

Patrick D. Crocker
Crocker & Crocker, P.C.
The Kalamazoo Building
107 W Michigan Avenue 4th Floor
Kalamazoo, MI 49007
Telephone: (269) 381-8893

BEFORE THE UTAH PUBLIC SERVICE COMMISSION

In the matter of the Application of
Easton Telecom Services, L.L.C.

Docket No. 09-251 -01

For a Certificate of Public Convenience and
Necessity to Provide Resold and Facilities-Based
Local Exchange Services within the State of Utah

APPLICATION

Easton Telecom Services, Inc. ("Easton" or "Applicant"), by its undersigned officer and pursuant to Chapter 8b of Title 54 of the Utah Code; the Commission's Rules of Practice and Procedure, Utah Admin. Code § 746-100 et seq.; and the federal Telecommunications Act of 1996, 47 U.S.C. § 151 et seq., hereby applies to the Utah Public Service Commission for a certificate of public convenience and necessity authorizing Applicant to operate as a provider of resold and facilities-based local exchange telecommunications services in the State of Utah. Applicant does not request authorization at this time to provide services within any local exchange with fewer than 5,000 access lines owned or controlled by an incumbent telephone corporation with fewer than 30,000 access lines within the State in accordance with Utah Code Ann. § 54-8b-2.1 (3) and (4).

In support of its application, Easton Telecom Services, L.L.C. provides the following information:

I General Information

Corporate Information

- A. Applicant's legal name is Easton Telecom Services, L.L.C. Applicant may be reached at its principal place of business:

Easton Telecom Services, L.L.C.
Summit II — Unit A
3046 Brecksville Road
Richfield, OH 44286
Telephone: (330) 659-6700
Facsimile: (330) 659-9379

- B. Applicant is a limited liability company organized and in good standing under the laws of the State of Ohio. Applicant is qualified to do business in the State of Utah. Copies of Easton's certificate of formation and its certificate of authority to transact business in Utah are attached hereto as Exhibit A.

Contact Information

Correspondence or communications pertaining to this Application should be directed to:

Patrick D. Crocker
Crocker & Crocker, P.C.
The Kalamazoo Building
107 W Michigan Ave, 4th Floor
Kalamazoo, MI 49007
Telephone: (269) 381-8893
Facsimile: (269) 381-4855
patrickcrockerlawfirm.com

Questions concerning the ongoing operations of Applicant following certification should be directed to:

James Kolezynski
Easton Telecom Services, L.L.C.
Summit II
3046 Brecksville Road
Richfield, OH 44286
Telephone: (330) 659-6700
Facsimile: (330) 659-9379

Applicant's registered agent in the State of Utah is:

CT Corporation
136 East South Temple, Suite 2100
Salt Lake City, UT 84111

Customer Service Information

Easton's toll-free number for customer inquiries is (800) 222 - 8122.

2. R746-349-3(A)(2) Proof of bond in the amount of \$100,000

This bond is intended to provide security for customer deposits or other liabilities to telecommunications customers of the Applicant. Easton does not plan to collect customer deposits or offer any prepaid services in Utah. Easton hereby requests a waiver of this bond requirement.

3. R746-349-3(A)(3) Construction or Acquisition of Facilities

Easton does not currently own property in the State of Utah and does not plan to construct any facilities in the state. Easton will provide local exchange services through resale or unbundled interconnection with the Incumbent Local Exchange Carrier ("ILEC") and/or leasing facilities and network from other Competitive Local Exchange Carriers ("CLEC") to provide local exchange services.

4. R746-349-3(A)(4) Services to be offered

Easton seeks authority to provide all manner of resold and facilities-based local exchange, interexchange and switched access services.

Interexchange (switched and dedicated services):

- A. 1+ and 101XXXX outbound dialing;
- B. 800/888 toll-free inbound dialing;
- C. Calling cards; and
- D. Data Services.

Local Exchange:

- A. Local Exchange Services for business and residential customers that will enable customers to originate and terminate local calls in the local calling area served by other LECs, including local dial tone and custom calling features.
- B. Switched local exchange services, including basic service, trunks, carrier access, and any other switched local services that currently exist or will exist in the future.
- C. Non-switched local services (e.g., private line) that currently exist or will exist in the future.
- D. Centrex and/or Centrex-like services that currently exist or will exist in the future.
- E. Digital subscriber line, ISDN, and other high capacity line services.(the Broadband Dynamics Services").

- 4 R746-349-3(A)(4) Services to be offered, (continued)
(a) R746-349-3(A)(4)(a) Classes of customers

Easton initially proposes to offer basic local exchange services to small to mid-size business and residential customers.

- (b) R746-349-3(A)(4)(b) Location of service

Easton may provide service in all areas which are within the Qwest service areas and for which certification is sought hereunder. Easton will mirror the services areas of the underlying carrier. Easton seeks authority to provide all forms of local exchange public telecommunications services on a facilities-based and resale basis.

- 5 R746-349-3(A)(5) Access to standard services

Easton will provide access to local exchange, toll, operator services, directory assistance, directory listings, and emergency services such as 911 and E911 either through facilities-based interconnection or resale services purchased directly from the ILEC's, certificated CLEC's and other companies specializing in providing these services on a competitive basis..

- 6 R746-349-3(A)(6) Implementation schedule

Easton anticipates that it will begin offering services upon completion of negotiations with the incumbent local exchange carrier for an Agreement.

- 7 R746-349-3(A)(7) Professional experience and education of managerial personnel and personnel responsible for Utah operations

Easton does not plan to operate an office within Utah. Responsibility for Utah operations will be handled by Applicant's current management team from its headquarters in Ohio. Descriptions of the extensive telecommunications and managerial experience of Easton's key personnel are attached hereto as Exhibit B.

8. R746-349-3(A)(8) Organizational Chart

In lieu of an organizational chart, Easton offers a description of its key technical and managerial personnel. Please see Exhibit B for managerial team responsible for Utah operations.

9. R746-349-3(A)(9) Chart of accounts

Easton's chart of accounts including account numbers, names, and brief descriptions is attached hereto as Exhibit C.

10. R746-349-3(A)(10) Financial Statements

The company is providing, in Exhibit D, Financial Statements, in support of Easton's financial ability to provide local exchange services Easton is financially qualified to provide local exchange services in Utah.

(a) R746-349-3(A)(10)(a) Balance Sheet, Income Statement and Cash flow Statement

The company is providing, in Exhibit D, Financial Statements in support of Easton's financial ability to provide local exchange services.

(b) R746-349-3(A)(10)(b) Attestation from Management

Please see the attestation in Exhibit D.

(c) R746-349-3(A)(10)(c) Start-up Company

Applicant is not a start-up company.

(d) R746-349-3(A)(10)(d) Parent company financials

Not applicable.

11. R746-349-3(A)(11) Additional Financial Statements
 - (a) R746-349-3(A)(11)(a) Positive net worth
The company is providing, in Exhibit D, Financial Statements in support of Easton's financial ability to provide local exchange services.
 - (b) R746-349-3(A)(11)(b) Income and cash flow statements
The company is providing, in Exhibit D, Financial Statements in support of Easton's financial ability to provide local exchange services.
 - (c) R746-349-3(A)(11)(c) Proof of bond
Not applicable. Applicant requests a waiver as the company does not solicit customer deposits or offer any prepaid telecommunications services.

12. R746-349-3(A)(12) Five-year Projection
 - (a) R746-349-3(A)(12)(a) Pro-forma income and cash flow statements
Five-year projections are attached hereto as Exhibit E.
 - (b) R746-349-3(A)(12)(b) Technical Description
Not applicable. The Company intends to provide service through the use of resold and facilities-based interconnection services.
 - (c) R746-349-3(A)(12)(c) Detailed Maps of Facilities Locations
Not applicable. Easton does not have physical facilities nor does it plan to construct such facilities in Utah.

13. R746-349-3(13) Implementation schedule

The Company will enter into negotiations with Qwest Communications for a region wide interconnection/commercial agreement as soon as the Commission approves Easton's application to operate as a local exchange telecommunications service provider in the State of Utah. The Company intends to offer service in Utah upon completion of negotiations with Qwest Communications.

14. R746-349-3(A)(14) Technical and managerial abilities

Easton is a non-dominant telecommunications company that has been providing interexchange long distance telecommunications services to business and residential customers throughout the United States with the exception of Alaska and local exchange service in 11 states. See Exhibit F for a complete listing of the certification status of Easton.

(a) R746-349-3(A)(14)(a) Proof of Certification

Please see Exhibit F.

(b) R746-349-3(A)(14)(b) Experience

Please see Exhibit B.

15. R746-349-3(A)(15) Public interest

Approval of Easton's application will serve the public interest by creating greater competition in the local exchange marketplace. The public convenience and necessity, therefore, will be served by the issuance of a Certificate of Public Convenience and Necessity to Applicant authorizing it to provide the services described in this application.

16. R746-349-3(A)(16) Proof of Authority to Conduct Business in Utah
Please see Exhibit A.

17. R746-349-3(A)(17) Unauthorized switching, solicitation of new customers, and prevention of unauthorized switching

Easton will comply with Utah law and the Federal Communications Commission's ("FCC's") regulations regarding how interexchange carriers may change a consumer's Primary Interchange Carrier ("PIC"). Easton will also comply with the FCC's regulations regarding how carriers may change a consumer's primary local exchange provider.

(a) R746-349-3(A)(17)(a) Sanctions

Easton has not been the subject of any complaints or investigations of unauthorized switching, or other illegal activities in any jurisdiction.

(b) R746-349-3(A)(17)(b)
Not applicable.

(c) R746-349-3(A)(17)(c)
Not applicable.

18. R746-349-3(A)(18) Applicant's written policies

Easton has adopted written policies regarding the solicitation of new customers in compliance with Utah law and FCC regulations.

WHEREFORE, Easton Telecom Services, L.L.C., respectfully requests that the Utah Public Service Commission issue a Certificate of Public Convenience and Necessity authorizing Access Point, Inc. to provide resold and facilities-based local exchange telecommunications services in the State of Utah.

Respectfully submitted,
Easton Telecom Services, L.L.C.

/ _____
Rob E. Mocas
General Manager

Dated: A/9- Ji-, C>09