similar as the authority requested in this Application.

6. **Names and addresses of Applicant's affiliates, subsidiaries and parent organizations, if any.**

Spectrotel does not have any affiliates, subsidiaries or parent organizations.

7. **A list and specific description of the types of services the Applicant seeks to offer and the means by which the services will be provided including:**

- (a) **Information indicating the class of customers the Applicant intends to serve.**

Spectrotel will provide its services to both residential and business 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.**

The Applicant initially proposes to provide local service using unbundled network combinations available from the incumbent local exchange company (ILEC) and via resold services. Interexchange toll services will be provided via resale.

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

Spectrotel will offer service through interconnection and commercial agreements utilizing the facilities of Qwest Corporation, the incumbent local exchange company. Spectrotel will rely on its facilities-based underlying carrier for the operation and maintenance of the local exchange network.

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

Spectrotel will provide local telephone exchange service and interexchange long distance service to both residential and business customers.

8. **A service area map and narrative description indicating with particularity the geographic area proposed to be served by the applicant.**

Spectrotel intends to offer its services initially in the territory now served by Qwest. The Company will adhere to the service area maps defined by Qwest. The Company requests a waiver of the requirement to provide maps since it mirrors the Qwest maps.

9. **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.**

A copy of current resumes of Spectrotel's management personnel is attached at **Attachment IV**.

- (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.**

Applicant is responsible for all customer inquiries and complaints. The telephone number for customer inquiries and complaints is provided by Spectrotel on the customer bill. Spectrotel's Customer Service department may be accessed through a toll-free number: (888) 773-9722 for business and (888) 700-5850 for residential customers. Customer service is available seven days a week, twenty-four hours a day.

For regulatory matters:

Ross Artale, Chief Operating Officer
Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications
3535 State Highway 66, Suite 7
Neptune, NJ 07753
Telephone: (732) 345-7000
Facsimile: (732) 345-7893
Email Address – regulatory matters: rartale@spectrotel.com

For complaint matters by Commission:

Ross Artale, Chief Operating Officer
Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications
3535 State Highway 66, Suite 7
Neptune, NJ 07753
Telephone: (732) 345-7000
Email Address – complaints rartale@spectrotel.com

For complaint matters by Customers

William Tarter, Director of Customer Care
Spectrotel, Inc. d/b/a OneTouch Communications d/b/a Touch Base Communications
3535 State Highway 66, Suite 7
Neptune, NJ 07753
Toll Free Customer Service: (888) 773-9722 (Bus)/(888) 700-5850 (Resi)
Email Address – complaints wtarter@spectrotel.com

10. 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.

Spectrotel will enter into resale, interconnection and commercial agreements with Qwest and other certificated LECs. Under such agreements, Spectrotel 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.

11. Financial information including:

- (a) **For the most recent 12 month period, financial statements consisting of balance sheets, income statements, and cash flow statements.**

The requested financial information is provided in **Attachment II**.

- (b) **If a public corporation, the applicant's latest annual report and report to stockholders.**

Not Applicable.

12. 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**

Spectrotel plans to sign resale, interconnection and commercial agreements with Qwest initially and with other certificated LECs as Customer demand warrants.

12. Information detailing the following matters associated with interconnection to provide proposed local exchange services: (Cont'd.)

- (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.**

Spectrotel anticipates negotiating the resale, interconnection and commercial 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.**

Spectrotel will initiate interconnection negotiations upon obtaining certification in South Dakota.

13. A tariff or price list indicating the prices, terms and conditions of each contemplated local service offering.

The Company will provide an Access Tariff before offering services within the State, but the tariff is not being filed jointly with this application.

14. Cost support for rates shown in the Company's tariff or price list for rate or price regulated noncompetitive or emerging competitive services.

The Company requests a waiver of ARSD 20:10:32:03(14) requiring cost support. The Company has not yet determined final prices for its noncompetitive or emerging competitive services and will be unable to do so until an interconnection and/or commercial agreements are signed.

15. A description of how the applicant intends to market its local exchange target market, whether the applicant engages in multilevel marketing, and copies of any company brochures that will be used to assist in the sale of the services.

The primary marketing channel for Spectrotel via direct mail and internet advertising.

16. 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 obligation imposed pursuant to §20:10:32:15 and applicant's plan for meeting the service obligations.

Spectrotel is not seeking authority to provide local exchange service in the service area of rural telephone companies. The Company may, upon receipt of a request from service from a prospective customer, enter into interconnection and/or commercial agreements with a rural telephone company. The Company has no such requests at the present time.

17. **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.**

A list of states in which Spectrotel is registered or certified to provide telecommunications services is provided **Attachment VI**. Spectrotel has never been denied registration or certification and is in good standing with all states in which it operates.

19. **Information concerning how the applicant plans to bill and collect charges from customers who subscribe to its proposed local exchange services.**

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

20. **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.**

Spectrotel 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 a written LOA to prevent the unauthorized switching of local service customers.

21. **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.**

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

22. **A written request for waiver of those rules believed to be inapplicable.**

Spectrotel requests a waiver from ARSD 20:10:32:03(14) requiring cost support. The Company has addressed these issues in items 11 and 14.

Additionally, Spectrotel will not be collecting deposits for service within South Dakota. The company will post a surety bond payable to the Consumers of the State of South Dakota should they change their deposit policy in the future.

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

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

24. **Federal Tax Identification Number.**

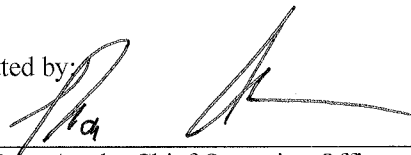
Spectrotel's Federal Tax Identification Number is 22-3721842.

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.**

Spectrotel has experience operating as a telecommunications provider as provided in **Attachment IV**. Spectrotel will rely on its facilities-based underlying carrier for the operation and maintenance of the local exchange network. Spectrotel is technically, financially and managerially qualified to provide local and interexchange services in South Dakota based on the Company's experience and manner of provision services with South Dakota

Submitted by:

By:



Ross Artale, Chief Operating Officer
Spectrotel, Inc. d/b/a OneTouch Communications d/b/a
Touch Base Communications