

Lance J.M. Steinhart, P.C.
Attorneys At Law
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005

Also Admitted in New York
Email: info@telecomcounsel.com

Telephone: (770) 232-9200
Facsimile: (770) 232-9208

April 26, 2018

**VIA OVERNIGHT DELIVERY &
EMAIL TO psc@utah.gov**

Commission Administrator
Utah Public Service Commission
160 East 300 South
Salt Lake City, UT 84111

Re: TIME CLOCK SOLUTIONS, LLC
Application for Certificate of Public Convenience and Necessity

Dear Sir/Madam:

Enclosed please find for filing an original and five (5) copies of the TIME CLOCK SOLUTIONS, LLC's Application for Certificate of Public Convenience and Necessity, along with a check in the amount of \$100.00 payable to the Utah Public Service Commission to cover the filing fee. An electronic version has also been filed in pdf format to the Utah Public Service Commission at psc@utah.gov on April 26, 2018.

APPLICANT HAS ALSO ENCLOSED ONE COPY OF EXHIBITS 4 AND 5, PRINTED ON YELLOW PAPER, IN A SEPARATE ENVELOPE MARKED "CONFIDENTIAL AND PROPRIETARY" AND RESPECTFULLY REQUESTS CONFIDENTIAL TREATMENT OF THE ENCLOSED INFORMATION PURSUANT TO UTAH PUBLIC SERVICE COMMISSION RULE R746-100-16.

I have also enclosed an extra copy of this letter to be date-stamped and returned to me in the pre-addressed, postage prepaid envelope provided. If you have any questions, or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,


Lance J.M. Steinhart
Lance J.M. Steinhart, P.C.
Attorneys for TIME CLOCK SOLUTIONS, LLC

Enclosures

cc: Vance Witt (w/enc)
Utah Public Service Commission via e-mail

Lance J.M. Steinhart
Lance J.M. Steinhart, P.C.
1725 Windward Concourse, Suite 150
Alpharetta, Georgia 30005
Telephone: 770/232-9200
Facsimile: 770/232-9208
E-mail: info@telecomcounsel.com

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of the Application)
of TIME CLOCK SOLUTIONS, LLC) **DOCKET NO.**
for Certificate of Public)
Convenience and Necessity to Provide)
Telecommunications Services)
in the State of Utah)

**APPLICATION FOR CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

TIME CLOCK SOLUTIONS, LLC ("Time Clock" or "Applicant") by its undersigned counsel and pursuant to Chapter 8b of Title 54 of the Utah Code, Utah Admin. Code §§ 746-100 *et. seq.*, and the rules and regulations of the Utah Public Service Commission ("Commission"), hereby respectfully applies for a Certificate of Public Convenience and Necessity to Provide Telecommunications Services in the State of Utah. The Applicant submits the following information in support of this Application:

1. Applicant's legal name is TIME CLOCK SOLUTIONS, LLC. Its principal place of business is located at:

6920 Spring Valley Drive, Suite 101,
Holland, Ohio 43528.
(855) 753-0941. (Phone)
(855) 753-0941 (Customer Service)
(855) 753-0941 (Phone)
accounting@yourtimeclocksolution.com (E-mail)

2. **R746-349-3(A)(16): Proof of authority to conduct business.** Time Clock is incorporated in the Florida and is in good standing under the laws of that state. The Applicant was incorporated on March 19, 2014 as TIME CLOCK SOLUTIONS, LLC. A copy of Time Clock articles of incorporation and bylaws are attached as **Exhibit 1.** The Applicant is authorized to do business as a foreign Corporation in the State of Utah. A copy of Time Clock's foreign authority is attached as **Exhibit 2.**

3. Communication related to this Application should be directed to:

Lance J.M. Steinhart
Lance J.M. Steinhart, P.C.
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
info@telecomcounsel.com (E-mail)

4. Questions regarding ongoing operations should be directed to:

Vance Witt, Managing Member
(855) 753-0941
6920 Spring Valley Drive, Suite 101, Holland, Ohio 43528
(855) 753-0941 (Phone)
compliance@yourtimeclocksolution.com (E-mail)

5. TIME CLOCK SOLUTIONS, LLC registered agent in Utah is:

Incorp Services, Inc.
5319 Main Street, PO Box 1091
Manchester Center, VT 05255

6. **R746-349-3(A)(3): Facilities to be used.** Applicant will not own switching or other facilities in Utah, but will utilize facilities and switches located in other portions of its operating service territory. All network facilities will be those of incumbent local exchange carriers (“ILECs”) or other facilities-based competitive local exchange or interexchange carriers. Time Clock seeks authority to resell local exchange services throughout the State in areas served by Qwest Corporation dba CenturyLink QC (“CenturyLink”).

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

(A) **R746-349-3(A)(4)(a): Classes of customers.** Time Clock proposes to offer local exchange telecommunications services to business customers in the state of Utah.

(B) **R746-349-3(A)(4)(a): Location of service.** Time Clock seeks authority to offer local exchange service statewide, with the exception of exchange areas with less than 5,000 access lines that are owned or controlled by an ILEC with fewer than 30,000 total access lines in accordance with Utah Code Ann. § 54-8b-2.1(3) and (4).

(C) **R746-349-3(A)(4)(c): Services offered.** Time Clock seeks authority to provide resold local exchange service to and from all points in Utah that are or become open to competition. Time Clock is specifically seeking authorization as a reseller-based provider of local exchange services in the service area of CenturyLink. The Applicant seeks statewide authority, with the exception of exchange areas with less than 5,000 access lines that are owned or controlled by an ILEC with fewer than 30,000 total access lines in accordance with Utah Code Ann. § 54-8b-2.1(3) and (4), so that it may expand to the service areas of other future or existing LECs when they become open to competition. Time Clock seeks authority to provide the following services:

- A. Local Exchange Services 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

- C. 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. (Time Clock's Services").

8. **R746-349-3(A)(5): Access to standard services.** Time Clock will have interconnection with CenturyLink, and will obtain services such as operator services, directory assistance, directory listings, and emergency services such as 911 and E911. Time Clock has existing interconnection and commercial agreements with CenturyLink and will seek to add Utah to those agreements.

9. **R746-349-3(A)(7): Professional experience and education of managerial personnel and personnel who will have responsibilities for Utah operations.** Time Clock does not plan to operate an office in Utah. Time Clock's existing management team will handle Utah operations from its offices in Ohio. Biographical information for Time Clock's officers and directors are attached as Exhibit 3.

10. **R746-349-3(A)(1), R746-349-3(A)(9)-(12): Financial ability.** Time Clock has sufficient financial ability and access to capital to provide the proposed telecommunications services in Utah.

(A) R746-349-3(A)(10)(a)-(d). Financial statements. Time Clock is currently authorized to provide telecommunications services in Alabama, Arkansas, Delaware, Florida, Hawaii, Idaho, Kansas, Montana, New Jersey, New York, North Dakota, and Pennsylvania. Time Clock's current operations provide a solid financial basis for the Company to operate and expand its business in Utah. Financial statements demonstrating Time Clock's financial ability, along with an attestation as to their accuracy, integrity, and objectivity, are attached as Exhibit 4. The information provided in Exhibit 4 is **PROPRIETARY AND CONFIDENTIAL**. As such it

has been submitted separately, under seal, in an envelope marked “**Confidential – Subject to Utah Public Service Commission Rule R746-100-16.**” Time Clock respectfully requests that this sensitive trade secret information be treated as confidential and not made available for public inspection, absent prior permission from Time Clock.

(B) R746-349-3(A)(11)(b): Sufficient projected and verifiable cash flow.

See Section 11, below.

(C) R746-349-3(A)(2), R746-349-3(A)(11)(c): Bond requirement. Time Clock respectfully requests a waiver of the bond requirement in R746-349-3(A)(2). Time Clock will not require advance customer deposits in the state of Utah, and has a strong financial position and thus the risk to Utah customers is limited.

11. R746-349-3(A)(12): Five-year projection of expected operations.

(A) R746-349-3(A)(12)(a). Income and cash flow statements. Time Clock’s pro forma income statements and pro forma cash flow statements are attached as Exhibit 5. The information provided in Exhibit 6 is **PROPRIETARY AND CONFIDENTIAL**. As such it has been submitted separately, under seal, in an envelope marked “**Confidential-Subject to Utah Rule R746-100-16.**” Time Clock respectfully requests that this sensitive trade secret information be treated as confidential and not made available for public inspection, absent prior permission from Time Clock.

(B) R746-349-3(A)(12)(b): Types of technology to be deployed in Utah.

Time Clock will not own any switching or other facilities in Utah, but will utilize its facilities and switches located in other portions of its operating service territory. Time Clock will utilize the network facilities of incumbent local exchange carriers (“ILECs”) or other facilities-based competitive local exchange or interexchange carriers. Time Clock seeks authority to resell local exchange services throughout the State in areas served by CenturyLink.

(C) **R746-349-3(A)(12)(c): Maps of proposed locations of facilities.** As stated above, Time Clock will not own switching or other facilities in Utah, and thus this is not applicable.

12. R746-349-3(A)(6), R746-349-3(A)(13): Implementation schedule. Time Clock proposes to begin providing services in Utah as soon as it is authorized to do so.

13. R746-349-3(A)(1), R746-349-3(A)(14): Sufficient managerial and technical ability to provide telecommunications services. Time Clock has extensive experience in providing telecommunications services, and is authorized to provide local exchange and interexchange services in Alabama, Arkansas, Delaware, Florida, Hawaii, Idaho, Kansas, New York, Montana, New Jersey, North Dakota, and Pennsylvania to provide local exchange and/or interexchange services. Applicant is in the process of applying for authorization to provide competitive local exchange and interexchange services nationwide.. Time Clock will rely upon existing financial, personnel and technological resources to provide the proposed local exchange services.

Time Clock has complied with or will comply with all legal requirements to act as a telecommunications corporation and to provide public telecommunications services in the State of Utah.

14. R746-349-3(A)(1), R746-349-3(A)(15): Public interest. Time Clock's expansion of services into the Utah marketplace would be in the public interest. The additions of Time Clock's local services in Utah will increase the competitive pressure felt by the existing local carriers, spurring them to lower costs and improve services. Numerous companies in Utah will compete with Time Clock, if granted authorization to provide service in Utah, thus increasing competitive choice for consumers.

15. R746-349-3(A)(17): Complaints or investigations of unauthorized switching,

or other illegal activities of the applicant or any of its affiliates. None.

16. R746-349-3(A)(17): Written policies regarding the solicitation of new customers and efforts to prevent unauthorized switching. Time Clock has detailed anti-slamming measures in place; additional information is attached as Exhibit 6.

WHEREFORE, TIME CLOCK SOLUTIONS, LLC respectfully requests that the Commission grant a Certificate of Public Convenience and Necessity to provide telecommunications services in the state of Utah

Respectfully submitted this 26th day of April, 2018.

By: _____

Lance J.M. Steinhart
Lance J.M. Steinhart, P.C.
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005
(770) 232-9200 (Phone)
(770) 232-9208 (Fax)
info@telecomcounsel.com (E-mail)

Attorneys TIME CLOCK SOLUTIONS, LLC.

LIST OF EXHIBITS

Exhibit 1	Articles of Organization and Bylaws
Exhibit 2	Authority to Transact Business in Utah
Exhibit 3	Biographical Information Officers and Directors
Exhibit 4	Financial Statements**
Exhibit 5	Pro Forma**
Exhibit 6	Slamming Statement

**** CONFIDENTIAL**

Submitted under seal on file on yellow paper pursuant to the Utah Public Service Commission Rule 746-100-16

Exhibit 1 Articles of Organization and Bylaws

**Electronic Articles of Organization
For
Florida Limited Liability Company**

L14000045161
FILED 8:00 AM
March 19, 2014
Sec. Of State
jdharris

Article I

The name of the Limited Liability Company is:
TIME CLOCK SOLUTIONS, LLC

Article II

The street address of the principal office of the Limited Liability Company is:
7969 NW 2ND ST.
489
MIAMI, FL. US 33141

The mailing address of the Limited Liability Company is:
7969 NW 2ND ST.
489
MIAMI, FL. US 33141

Article III

The name and Florida street address of the registered agent is:
ROBERT SMITH
7969 NW 2ND ST.
489
MIAMI, FL. 33141

Having been named as registered agent and to accept service of process for the above stated limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent.

Registered Agent Signature: ROBERT SMITH

Article IV

The name and address of person(s) authorized to manage LLC:

Title: MGR
VANCE WITT
7969 NW 2ND ST.
MIAMI, FL. 33141 US

L14000045161
FILED 8:00 AM
March 19, 2014
Sec. Of State
jdharris

Signature of member or an authorized representative

Electronic Signature: ROBERT SMITH

I am the member or authorized representative submitting these Articles of Organization and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of the LLC and every year thereafter to maintain "active" status.

Exhibit 2 Authority to Transact Business in Utah



Francine Giani
Executive Director
 Department of Commerce

Gary Herbert
Governor
 State of Utah

Kathy Berg
Director
 Division of Corporations
 & Commercial Code

STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF CORPORATIONS & COMMERCIAL CODE
CERTIFICATE OF REGISTRATION

INCorp SERVICES, INC.
TIME CLOCK SOLUTIONS, LLC
 1226 W SOUTH JORDAN PKWY STE B
 SOUTH JORDAN UT 84095-5966

<p><u>Access Code</u> Code: 5886999</p>
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	<p>State of Utah Department of Commerce Division of Corporations & Commercial Code</p>
<p>CERTIFICATE OF REGISTRATION</p>	
<p>LLC - Foreign</p>	
<p>This certifies that TIME CLOCK SOLUTIONS, LLC has been filed and approved on February 05, 2018 and has been issued the registration number 10700647-0161 in the office of the Division and hereby issues this Certification thereof.</p>	
<p>KATHY BERG Division Director</p>	

*The Access Code is used for Online Applications used by this Division only.

Exhibit 3 Biographical Information Officers and Directors



Vance Witt

Results-oriented Executive with over 20 years' experience in operations and 8 years' in the telecommunication industry as a Vice President of Business Development. Mr. Witt focus is developing and executing company sales and marketing plans, including implementing new ideas and tools for the company. Solid background in operations in wholesale market segments. Extensive direct and indirect leadership experience. Diverse executive management background with expertise in organization. A forward thinking executive with excellent vision, leadership and negotiation skills. Strong written and verbal skills. Solid track record reducing costs and employing performance optimization plans in a wide range of situations.

Education

- Bachelor's degree from University of West Georgia

Vance Witt
900 Yosemite Drive
Suwanee Ga 30024

RESUME OF QUALIFICATIONS

404-597-8499

Profile: Results driven and highly motivated sales manager with a demonstrated ability to meet and exceed revenue goals through building strong customer relationships and delivering a positive customer experience

EXPERIENCE Jun 08 Present Consultant

Consultant/Agent

- Advise Telecom Expense Management for clients renewing contracts
- Consult Telecom services for The Travel Channel (COX) for “Most Haunted Life” production
- Work with RBTI to roll out PCI DSS firewall services
- Sell Telecom services to Hospitality market with Venture Group Enterprises
- Present alternative network solutions at the C level within Hilton
- Managed over 400 hotels in the Hilton brand
- Consulting services to Extended Stay America to help keep their capitol expenditures down by using alternative network solutions

Nov 05 – Jun 08 Guest-Tek

National Account Manager

- Managed the largest Hospitality Brands in the Country at corporate level.
- Sold HSLA, Video over IP and VOIP to Intercontinental Hilton and Ritz Carlton
- Sold 800k in new product first quarter of employment
- Present at the C level within Hilton and Ritz Carlton
- Managed over 400 hotels in the Hilton brand
- Held monthly meetings with Hilton to discuss strategies for up coming projects
- Helped work between corporate and franchises to negotiate proper contracts and products within hotel brands for Hilton
- Maintained 100% of quarterly quota while managing strategic accounts.

Nov 04 – Nov 05 ITC DeltaCom

Senior National Account Manager

- Managed fortune 100 accounts throughout the Southeast
- Sold ATM, Frame Relay and IP access to existing accounts in various vertical markets
- Partnered with E^Deltacom to sell Data Center services managing networks for financial verticals.
- Closed 2 million in new revenue while managing existing national account customer base.

May 03 – Nov 04 US LEC

Strategic Account Manager

- Prospect fortune 500 accounts throughout the Southeast
- Sold Internet access in Hospitality Vertical for WIFI
- Partnered with several integration companies to provide WIFI solutions with Hospitality
- Focused on large accounts in Verizon territory to provide fixed cost solutions for local service.

Jun 02- May 03 Sprint

Sr Account Executive

- Prospected medium size businesses in the Atlanta Market
- Managed quota of \$9000 per month
- Built funnel and cold called approx 40 calls per day

Feb 01 – April 02 Global Crossing

Sr National Account Manager

- Selling voice/data services to new and existing customers, new revenue monthly quota of \$25,000.
- Develop relationships with strategic accounts at the C level
- Helped develop product in the Hospitality vertical

Sep 00 – Feb 01 Senets Wireless Broadband, Atlanta,GA

Regional Sales Manager

- Built new branch in the Atlanta market.
- Managed SAEs and AEs with 100k monthly quota.
- Developed sales reps to obtain quota and training
- Developed relationships with strategic accounts

Jun 99 – Sept 00 MCI WorldCom, Atlanta,GA

National Account Manager

- Selling voice/data services to new and existing customers, exceeding \$500,000 revenue per month.

Exhibit 4 Financial Statements

CONFIDENTIAL

**Submitted under seal on file on yellow paper pursuant to the Utah Public Service
Commission Rule R746-100-16**

Exhibit 5 Pro Forma

CONFIDENTIAL

Submitted under seal on file on yellow paper pursuant to the Utah Public Service Commission Rule R746-100-16

Exhibit 6 Slamming Statement

The Applicant intends to and is willing to abide by and comply with Commission Rule 746-349-3.

The Applicant intends to and is willing to abide by and comply with Commission Rule 746-349-3.

The Applicant's Policy on Slamming is as follows:

Verification of orders

Time Clock will not submit a change order for local exchange or intrastate toll service until the change order is confirmed in accordance with one of the following procedure:

- (a) Time Clock has obtained the customer's written authorization to submit the order which includes the following information from the customer:
- (1) The customer billing name, billing telephone number and billing address and each telephone number to be covered by the change order;
 - (2) The decision to change; and
 - (3) The customer's understanding of the change fee, if any.

Implementing order changes

(a) Telemarketing orders. Within three business days of any telemarketing order for a change, Time Clock will send each new customer an information package by first class mail containing at least the following information concerning the requested change:

- (1) The information is being sent to confirm a telemarketing order placed by the customer.
- (2) The name of the customer's current telecommunications company.
- (3) A description of any terms, conditions or charges that will be incurred.
- (4) The name of the newly requested telecommunications company.
- (5) The name of the person ordering the change.
- (6) The name, address and telephone number of both the customer and Time Clock.
- (7) A postpaid postcard that the customer can use to deny, cancel or confirm a service order.
- (8) A clear statement that if the customer does not return the postcard, the customer's service will be switched fourteen days after the date the information package was mailed. If customers have cancelled their orders during the waiting period, Time Clock cannot submit the customer's order.
- (9) The name, address and telephone number of a contact point for consumer complaints.

(b) The documentation of the order shall be retained by Time Clock, at a minimum, for twelve months to serve as verification of the customer's authorization to change its telecommunications company. The documentation will be made available to the customer upon request.

(c) Customer initiated orders. Time Clock when receiving the customer initiated request for a change of local exchange and/or intrastate toll shall keep an internal memorandum or record generated at the time of the request. Such internal record shall be maintained by Time Clock for a minimum of twelve months to serve as verification of the customer's authorization to change telecommunications companies. The internal record will be made available to the customer upon request. Within three business days of the order, Time Clock will send each new customer an information package by first class mail containing at least the following information concerning the request to change.