

**BEFORE THE
UTAH PUBLIC SERVICE COMMISSION**

Application of)
)
Prestige Broadband, LLC)
) Docket No. _____
For a Certificate of Public Convenience and)
Necessity to Provide Switched and Dedicated,)
Facilities-Based Local Exchange)
And Facilities-Based Interexchange Services)
within the State of Utah)

APPLICATION

Prestige Broadband, LLC (“Prestige” or “Applicant”), by its undersigned counsel 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 (“Telecom Act”), 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, switched and dedicated local exchange and facilities-based interexchange telecommunications services in the State of Utah. Prestige does not seek authority to operate in any incumbent local exchange rate centers that are not subject to interconnection pursuant to section 251(f) of the Telecommunications Act of 1996 (the “Rural Exemption”). In support of its application, Prestige provides the following information pursuant to Utah Admin. Code R746-349:

1. Applicant’s legal name is Prestige Broadband, LLC. Applicant may be reached at its principal place of business:

Prestige Broadband, LLC
224 South Main Street, Suite 535
Springville, UT 84663
Telephone: (801) 210-2099
www.prestigebroadband.com
service@prestigebroadband.com

2. Prestige is a limited liability company organized on April 18, 2011, under the laws of Utah. Copies of Prestige's Articles of Organization and an amendment to the Articles are attached hereto as Exhibit A.

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

Kristopher E. Twomey
Law Office of Kristopher E. Twomey
1725 I Street, NW, Suite 300
Washington, DC 20006
Email: kris@lokt.net
Telephone: (202) 681-1850
Facsimile: (202) 517-9175

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

Michael Lingwall
Managing Member
Prestige Broadband, LLC
224 South Main Street, Suite 535
Springville, UT 84663
Telephone: (801) 210-2099
Email: michael.lingwall@prestigebroadband.com

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

Michael Lingwall
224 South Main Street, Suite 535
Springville, UT 84663

6. Prestige's toll-free number for customer inquiries is (888) 783-3327.

7. R746-349-3(A)(3). Facilities to be used. Prestige Broadband currently operates as a fixed wireless internet service provider. It maintains towers with wireless broadband radios serving customers using licensed and unlicensed wireless spectrum in Utah County. Prestige seeks the opportunity to provide broadband internet service through its own electronic equipment collocated at ILEC central offices and/or through the use of unbundled network elements leased or purchased from other certificated carriers. Prestige will construct its own switching and transmission facilities as market conditions warrant. Prestige will not seek collocation in any ILEC areas protected by the Rural Exemption.¹ Prestige will also use this license to become a regulated utility thereby granting Applicant access to municipal rights of way and utility poles to deploy fiber optic networks as market demand allows. Prestige has begun preparations to deploy a fiber optic network in Springville, Utah.

8. R746-349-3(A)(4). Services to be offered. Applicant requests authority to provide the full range of local exchange and interexchange services, as well as data services to permit flexibility in the expansion of its service offerings. Prestige's communications services will be available on a full-time basis, 24 hours a day, seven days a week. Prestige seeks authority to provide all forms of facilities-based and resold local exchange and facilities-based interexchange services and switched access services. Once voice services are initiated, Prestige's customers will be able to originate and terminate calls to other customers served by Prestige as well as customers served by all other authorized carriers.

8. (a) R746-349-3(A)(4)(a). Classes of customers. Prestige currently offers competitively-priced broadband internet services to residential, small business, enterprise, multiple dwelling units, and to the hospitality market. Prestige seeks to enhance its Utah market

¹ Because this application specifically and clearly does not seek the right to interconnect with ILECs protected by the Rural Exemption, the Utah Rural Telecom Association should be barred from seeking intervention in this

presence as a broadband internet service provider by utilizing wireline and fiber optic networks to deliver broadband and voice services.

8. (b) R746-349-3(A)(4)(b). Location of service. Prestige has a limited initial fiber project planned for Springville, Utah. Prestige seeks authority to provide service to and from all points in Utah that are not protected by the Telecom Act's Rural Exemption.

9. R746-349-3(A)(5). Access to standard services. Once voice services are initiated, Prestige will provide access to standard intraLATA and interLATA message toll calling, operator services, directory assistance, directory listings, and emergency services such as 911 and E911 either through its own operations or by purchasing those services from underlying carriers.

10. R746-349-3(A)(6)–(7). Professional experience and education of managerial personnel and personnel responsible for Utah operations. Prestige is a start-up fixed wireless internet service provider currently providing broadband internet access to customers in Springville, Utah. As such, Prestige already operates a fully operational telecommunications company. Prestige manages a network operations center with customer support, along with standard functions such as billing, sales, and marketing. Descriptions of the telecommunications and managerial experience of Applicant's key personnel are attached hereto as Exhibit B. More information on Prestige can be found on its website at www.prestigebroadband.com.

11. R746-349-3(A)(1), R746-349-3(A)(8)–(10). Financial abilities. Prestige is a small operator, but given the small size of its initial fiber optic network deployment, Prestige is financially qualified to provide local exchange telecommunications services over those planned facilities in Utah. Prestige's initial service plans are to deploy a small fiber optic network in Springville, Utah and that can be completed using existing cash flow. Financial information can be found at Exhibit D.

11. (a) R746-349-3(A)(8). Chart of accounts. Prestige's chart of accounts including account numbers, names, and brief descriptions is attached hereto as Exhibit C.

11. (b) R746-349-3(A)(9)(a)–(d). Balance sheet. Attached hereto as Exhibit D are the most recent balance sheets of Prestige, and as Exhibit E a letter from Michael Lingwall, Managing Member, attesting to the accuracy, integrity, and objectivity of the balance sheet and attesting that the balance sheet was prepared in accordance with Generally Accepted Accounting Principles. In accordance with R746-349-3(A)(10), this balance sheet shows that Prestige has a positive net worth and that Prestige has sufficient cash flow to provide its proposed services.

11. (c) R746-349-3(A)(2), R746-349-3(A)(10)(c). Bond requirement. Prestige will not request customer deposits for the provision of local and/or interexchange service. Prior to or concurrent to the filing of any tariff provision relating to the collection of customer deposits, Prestige will file proof of a bond in the amount of \$100,000 in order to protect customer deposits and other liabilities.

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

12. (a) R746-349-3(A)(11)(a). Income and cash flow statements. Given the small size of the initial planned fiber optic network in Springville, and the uncertainty of if/when Prestige will be able to build additional networks, Prestige is unable to provide a five-year projection of expected operations including pro forma income statements and pro forma cash flow statements. As such, Prestige requests a waiver of R746-349-3(A)(11)(a). A waiver is in the public interest as it will allow Prestige to bring its gigabit fiber optic network to Springville soon with the attendant advantages gigabit communities provide such as employment and educational opportunities.

12. (b) R746-349-3(A)(11)(b). Types of technology to be deployed. Prestige will continue to deploy the technology specified above in Paragraph 7 of this Application. A graphical depiction of Prestige's first planned fiber optic network can be found at Exhibit G.

12. (c) R746-349(A)(11)(c). Maps of facilities locations. Prestige shall construct a small fiber optic network in Springville, Utah. Please see Exhibit G for a map.

13. R746-349-3(A)(6), R746-349-3(A)(12). Implementation schedule. Prestige shall begin construction of its fiber optic network during the second quarter of 2017. Prestige intends to initiate interconnection negotiations with CenturyLink during the third quarter of 2017, and will make provisions for collocating its electronic equipment at incumbent carrier central offices and purchasing unbundled loops. Prestige intends to begin marketing its services during this same time frame.

14. R746-349-3(A)(1), R746-349-3(A)(13). Technical and managerial abilities. Prestige's manager has the necessary managerial and technical resources and qualifications necessary to execute its business plan, to provide its proposed telecommunications services, and to operate and maintain Prestige's facilities over which such services will be deployed. Biographies of Prestige's key personnel are attached hereto as Exhibit B.

15. R746-349-3(A)(7). Employees. Prestige's Utah operations will be directed by its management located at Prestige's headquarters in Springville, Utah. In lieu of an organizational chart, Prestige offers the biographies of its key personnel set forth in Exhibit B to satisfy R746-349-3(A)(7).

16. R746-349-3(A)(1), R746-349-3(A)(14). Public interest. Approval of Prestige's application will serve the public interest by creating greater competition in the local exchange marketplace, and the high-speed data market in particular. Prestige's fiber optic network will be capable of providing broadband internet with symmetrical speeds of one gigabit/second. 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.

17. R746-349-3(A)(16)–(18). Unauthorized switching, solicitation of new customers, and prevention of unauthorized switching. No complaints have been made nor has any investigation been undertaken against Prestige or any of its affiliates for unauthorized switching (“slamming”) or any other illegal activities. When Prestige offers voice services, it will prevent unauthorized switching of customers by obtaining a signed letter of authorization from all new customers. Prestige 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”). Prestige will also comply with the FCC’s regulations regarding how carriers may change a consumer’s primary local exchange provider.

WHEREFORE, Prestige Broadband, LLC, respectfully requests that the Utah Public Service Commission issue a Certificate of Public Convenience and Necessity authorizing Prestige to provide facilities-based, switched and dedicated local exchange telecommunications services in the State of Utah.

Respectfully submitted,

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Counsel for Prestige Broadband, LLC

Dated: February 7, 2017

LIST OF EXHIBITS

EXHIBIT A	Articles of Organization
EXHIBIT B	Managerial and Technical Qualifications
EXHIBIT C	Chart of Accounts
EXHIBIT D	Financial Statements
EXHIBIT E	Letter of Michael Lingwall in Support of Financial Statements
EXHIBIT F	Five-Year Projection of Expected Operations
EXHIBIT G	Map of Fiber Optic Network Planned for Springville
VERIFICATION	

EXHIBIT A

Articles of Organization

EXHIBIT B

Managerial and Technical Qualifications

Prestige is a newly established company but has succeeded in providing broadband internet services to underserved areas in Utah. Its management is committed to add capacity to its existing network, and expand further using fiber optic deployments. Prestige submits that its member's experience and expertise demonstrates it is fully capable of carrying out its proposal to bring new and economically priced telecommunications services in Utah.

Michael Lingwall, Managing Member

Michael Lingwall is a passionate and seasoned information technology professional based in Springville, Utah. Born in San Antonio, Texas, his passion for technology began during his early childhood and it has stayed with him ever since. Growing up, Michael was particularly fond of taking things apart to learn how they worked.

Michael officially started his career in the technology industry in 2008 when he worked as an IT Director & Facilities Manager at Merit College Preparatory Academy. From that point forward, he continued immersing himself in leading-edge technologies, training, streamlining processes, and implementing software and systems. He also founded a multitude of companies and led the acquisition of others.

In addition to managing Prestige Broadband, Michael serves as a Systems Administrator at Xyngular Corporation and a Portfolio Manager at Maple Mountain Holdings LLC. Recently, he implemented a dual warehouse fulfillment strategy leading to additional cost savings and faster delivery times for customers. Both driven and equally as hardworking, he is on a mission to create opportunities and help others further develop their professional skill set.

Out of his numerous accomplishments, Michael's most notable achievement to date is successfully implementing innovative optimization and cost savings strategies which drastically decreased fulfillment and logistics costs in both the U.S. and Canada. In

addition to information technology, he specializes in system administration, networking, virtualization, telecommunications, project management, entrepreneurship, nonprofits, and many more.

EXHIBIT C

Chart of Accounts

EXHIBIT D

Financial Statements

EXHIBIT E

Letter of Michael Lingwall in Support of Financial Statements

EXHIBIT F

Five-Year Projection of Expected Operations

EXHIBIT G

Initial Fiber Optic Network Map for Springville, Utah

VERIFICATION