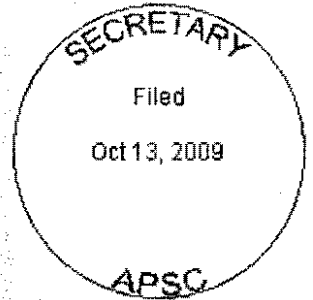


Filed
January 16, 2013
Data Center
Missouri Public
Service Commission



BIG RIVER TELEPHONE COMPANY, L.L.C.

October 13, 2009

Secretary
Alabama Public Service Commission
RSA Building
100 Union Street, Suite 850
Montgomery, Alabama 36101

In Re: Big River Telephone Company, L.L.C.

Dear Madam/Sir:

Attached is a searchable PDF copy of Big River Telephone Company's Application for Certificate of Public Convenience and Necessity. Big River's Tariffs are also attached.

Your prompt attention is appreciated.

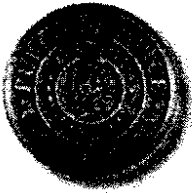
Sincerely,

A handwritten signature in cursive script, appearing to read "Brian C. Howe".

Brian C. Howe
General Counsel

Attachments

AT&T Exhibit No. 26
Date 1-08-13 Reporter xx
File No 1C-2012-0284



Alabama Public Service Commission

P.O. BOX 304260, 100 N. Union St., RSA Union, Suite 850, Montgomery, AL 36130

APPLICATION

**FOR CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY
TO PROVIDE
TELECOMMUNICATIONS SERVICES
IN THE STATE OF ALABAMA**

**SECTION I
GENERAL**

I-1 Corporate Name: d/b/a (if applicable):

Big River Telephone Company, LLC ("Applicant" or "Big River"),

I-2 Location:

**Street: 24 South Minnesota St.
City: Cape Girardeau
State: MO
County: Cape Girardeau
Zip: 63703
Telephone Number: 573-651-3373
FAX Number: 573-651-3605
Web Address: www.bigrivertelephone.com**

Name of employee (s) with authority to respond to Commission requests regarding
tariff/regulatory matters or financial/annual reports (list information for each):

Financial/Annual Reports:

**Name: John F Jennings
Official Title: Chief Financial Officer
Direct Telephone
Number: 314-225-2202
FAX Number: 573-651-3605
Email: Contact Officer: jjennings@bigrivertelephone.com**

Tariff/Regulatory and Primary Contact:

**Name: Andrew Schwantner
Official Title: Manager -- Regulatory Affairs
Direct Telephone
Number: 314-225-2205
FAX Number: 573-651-3605
Email: as@bigrivertelephone.com**

Other Contacts:

Communications regarding Applicant's operations should be addressed to:

Name: Kevin Keaveny
Official Title: Chief Technical Officer
Direct Telephone Number: 314-225-2207
FAX Number: 573-651-3605
Email: kkeaveny@bigrivertelephone.com

Correspondence concerning this Application should be directed to:

Name: Patty Feiste
Official Title: Project Manager
Direct Telephone Number: 573-388-3741
FAX Number: 573-651-3605
Email: pfeiste@bigrivertelephone.com

I-3 Types of services for which authority is requested. (i.e. Local Exchange Service, Long Distance Interexchange Service, Long Distance Resale Service, Alternate Operator Services, Prepaid Service, etc.) Please include all services which the company intends to provide.

Applicant proposes to provide local exchange, switched exchange access and operator services to its local exchange customers. Applicant already provides Long Distance Interexchange Service pursuant to authority previously granted by the Commission and will provide such services in conjunction with its local exchange service.

Indicate how service(s) will be provided (i.e. Facilities-Based, UNE-P, UNE)

Service will be primarily provided on a facilities-based approach. Some lines may be served using UNE or a wholesale local agreement with the underlying ILEC.

I-4 Attorney (if applicable)

Name: James H. McLemore
Street: 150 South Perry Street
City: Montgomery
State: Alabama
County: Montgomery
Zip: 36104
Direct Telephone Number: 334-241-8058
Email: jhm@chlaw.com

I-5 Registered Agent in Alabama:

Name: The Corporation Company
Address: 2000 Interstate Park Dr. Ste 204
City: State: Montgomery, AL
Zip: 36109

I-6 Geographic area to be served:

Applicant proposes to provide services throughout all exchanges that are open for facilities-based competition statewide.

I-7 Anticipated date of service:

First Quarter 2010

I-8 States in which applicant is authorized to provide service:

Arkansas	New Jersey
Colorado	New Mexico
Illinois	Oklahoma
Kansas	Pennsylvania
Kentucky	Tennessee
Louisiana	Texas
Minnesota	Washington
Mississippi	Wisconsin
Missouri	Wyoming
Nebraska	

I-9 States in which applicant is currently providing service:

Arkansas	Missouri
Colorado	New Mexico
Illinois	Oklahoma
Kansas	Pennsylvania
Kentucky	Tennessee
Louisiana	Texas
Minnesota	
Mississippi	

I-10 Mechanism by which applicant intends to bill for services:

Big River Telephone bills all monthly recurring charges one month in advance and all usage based services in arrears. We utilize both paper and electronic formats for delivery of our invoices to our customers.

SECTION II
ORGANIZATION

II-1 Type of Organization:

- a. Individual.....()
- b. Partnership.....()
- c. Corporation.....()
- d. Other (Identify) **Limited Liability Company** (X)

II-2 If a corporation:

- a. Attach a copy of articles of incorporation and current bylaws.

Not applicable.

- b. Nonresident corporation - attach a copy of Certificate of Authority issued by the Secretary of State granting corporation's authority to do business in Alabama.

Not applicable.

II-3 If a partnership: -

- a. Attach a copy of the partnership agreement.

Not applicable.

- b. Attach a list showing name and address of all partners.

Not applicable.

II-4 If a Limited Liability Company: -

- a. Attach copy of Articles of Organization.

Applicant has attached a copy of its Articles of Organization as EXHIBIT A to this application.

- b. Attach copy of Alabama registration or qualification to do business.

**Applicant has attached a copy of its Certificate of Authority issued by the
Alabama Secretary of State as EXHIBIT B to this application.**

SECTION III

FINANCIAL

III-1 Attach a current certified financial statement including balance sheet, income statement, cash flow statement, and statement of retained earnings (if applicable).

Big River Telephone Company, LLC financial statement is attached as EXHIBIT C.

III-2 Facilities, if any:

Big River Telephone Company, LLC currently has no facilities in Alabama but plans to collocate equipment at local exchange carriers' facilities, carrier hotels or in the head end of cable television providers.

a. Attach statement describing means or method by which facility will be financed. (Attach copies of any agreements, commitments, or other evidence as to source and availability of capital funds.)

From operating cash flow.

b. Attach itemized estimated cost of proposed facilities.

\$10,000.

c. Attach itemized estimated operating expenses to be incurred in providing proposed service.

Operating Expense (OPEX) and Cost of Sales are illustrated on EXHIBIT D,

III-3 Provide a list of the number of prospective subscribers and estimated annual operating revenues.

Prospective Subscribers (Line Count) and Total Revenue are provided on EXHIBIT D.

III-4 Provide a description of any proposed or existing agreement of interconnecting service between applicant and any other telecommunications company.

With CLEC Certification from the Alabama Commission, Big River's initial intent to apply for Interconnection Agreement with AT&T (BellSouth), CenturyTel and Roanoke Telephone Company. Generally, the scope of the agreement with other telecommunications companies will cover the mutual exchange of local traffic, the coordination of porting telephone numbers and the lease of some network elements. Applicant has more than 20 Interconnection agreements across the 14 states listed on I.9.

III-5 Provide a description any lease or rental contract concerning any property - (real and/or personal) possessed, controlled or occupied by applicant, or by any subsidiary to which applicant owns and in which he has a controlling interest, or any parent company of which he is a subsidiary.

Not applicable.

III-6 If a subsidiary corporation, provide a list of the parent organization and submit a copy of most recent annual report.

Not applicable.

III-7 Attach statement that provides copy of three-year projected cash flow statement and/or market feasibility study.

EXHIBIT D shows projected cash flows for 2010, 2011 and 2012.

SECTION IV

ENGINEERING

IV-1 Provide a statement that describes fully the facility to be provided by applicant for rendering the proposed service at each location, if applicable.

Applicant proposes to provide local exchange and switched exchange access services throughout any exchanges in which it partners with a local cable TV company with whom it will lease local network to gain access to customers. Service will be provided from Applicant's own network and via the leased local network of the Cable TV company with whom Applicant partners. Applicant may also lease transport facilities from ILECs statewide and will do so pursuant a negotiated interconnection agreement.

IV-2 Provide a statement that describes transmission capabilities of applicant.

For transmission purposes, Big River Telephone, LLC leases network access from cable TV companies. The capabilities of the underlying cable TV networks are significant and can readily provide 10 to 50 Mbps of bandwidth. Additionally, Big River will, where necessary, lease network transmission facilities from other telecommunications companies either at the DS-1 (1.5 Mbps) or DS-3 (45 Mbps) level.

IV-3 Attach a statement that provides the location of switching equipment.

Big River Telephone, LLC operates a Class 5 local switching system with Network Operations located in Cape Girardeau, Missouri. The Class 5 Call Agent is located in Cape Girardeau but Big River has PSTN gateways located in various other

locations. Initially, Big River will serve Alabama customers out of a gateway located in St. Louis, Mo.

SECTION V

LICENSES

V-1 Attach a copy of each certificate, license or other operating authority applicable to Alabama issued to Applicant by any federal authority.

Not applicable.

SECTION VI

TARIFFS

Filed at same time as application. Each applicant shall file a proposed tariff as follows:

VI-1 The tariff must provide services and descriptions, rates or charges, rules, and regulations proposed by the company for Commission approval. (Refer to sample tariff at www.psc.state.al.us)

VI-2 The tariff must enumerate and define the classifications of services available to subscribers. Attach a copy of the proposed form of contract governing each service to be furnished by applicant to its subscribers.

VI-3 Requirements for size, form identification, and filing of tariffs:

- a. All tariffs including maps shall be in loose leaf form of size eight and one-half inches by eleven inches and shall be plainly printed or reproduced on paper of good quality.
- b. A margin of not less than three-fourths inch without any printing thereon, shall be allowed at the binding edge of each tariff sheet.
- c. Tariff sheets are to be numbered consecutively by section, sheet, and revision number. Each sheet shall show an issue date, effective date, revision number, section number, sheet number, name of the company, name of the tariff, and title of the section in a consistent manner.
- d. An official tariff filing (original plus ten copies) shall be made to the Alabama Public Service Commission.

Overnight Delivery Address:

Secretary
Alabama Public Service Commission
RSA Building
100 N Union Street, Suite 850
Montgomery, Alabama 36101

NOTE: Applicants can elect to file an electronic copy of the application and tariff. Prior to submitting the tariff, contact the Secretary's Office at 334-242-5218 to obtain approval/authorization.

Secretary

Alabama Public Service Commission

P.O. Box 304260

Montgomery, Alabama 36130-4260

SECTION VII

SUBMISSION OF APPLICATION

All of the following must be submitted before an application will be considered valid and scheduled for hearing:

VII-1 The application fee of one hundred (\$100) dollars made payable to the "Alabama Public Service Commission" must be attached to original copy.¹

NOTE: Any application for certification or additional/amended certification submitted to the Commission that does not have the required fee attached will be considered an invalid/incomplete application and will not be processed further.

VII-2 An original plus ten copies of the completed application and proposed tariff must be provided.

VII-3 Application and application fee should be submitted to the address listed in Section VI – 3.d.

¹ The *Communications Reform Act of 2005*, CODE OF ALABAMA 1975, Section 37-2A-9b, Standards for New Entrants, states: "Every application for a Certificate of Public Convenience and Necessity by a new entrant to provide telecommunications service in this state shall be accompanied by an application fee in the amount of one hundred dollars (\$100)."

SECTION VIII

REPRESENTATION

Applicant's Representative:

Name:	Gerard Howe
Official Title:	Chief Executive Officer
Direct Telephone Number:	314-225-2203
FAX Number:	573-651-3605
Email:	<u>jhowe@bigrivertelephone.com</u>

Applicant understands that the filing of this application does not constitute nor guarantee operating authority. Applicant will submit any additional materials as required by the Commission. Applicant will also file annual/financial reports and pay annual inspection and supervision fees as required under Section 37-2-41, Code of Alabama 1975.

OATH

STATE OF MISSOURI)
) SS:
County of St. Louis)

Personally appeared before the undersigned, an officer duly authorized to administer oaths, who first being duly sworn, deposes and says that he is of the Chief Executive Officer for Big River Telephone, LLC. in this application, that he has read the same and knows the contents thereof, and that the statements made herein are true to the best of his knowledge and belief.

I, Gerard J. Howe, of lawful age, being first duly sworn upon my oath, state: I am Chief Executive Officer of Big River Telephone Company, LLC, and that the facts set forth in the foregoing application have been prepared by me or under my direction, from the original books, papers and records of Big River Telephone Company. I have examined same, and declare same to be true and correct to the best of my knowledge and belief. Further, I understand that the Alabama Public Service Commission has jurisdiction affecting local service providers and Big River Telephone Company will comply with the applicable requirements of this Commission.

Respectfully submitted, this _____ day of September, 2009.

Big River Telephone Company, LLC

By: _____
Gerard Howe
Chief Executive Officer
24 S. Minnesota
Cape Girardeau, MO 63703
Telephone: (314) 225-2203
Facsimile: (573) 651-3605

Subscribed and sworn before me, this _____ day of September, 2009.

My Commission Expires: _____