

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

MAR 13 2012

Missouri Public
Service Commission

In The Matter of the Application of Impact)
Telecom, Inc. for a Certificate of Service)
Authority to Provide Resold Interexchange)
Telecommunications and Resold Private)
Line Data Services throughout the State of)
Missouri and to Classify Said Services and)
The Company as Competitive)

File No. _____

APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY

COMES NOW, Impact Telecom, Inc. ("Applicant"), a Nevada Corporation;
and files this verified application, respectfully requesting that the Missouri Public
Service Commission ("Commission ") issue an order that:

- (a) grants Applicant a Certificate of Service Authority to provide
competitive interstate interexchange telecommunications services
between and among locations within the state of Missouri pursuant
to Chapter 392. Revised Statutes of Missouri;
- (b) grants competitive status to Applicant, and classifies the Applicant's
services as competitive, pursuant to 392.361 RSMo;
- (c) waives certain Commission rules and statutory provisions, pursuant
to 392.420 and 392.361 RSMo: and
- (d) approves Applicant's initial tariff.

In support of its request, Applicant states:

1. Applicant, Impact Telecom, Inc. is a corporation duly organized and
existing under and by virtue of the law of the State of Nevada on May 25, 2005.
The legal name, principal office or place of business, and telephone number of
the Applicant are:

Impact Telecom, Inc.
9250 E. Costilla Avenue., Suite 400
Greenwood village, Colorado 80112
Telephone: (303) 779-5700
Facsimile: (303) 779-0500

A copy of Applicant's Articles of Incorporation is attached as **Exhibit A**. A copy of Applicant's Certificate of Authority to Transact Business in Missouri pursuant to 4 CSR 240-2.060(1)(c) is attached as **Exhibit B** and incorporated by reference.

2. Applicant's agent for Service of Process in the state of Missouri is:

CT Corporation System
120 South Central Avenue, Suite 400
Clayton, Missouri 63105

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

Paul H. Gardner
801 NW Vesper
Blue Springs, Missouri 64015
Telephone: (816) 224-3005
Facsimile: (816) 229-9196
Phone: (405) 755-8777 ext. 24
E-mail: patstarkelaw02@live.com

4. Applicant proposes to provide interexchange telecommunications services and private-line point-to-point data services on a resold basis throughout all exchanges currently served by the incumbent exchange companies of AT&T Missouri and CenturyLink. Applicant agrees to provide interexchange telecommunication s services on a resold basis throughout the State of Missouri.

5. Applicant proposes to provide a suite of competitive interexchange telecommunications services on a wholesale basis to other carriers only.

Additionally, Applicant also proposes to provide resold dedicated, non-switched private-line special access broadband data transmission services. Applicant does not propose to provide operator-assisted calling services. Services will be offered and provided in compliance with applicable Missouri laws and Commission rules and regulations.

6. Applicant possesses the technical and managerial expertise necessary to provide the proposed services as required by Section 392.455(1) RSMo. Descriptions of the backgrounds of applicant's senior management team, which demonstrate Applicant's extensive management experience and expertise, are attached as **Exhibit C**.

7. Applicant has the financial viability to provide interexchange telecommunications services in the State of Missouri as required by Section 392.455(1) RSMo. Applicant is fully funded and requires no external funding. Applicant does not plan to construct facilities and will therefore require no additional capitalization or resource expenditure to expand its operations in Missouri. Applicant's most recent income statement and balance sheet for a period of 12 months is attached as confidential **Exhibit D**. Applicant's financial standing meets the requirements set forth in 4 CSR 240-3.410 as averred through Applicant's Verification of Applicant attached hereto. As the attached financial statements, contain confidential and sensitive information. Applicant requests that the enclosed financial information be filed under seal.

8. Applicant's proposed tariff, containing the terms and conditions applicable to its customers a description of the services offered and a list of rates

associated with such services is filed contemporaneously with this application in accordance with the requirements of 4 CSR 240-3.510(1)(c) as **Exhibit E**.

9. Applicant requests classification as a competitive telecommunications company within the State of Missouri, and that its services are classified as competitive. Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Granting of this applicant is in the public interest, as it will allow greater price and service options for telephone users.

10. Applicant is willing and intends to comply with all applicable Commission rules and is willing to meet all relevant service standards, including, but not limited to billing, quality of service, and tariff filing and maintenance in a manner consistent with the Commission's requirements for incumbent interexchange carriers with whom Applicant seeks authority to compete. Additionally, Applicant is only requesting authority to sell Carrier-to-Carrier interexchange services thereby nullifying some rules and statutes pertaining to end-user. In addition, Applicant agrees that pursuant to Sections 392.455(3) and (4) RSMo, its service area shall be no smaller than an exchange. Consistent with the Commission's treatment of other certificated competitive interexchange telecommunications companies. Applicant requests waiver of the following statutes and regulations for Applicant and its interexchange services offerings:

Missouri Public Service Commission Rules

- | | |
|----------------------|--|
| 4 CSR 240-3550(4) | - Held Orders |
| 4 CSR 240-3550(5)(A) | - Quality of Service Reports |
| 4 CSR 240-3550(5)(C) | - Telecommunications Company Records and Reports |

4 CSR 240-10.020	- Depreciation and income
4 CSR 240-30.040	- Uniform System of Accounts
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 240-33.040 (1-3) & (5-10)	- Billing and payment Standards
4 CSR 240-33.045	- Appearance of Charges on Bills
4 CSR 240-33.080	- Company Name and Number on Bills
4 CSR 240-33.130	- Operator Service Requirements

Missouri Statutes Laws (RSMo)

Section 392.210.2	- Establish Uniform System of Accounts for Annual Reports
Section 392.240.1	- Rates – Reasonable Average Return on Investment
Section 392.270	- Property Valuation
Section 392.280	- Depreciation Rates
Section 392.290	- Issuance of Securities
Section 392.300	- Transfer of Assets and Acquisition of Stock
Section 392.310	- Issuance of Stocks and Debt
Section 392.320	- Stock Dividend Payment
Section 392.330	- Issuance of Securities, Debt, and Notes
Section 392.340	- Reorganizations(s)

As the rules and statutory provisions for which Applicant seeks waiver or exemption are principally applicable to non-competitive telecommunications carriers, it would be inconsistent with the goal and purpose of Section 392.530 RSMo to apply such rules or statutory provisions to a competitive telecommunications carrier such as Applicant.

11. Applicant is filing its tariff with the Commission contemporaneously with the Application attached as **Exhibit E**. Applicant's tariff bears an effective date no less than 45 days from the issued date in a manner consistent with the Commission's practice in similar cases.

12. Applicant submits that the public interest will be served by Commission approval of the instant application because the 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 2000. Approval of applicant's application will further expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

13. Applicant submits, notwithstanding the provisions of Section 392.500 RSMo as a condition for certification and competitive classification, and agrees that, unless otherwise ordered by the Commission, Applicant's originating and terminating switched exchange access rates will be no greater than the lowest Commission-approved corresponding rates in effect for each incumbent interexchange carrier within those service areas in which Applicant seeks authority to provide service.

14. Applicant has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court, which involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of the application.

15. As Applicant has never operated in Missouri, no annual reports or regulatory assessment fees that are overdue in Missouri.

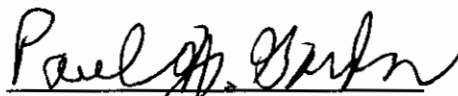
16. Applicant is not offering local service and will not have any Interconnection Agreements. As a result, Applicant is reselling interexchange on a wholesale basis only Carrier-to-Carrier, with no end user.

17. Grant of this Application will further the public interest by expanding the availability of competitive telecommunications services in the State of

Missouri. In addition, intrastate offering of these services is in the public interest because the services will provide Missouri customers with access to new technologies and service choice, and permit customers to achieve increased efficiencies and cost savings. In particular, the public will benefit directly, through the use of the competitive services to be offered by Applicant, and indirectly, because the presence of Applicant in this market will increase the incentives for other telecommunications providers to operate more efficiently, offer more innovative services, reduce their prices, and improve their quality of services.

WHEREFORE, Applicant, Impact Telecom, Inc., respectfully request the Missouri Public Service Commission grant it a Certificate of Service Authority to provide competitive interexchange telecommunications services within the state of Missouri. Applicant further requests classification as a competitive telecommunications company providing competitive services and requests a waiver of the rules and statutory provisions referenced in paragraph 10 as they relate to the regulation of the Applicant in the state of Missouri, and for such further orders as the Commission deems appropriate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul H. Gardner".

Paul H. Gardner MO #28159
801 NW Vesper
Blue Springs, MO 64015
(816) 224-3005
(816) 229-9196 fax
E-mail: lkgardner@hotmail.com

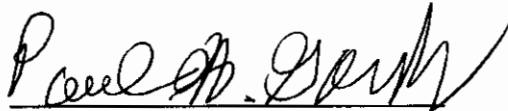
Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Application has been delivered by first class mail on this 7th day of March, 2012, to the following parties:

General Counsel
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102

Office of Public Counsel
Governor Office Building, Suite 650
PO Box 2230
Jefferson City, MO 65102

A handwritten signature in black ink, appearing to read "Paul H. Gardner", written over a horizontal line.

Paul H. Gardner

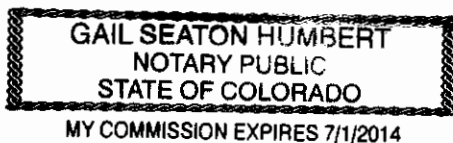
VERIFICATION OF APPLICANT

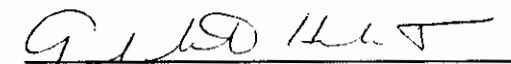
STATE OF COLORADO)
)
COUNTY OF ARAPAHOE) ss.

I, Robert Beaty, first being duly sworn upon oath, depose and say I am the President of Impact Telecom, Inc., that I have read the above and foregoing application by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except to those matters stated upon information and belief, and as to those, I believe the same to be true. Further, I aver that Impact Telecom, Inc. possesses and retains the financial viability to provide telecommunications services in the state of Missouri and support its ongoing Missouri operations on a sustained and uninterrupted basis in accordance with the financial standing requirements set forth in 4 CSR 240-3.510.


Robert Beaty, President
Impact Telecom, Inc.

SUBSCRIBED AND SWORN to before me this 11 day of January, 2012.




Notary Public

My Commission Expires:

July 1, 2014

List of Exhibits

EXHIBIT A	Articles of Incorporation
EXHIBIT B	Certificate of Authority to Transact Business
EXHIBIT C	Technical Managerial Resources and Abilities
EXHIBIT D	** Confidential ** Financial Statements
EXHIBIT E	Proposed Tariff