

**BEFORE THE
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION**

Application of)
)
Simwood 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

Simwood Inc. (“Simwood” or “Applicant”) by its undersigned counsel and pursuant to Sections 20:10:32:03 and 20:10:24:02 of the Administrative Rules of South Dakota, 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.

INTEREXCHANGE LONG DISTANCE SERVICES

Simwood submits the following information in support of this Application for local exchange services:

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

Simwood Inc.
5016 Spedale Ct., Ste 306
Spring Hill, TN, 37174
Telephone number: (833) 857-2360
Fax number: (833) 857-2362
Website address: <https://simwood.com/>
E-mail address: thomas.hadden@simwood.com

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

Applicant is a Wyoming corporation. A copy of Applicant's articles of incorporation is attached as Exhibit A. Applicant's current organizational chart is attached as Exhibit B.

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

Applicant will provide services under the name Simwood 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 in South Dakota is attached as Exhibit C.

(5) The location of applicant's principal office, if any, in the state of South Dakota and address of its current registered agent, if applicable:

Applicant does not have a principal office in South Dakota. The name and address of Applicant's current registered agent is:

Cogency Global Inc.
326 N Madison Ave.
Pierre, SD 57501-2629

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

Applicant will provide local access telecommunications service (local exchange) as well as 1+ Service (long distance or interexchange service) to business/enterprise customers. Service will be provided by resold services or a combination of resold services, lease of unbundled network elements (UNEs) provided by other carriers through interconnection or commercial agreements, and use of Applicant's own switching facilities.

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

Applicant intends to provide service as soon as practicable upon grant of this Application through all methods described above: the use of its own facilities, the purchase of unbundled network elements, or resale. Initiation of certain operations will first require negotiation of interconnection agreements with other service providers. As the time periods required to complete such negotiations may vary, a firm timeline for the initiation of service has not yet been established.

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

Applicant proposes to offer services throughout the state of South Dakota in all exchanges to the extent open to competition.

(9) For the most recent twelve (12) month period, financial statements of the applicant including a balance sheet, income statement, and cash flow statement:

Applicant Simwood Inc. is a wholly owned subsidiary of Simwood Group PLC. While the parent company Simwood Group PLC has audited financial statements, the subsidiary (Simwood Inc.) does not have separate audited financial statements. See attached Confidential Exhibit E which contains Simwood Group PLC's audited financial statement including a balance sheet and income statement for the 12-month period ending November 30, 2018. The audited financial statements for Simwood Group PLC's fiscal year ending November 3, 2019, are not yet available.

(10) The names, addresses, telephone number, facsimile number, email 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:

Thomas Hadden, Chief of Operations
5016 Spedale Ct. Ste. 306.
Spring Hill, TN 37174
(833) 857-2360
(833) 857-2362
thomas.hadden@simwood.com

Business and enterprise customers seeking services will sign individual-case-based contracts that will govern the customer support received. Customers may initiate trouble tickets through online customer service or by calling customer support at (833) 857-2360. Customer service operates during normal business hours, and customers may leave messages during non-business hours.

(11) Information concerning how applicant plans to bill and collect charges from customers:

Applicant's customers will be billed in accordance with the terms of their individually negotiated contracts. Applicant will perform its own billing and collecting activities and will not rely on a third-party vendor.

(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:

Applicant utilizes a direct sales approach to its marketing efforts. Applicant does not utilize any form of multilevel marketing in the sale of its services. Applicant uses written or electronic Letters of Authorization to prevent the unauthorized switching of customers.

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

Information concerning Applicant's current rates, terms, and conditions for all of its telecommunications services will be available on its website at www.simwood.com.

(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:

Applicant will notify its business and enterprise customers of any materially adverse changes to the rates, terms, and conditions of Applicant's services pursuant to the terms of their individually negotiated contracts which will include provisions for 30 days' notice in advance of material adverse changes.

(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 authorized to provide international 214 services by the FCC. Applicant has been authorized to provide competitive local and interexchange service in the states of Kentucky, Missouri, Montana, North Dakota, Oregon, Texas, and Wisconsin. Applicant has pending applications to provide competitive local and interexchange service in the states of Arkansas, California, Colorado, Florida, Idaho, New York, West Virginia, and Wyoming. 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.

(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:

Marketing is done directly with representatives of potential clients on a person-to-person basis based on prior industry relationships. The target market is large enterprise customers. Applicant does not engage in multilevel marketing. Applicant has no applicable brochures.

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

Applicant's federal tax identification number is 36-4876392. Applicant's South Dakota sales tax number will be obtained upon commencing services in South Dakota.

(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:

Applicant has not been the subject of any complaints filed with any state or federal commission regarding the unauthorized switching of a customer's telecommunications provider or the act of charging customers for services that have not been ordered.

CONCLUSION

Accordingly, Applicant respectfully requests that the Commission grant this Application expeditiously and issue a certificate of authority for Applicant to provide local exchange and long-distance service throughout the State of South Dakota.

Respectfully submitted,



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Austin, TX 78701

(512) 708-8700

(512) 697-0058/fax

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2020, a copy of the foregoing Application of Simwood Inc. for a Certificate of Authority to Provide Local Exchange and Interexchange Long Distance Services in the State of South Dakota was served by first-class mail, postage prepaid, to the certificated local exchange carriers identified on the list of competitive local exchange carriers as identified on the South Dakota Public Utilities Commission website, dated December 10, 2019, and the independent local exchange carriers dated November 9, 2018.

Respectfully submitted,



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