

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the matter of the Application of)
BG Spirit, LLC for a Certificate of)
Service Authority to Provide Basic)
Local Telecommunications Services,)
Non-Switched Local Exchange)
Telecommunications Services,)
And Interexchange Telecommunications)
Services throughout the State of Missouri)
and to Classify Said Services and)
the Company as Competitive.)

Case No. _____

APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
TO PROVIDE BASIC LOCAL EXCHANGE, NON-SWITCHED LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES, AND INTEREXCHANGE
TELECOMMUNICATIONS SERVICES AND FOR COMPETITIVE CLASSIFICATION

Comes now BG Spirit, LLC (hereinafter “BG Spirit”), by its undersigned counsel, and hereby applies pursuant to Sections 392.245, 392.361, 392.410, 392.420, 392.430, 392.440, 392.450, 392.455, and 392.461 RSMo, the Federal Telecommunications Act of 1996, 4 CSR 240-3.510 and 4 CSR 240-2.060, for authority to provide basic local telecommunications service, non-switched local exchange telecommunications services, and interexchange telecommunications service throughout the State of Missouri and to classify said services and company as competitive. In support of its application BG Spirit states as follows:

1. Applicant BG Spirit is a company duly organized and existing under and by virtue of the laws of the State of Missouri. A Certificate of Good Standing is attached as Exhibit 1. Its principal place of business is located at 736 Woodside Trails Dr., Suite 202, Ballwin, MO 63021 and its electronic mail address and telephone number are as follows:
hvdhhh@gmail.com; (636) 391-9701.

2. All inquiries, correspondence, communications, pleadings, notices, orders and decisions relating to the case should be addressed to:

Thomas M. Lynch
Brennan Lynch LLP
705 Melvin Ave
Suite 104
Annapolis, MD 21401
410-268-2600
tlynch@telecomlawyers.com

and

Carl J. Lumley
Curtis, Heinz, Garrett & O'Keefe, P.C.
130 S. Bemiston, Suite 200
St. Louis, Missouri 63105
(314) 725-8788
Facsimile (314) 725-8789
clumley@lawfirmemail.com

All inquiries related to the operations of the company and customer service should be addressed to:

Yavor Karamfilov
BG Spirit LLC
736 Woodside Trails Dr., Suite 202
Ballwin, MO 63021
(636) 391-9701
hvdhhh@gmail.com

3. BG Spirit proposes to provide basic local exchange telecommunications service, non-switched local exchange telecommunications service, and interexchange telecommunications service on a facilities basis and resale basis, throughout the state. It plans to initially commence service in exchanges currently served by the following incumbent local exchange telecommunications companies: Southwestern Bell Telephone d/b/a AT&T Missouri, Embarras Missouri, Inc., d/b/a CenturyLink, CenturyTel of Missouri, LLC d/b/a CenturyLink, and Spectra Communications Group, LLC d/b/a CenturyLink. The specific AT&T and CenturyLink

exchanges within which BG Spirit proposes to offer service are listed in the incumbent providers' respective local exchange tariffs. BG Spirit already has received FCC international 214 authorization.

4. Pursuant to this application BG Spirit seeks to offer and provide all forms of basic local telecommunications service, non-switched local exchange telecommunications services, and interexchange telecommunications service.

5. As confirmed by the accompanying affidavit and Exhibits 2 and 3 attached hereto, (a) BG Spirit possesses sufficient technical, financial and managerial resources and abilities to provide the basic local and interexchange telecommunications services it proposes to offer; (b) neither BG Spirit nor any parent, affiliate or principal thereof has defaulted on any of their financial obligations within the last three years; and (c) BG Spirit has access to capital sufficient for its start-up operations in Missouri. BG Spirit has not currently, and has not within 3 years of the date of this application, had any pending action or final unsatisfied judgment or decision against it from any state or federal agency or court which involves customer service or rates. BG Spirit has no annual report or assessment fees that are overdue.

6. BG Spirit seeks classification of itself and its services as competitive.

7. BG Spirit will offer basic local telecommunications service as a separate and distinct service in accordance with applicable law. BG Spirit will give consideration to equitable access for all Missourians, regardless of where they might reside or their income, to affordable telecommunications services in BG Spirit's proposed service areas in accordance with applicable law.

8. BG Spirit is willing to comply with all applicable Commission rules and is willing to meet minimum standards established by the Commission. In accordance with sections

392.245.5(8), 392.420 and 392.461, as amended by HB 338 (2011), BG Spirit hereby exercises its statutory right to elect to waive the application and enforcement of the statutes and rules listed in Paragraph 4 of the Motion of the Staff of the Missouri Public Service Commission filed October 18, 2011 in Case File TE-2012-0073, as follows:

392.210.2 Accounting requirements (system of accounts)
392.240.1 Reasonableness of rates
392.270 Accounting requirements (valuation of property)
392.280 Accounting requirements (depreciation rates/accounts)
392.290 Issuance of stocks, bonds and other indebtedness
392.300 Transfer of property and ownership of stock
392.310 Approval of issuing stocks, bonds and other indebtedness
392.320 Certificate of Commission to be recorded-stock dividends
392.330 Accounting requirements (proceeds of sales of stock, bonds, notes, etc.)
392.340 Company reorganization
4 CSR 240-3.520 Applications to sell or transfer assets
4 CSR 240-3.525 Applications to merge or consolidate
4 CSR 240-3.530 Applications to issue stocks, obtain loans
4 CSR 240-3.535 Applications to acquire stock
4 CSR 240-3.545(8)(C) Listing of Waivers in Tariff
4 CSR 240-3.550 Telco Records and Reports (except (5)(B), (D) and (E))
4 CSR 240-3.555 Residential Customer Inquiries
4 CSR 240-3.560 Procedure for Ceasing Operations
4 CSR 240-10.020 Depreciation Records
4 CSR 240-30.020 Residential Telephone Underground Systems
4 CSR 240-30.040 Uniform System of Accounts
4 CSR 240-32.010 General Provisions
4 CSR 240-32.040 Metering, Inspections and Tests
4 CSR 240-32.050 Customer Services
4 CSR 240-32.060 Engineering and Maintenance
4 CSR 240-32.070 Quality of Service
4 CSR 240-32.080 Service objectives and surveillance levels
4 CSR 240-32.090 Connection of equipment and Inside Wiring
4 CSR 240-32.100 Provision of Basic Local and Interexchange Services
4 CSR 240-32.130-170 Prepaid Calling Cards (except 32.140 and 32.150(1))
4 CSR 240-32.180-190 Caller ID blocking requirements
4 CSR 240-33.010 Service and Billing Practice General Provisions
4 CSR 240-33.040 Billing and Payment standards
4 CSR 240-33.045 Clear identification and placement of charges on bills
4 CSR 240-33.050 Deposits
4 CSR 240-33.060 Residential Customer Inquiries
4 CSR 240-33.070 Discontinuance of service
4 CSR 240-33.080 Disputes by Residential Customers
4 CSR 240-33.090 Settlement agreements with residential customers
4 CSR 240-33.130 Operator service requirements
4 CSR 240-33.140 Payphone requirements (except (2))
4 CSR 240-33.150 "Anti-slamming" requirements

4 CSR 240-33.160 Customer Proprietary Network Information

9. BG Spirit agrees that, pursuant to Section 392.455(3) & (4) RSMo, its service area shall be no smaller than an exchange.

10. Applicant provides notice pursuant to Section 392.461 of its election to be exempt from any requirement to file or maintain with the Commission any tariff or schedule of rates, rentals, charges, privileges, facilities, rules, regulations, or forms of contract for telecommunications services offered or provided to residential or business retail end user customers and instead shall publish generally available retail prices for those services available to the public by posting such prices on a publically accessible website. To the extent required Applicant will promptly file other tariffs with the Commission in a manner consistent with applicable law.

11. BG Spirit submits that the public interest will be served by Commission approval of this application because BG Spirit's proposed services will create and enhance competition and expand customer service options consistent with the legislative goals set forth in the federal Telecommunications Act of 1996 and Chapter 392 RSMo. Prompt approval of this application also will expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

12. Applicant acknowledges that in accordance with Section 392.361.6, its originating and terminating switched exchange access rates will not be greater than the lowest Commission-approved corresponding access rates in effect for each ILEC within the respective service areas in which Applicant seeks to provide service. Additionally, Applicant agrees that if an ILEC in whose service area Applicant is operating decreases its originating and/or terminating access rates, Applicant shall file an appropriate tariff amendment to reduce its originating and/or

terminating access rates within 30 days of the ILEC's reduction of its originating and/or terminating access rates in order to maintain the cap on switched exchange access rates.

13. Applicant will undertake all necessary measures to ensure its contracts with underlying carriers do not contain provisions preventing delivery of traffic to any telephone exchange area of Missouri. Such measures include but are not limited to:

- Prevention of call blocking and/or call gapping based on the cost of traffic termination.
- Preventing the alteration or stripping of Calling Party Number identification.
- Ensuring sufficient network capacity exists to process all traffic according to industry accepted practices.

WHEREFORE, Applicant BG Spirit respectfully requests that the Commission grant it a certificate of service authority to provide basic local telecommunications services, non-switched local exchange telecommunications services, and interexchange telecommunications services as herein requested, classify BG Spirit and its proposed services as competitive, and acknowledge and approve Applicant's election of waiver of and exemption from the aforesaid statutes and regulations.

Respectfully submitted,

CURTIS, HEINZ,
GARRETT & O'KEEFE, P.C.

/s/ Carl J. Lumley

Carl J. Lumley, #32869
130 S. Bemiston, Suite 200
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(314) 725-8789 (FAX)
Email: clumley@lawfirmemail.com

Attorneys for Applicant

CERTIFICATE OF SERVICE

A true and correct copy of the foregoing document was either mailed, faxed, or emailed this 6th day of March, 2012, to the persons listed on the attached service list.

/s/ Carl J. Lumley

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VERIFICATION

STATE OF Missouri

) SS.

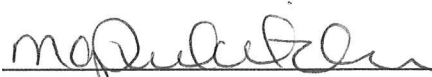
COUNTY OF Franklin

I, Yavor Karamfilov, being first duly sworn, depose and state that I am over the age of 21 years sound of mind, and the President of BG Spirit, LLC, the Applicant in the subject proceeding, and that I am authorized to make this Verification on behalf of BG Spirit, LLC; that I have read the foregoing Application and know the contents thereof; and that the same is true and correct to the best of my knowledge, information, and belief. Further, I verify that the Applicant will comply with all applicable rules and regulations. I also verify that Carl J. Lumley and Curtis, Heinz, Garrett & O'Keefe, P.C., 130 S. Bemiston, Suite 200, St. Louis, Missouri 63105, are authorized to sign all pleadings and documents necessary to receive the approval of the Missouri Public Service Commission of the foregoing Application, and to represent BG Spirit, LLC, in this proceeding.




Name: Yavor Karamfilov
For BG Spirit, LLC

Subscribed and sworn to before this 03 day of March, 2012.


Notary Public

My Commission Expires: 03/29/2014