

**APPLICATION OF CLEAR RATE COMMUNICATIONS, INC. FOR A CERTIFICATE OF  
AUTHORITY TO PROVIDE LOCAL EXCHANGE SERVICE**

Clear Rate Communications, Inc. ("Clear Rate" or "Applicant") submits this registration to the South Dakota Public Utilities Commission to request authority to provide non-facilities based local exchange service and resold long-distance service within the State of South Dakota.

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

Clear Rate Communications, Inc.  
2600 W. Big Beaver Rd. Suite 450  
Troy, MI. 48084  
Telephone: 248.556.9522  
Facsimile: 877.877.5225  
Toll Free: 877.877.4799  
Website: [www.clearrate.com](http://www.clearrate.com)

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

Applicant is a privately held corporation, organized under the laws of the State of Michigan from April 4, 2001, to present.

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

Not applicable.

**(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;**

The Applicant does not have a principal office located in South Dakota. The applicant's registered agent is Corporation Service Company located at 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;**

Please see Exhibit 1.

**(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;**

Applicant is currently transacting business as a local exchange carrier in Arizona, California, Colorado, Florida, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, New York, Ohio, Oregon, Pennsylvania, Texas, Utah, Virginia, Washington and West Virginia.

Applicant has filed for and is pending certification to provide local exchange telecommunications services in the states of South Carolina (filed July 2020). Applicant is preparing applications in the states of Idaho, Nebraska, New Mexico, and North Carolina which are being filed within the next 30 days. In no instance has any application been denied or rejected.

**(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:**

Applicant is a Competitive Local Exchange Carrier (CLEC) and proposes to offer non-facilities based local exchange telecommunications and resold long distance services to customers throughout the state using unbundled network element platforms. Applicant's primary markets are residential and small/medium size business customers.

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

Applicant will only provide service in the exchanges served by CenturyLink Communications, Inc.

**(10) Information regarding the technical competence of the applicant to provide its proposed local exchange services including:**

Please see Exhibit 2 marked "DESCRIPTION OF KEY EMPLOYEES".

**(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;**

Applicant will rely on CenturyLink Communications, Inc. access to emergency call services (e.g. 911), directory assistance and other ancillary services.

**(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;**

Please see Exhibit 3 marked "FINANIAL INFORMATION – CONFIDENTIAL".

**(13) Information detailing the following matters associated with interconnection to provide proposed local exchange services:**

Clear Rate is in the beginning stages of requesting to negotiate an interconnection agreement with CenturyLink Communications, Inc.

**(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;**

Applicant will actively market its services market its services through a third-party agent who provides marketing services directly to its target market via telephone. There is no brochures or mail contact. Marketing information is available at [www.clearrate.com](http://www.clearrate.com).

**(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;**

Not applicable.

**(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;**

Applicant is currently transacting business as a local exchange carrier in Arizona, California, Colorado, Florida, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, New York, Ohio, Oregon, Pennsylvania, Texas, Utah, Virginia, Washington and West Virginia.

Applicant has filed for and is pending certification to provide local exchange telecommunications services in the states of South Carolina (filed July 2020). Applicant is preparing applications in the states of Idaho, Nebraska, New Mexico, and North Carolina, which are being filed within the next 30 days. In no instance has any application been denied or rejected.

Clear Rate has not been denied registration or certification in any state and is in good standing with all appropriate regulatory agencies in the states where they are registered and certified.

**(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;**

Regulatory matters should be addressed to:

Michael D. Bishop, ESQ.  
General Counsel  
Clear Rate Communications, Inc.  
2600 W. Big Beaver Rd. Suite 450  
Troy, Mi. 48084  
Telephone: 248.556.9522  
Facsimile: 877.877.5225  
Email: [mbishop@clearrate.com](mailto:mbishop@clearrate.com)

Customer Complaints should be addressed to:

Jason Hendrix  
Director of Consumer Services  
Clear Rate Communications, Inc.  
2600 W. Big Beaver Rd. Suite 450  
Troy, MI. 48084  
Telephone: 248.556.9522  
Facsimile: 877.877.5225  
Toll Free: 877.877.4799  
Email: [jhendrix@clearrate.com](mailto:jhendrix@clearrate.com)

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

Applicant will render monthly bills to customers. All amounts are due and payable within 21 days.

**(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;**

Applicant relies on direct sales contacts to solicit customers. In addition, services are provided to customers only under contract terms and service agreements. Local service will not be provided to any customers without authorization. This prevents the unauthorized switching of local service customers by Applicant, its employees or agents.

**(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;**

Not applicable.

**(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;**

Information concerning rates, terms and conditions for Applicant's telecommunications services are available via contract and service agreements. Information is also available at Applicant's website: [www.clearrate.com](http://www.clearrate.com).

**(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;**

Applicant will notify customer of any materially adverse change in rates, terms or conditions of its services at least thirty days in advance of the change. Notice will be given either through electronic notification or through a message on the customer's invoice.

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

Applicant requests a waiver of the following rules. Applicant does not collect deposits from its customers, nor will it have central office facilities located in the state of South Dakota.

20: 10:08:06. Deposit policy for applicants with no past service  
20: 10:08:07. Deposit if applicant has past experience without liability  
20:10:08:08. Early payment list  
20:10:08:10. Interest to be paid by the telecommunications company  
20:10:08:12. Refund during service  
20:10:33:05. Minimum requirements for channel capacity  
20:10:33:12. Records of tests and inspections  
20:10:33:16. Leakage, loop resistance, and transmission tests  
20: 10:33: 19. Auxiliary and battery power requirements  
20:10:33:20. Central office alarms

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

Federal Tax ID number is 38-3593012

South Dakota sales tax number is pending.