

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

In the Matter of the Application of United)
Telecom, Inc. d/b/a Rodeo Telecom, Inc.)
for a Certificate of Service Authority to)
Provide Interexchange Telecommunications)
Services, and to classify such Services and)
Applicant as Competitive.)

Case No. _____

**APPLICATION FOR CERTIFICATE OF SERVICE AUTHORITY
TO PROVIDE INTEREXCHANGE TELECOMMUNICATIONS SERVICE AND
FOR COMPETITIVE CLASSIFICATION**

COMES NOW United Telecom, Inc. d/b/a Rodeo Telecom, Inc. ("Applicant"), by its undersigned counsel, and files this verified application pursuant to 4 CSR 240-2.060, 4 CSR 240-3.510, Chapters 392.430 to 392.455 RSMo., and the Federal Telecommunications Act of 1996, respectfully requesting that the Missouri Public Service Commission ("Commission") issue an order that:

- (a) grants Applicant a Certificate of Service Authority to provide interexchange telecommunications services pursuant to 392.410 RSMo.;
- (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, RSMo.; and
- (d) approves Applicant's initial tariff.

In support of its request, Applicant states:

A. Identification of Applicant; Secretary of State Authorization.

1. Applicant is a privately-held corporation organized under the laws of the State of California on October 13, 2004. Applicant provides competitive interexchange telecommunications services. Applicant's business address and telephone number are:

United Telecom, Inc. d/b/a Rodeo Telecom, Inc.
3550 Wilshire Boulevard, 17th Floor
Los Angeles, CA 90010
Telephone: 213.381.7160
Facsimile: 888.381.5904
Email: unitedtelecomca@yahoo.com
Web Site: www.utelinc.com

Evidence of Applicant's articles of incorporation is attached hereto 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 hereto as **Exhibit B** and incorporated herein by reference.

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

National Registered Agents, Inc.
300-B East High Street
Jefferson City, Missouri 65101

B. Communications Regarding this Proceeding.

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

Mark P. Johnson
Lisa A. Gilbreath
Sonnenschein Nath & Rosenthal LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
Telephone: 816.460.2424
Email: mjohnson@sonnenschein.com
lgilbreath@sonnenschein.com

Imtiaz Hossain, Vice President
United Telecom, Inc.
3550 Wilshire Boulevard, 17th Floor
Los Angeles, CA 90010
Telephone: 213.381.7160
Facsimile: 888.381.5904

Andrew O. Isar, Regulatory Consultant
Miller Isar, Inc.
4423 Point Fosdick Drive, NW
Gig Harbor, WA 98335
Telephone: 253.851.6700
Email: aisar@millerisar.com

C. Request for Competitive Classification and Description of Proposed Services to be Offered in Missouri. 4 CSR 240-3.510(1)(A).

4. Applicant requests classification as a competitive telecommunications company operating within the state of Missouri. Applicant further requests classification of its services described in Paragraphs 5 and 6, *infra*, and in its proposed tariff, as competitive services, as each of these services is subject to substantial competition in the areas in which Applicant proposes to provide service.

5. Applicant proposes to provide interexchange telecommunications services to commercial and residential retail subscribers. Applicant's services will be provided through underlying carrier network facilities. Applicant's services will be available to subscribers twenty-four hours per day, seven days per week, at rates, terms, and conditions established by Applicant and reflected in Applicant's retail tariff. Applicant does not propose to provide operator-assisted calling services to the transient public. Services will be offered and provided in accordance with applicable Missouri laws and Commission rules and regulations.

D. Proposed Tariff. 4 CSR 240-3.510(1)(C).

6. Applicant's 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 being filed contemporaneously with this application in accordance with 4 CSR 240-3.510(1)(C), as stated in Section J, *infra*. It is attached as **Exhibit C**.

E. Statement of Technical, Managerial, and Financial Resources and Abilities.

7. Applicant possesses the technical and managerial expertise necessary to provide the proposed services. A description of Applicant's senior managerial and industry experience demonstrating Applicant's managerial capabilities is attached hereto as **Exhibit D**. Applicant's management team has successfully and profitably managed Applicant's telecommunications operations for more than five years.

8. Applicant has the financial viability to provide interexchange telecommunications services in the State of Missouri. Applicant is fully funded and requires no external funding. Applicant does not plan to construct facilities, and will, therefore, require no additional capitalization nor 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 hereto at confidential **Exhibit E**. As the attached financial statements contain confidential and sensitive information, Applicant requests that they be filed under seal.

F. Willingness to Comply with PSC Regulations.

9. 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 interexchange carriers with whom Applicant seeks authority to compete.

G. Separate and Distinct Services, Equitable Access.

10. Applicant will offer interexchange telecommunications service as a separate and distinct service in accordance with applicable law. Applicant will give due consideration to equitable access for all Missourians, regardless of where they reside or

their income, to affordable telecommunications services in Applicant's proposed services areas, in accordance to Applicable law.

H. Request for Waiver and Exemption. 392.420 RSMo., 4 CSR 240-2.060(4).

11. Consistent with the Commission's treatment of other certificated 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 240-10.020	-	Income on Depreciation Fund Investments
4 CSR 240-30.040	-	Uniform System of Accounts
4 CSR 240-3.550(5)(C)	-	Telecommunications Company Records and Reports

Missouri Statutes Laws (RSMo.)

Chapter 392.210.2	-	Establish Uniform System of Accounts for Annual Reports
Chapter 392.240.1	-	Setting Just and Reasonable Rates
Chapter 392.270	-	Property Valuation
Chapter 392.280	-	Depreciation Rates
Chapter 392.290	-	Issuance of Securities
Chapter 392.300.2	-	Acquisition of Stock
Chapter 392.310	-	Issuance of Stocks and Debt
Chapter 392.320	-	Stock Dividend Payment
Chapter 392.330	-	Issuance of Securities, Debt, and Notes
Chapter 392.340	-	Reorganization(s)

The above-referenced rules and statutory provisions have been waived by the Commission for competitive interexchange carriers in prior cases. 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 provisions of Chapters 392.361 to 392.520 RSMo. and with the goal and purpose of Chapter 392.420 RSMo. to apply such rules or statutory provisions to a competitive telecommunications carrier such as Applicant.

I. Tariff Submission Statement, 4 CSR 240-3.510(1)(C)

12. Applicant is filing its retail tariff with the Commission contemporaneously with the instant Application. Applicant's tariffs bear an effective date no less than 45 days from the issued date, in a manner consistent with the Commission's practice in similar cases.

J. Public Interest Statement. 392.430 RSMo.

13. 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). Prompt approval of Applicant's application will further expand the availability of innovative, high quality, and reliable telecommunications services within the State of Missouri.

K. Switched Exchange Access Rate Statement.

14. Applicant proposes to serve exclusively as an interexchange carrier, and will not be providing local exchange switched access services.

L. Pending Action or Unsatisfied Judgments Statement. 4 CSR 240-2.060(1)(K).

15. 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 this application, with the following technical exception.

Applicant has been the subject of a single regulatory action in Iowa. This action resulted from third party verification provider misapplication of Company-established

procedures that had raised questions regarding the Company's compliance with Iowa unauthorized account transfer regulations. On August 28, 2009, the Iowa Utilities Board found Applicant had committed cramming by failing to provide a valid Third Party Verification (TPV) in File No. C-2009-0172. Staff analyzed the TPV provided by the Company and concluded that there was a discrepancy because Complainant's statements and those of the verifier did not appear to coincide.

Applicant fully refunded complainant's payments and returned complainant to the former provider. Although Applicant disputed Staff's findings and a subsequent Iowa Office of Consumer Advocate (OCA) Petition for Civil Penalties based on those findings, Applicant entered into a voluntary Settlement Agreement with the OCA, approved by the Board on December 30, 2009. Under the Settlement Agreement, Applicant consented to a civil penalty of \$2,500.00 payable to the Iowa Utilities Board, and provision of verification procedures and confirmation of their implementation to OCA, without admission of wrong doing or violation of Board rules.

M. Annual Report or Assessment Statement. 4 CSR 240-2.060(1)(L).

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

WHEREFORE, Applicant, United Telecom, Inc. d/b/a Rodeo Telecom, Inc. respectfully requests the Missouri Public Service Commission issue a Certificate of Service Authority authorizing Applicant to provide competitive intrastate interexchange telecommunications services within the state of Missouri; an order classifying it as a competitive telecommunications company providing competitive services; and a waiver of the above-referenced rules and statutory provisions 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,

By: /s/ Mark P. Johnson

Mark P. Johnson Mo. Bar 30740
Lisa A. Gilbreath Mo. Bar 62271
Sonnenschein Nath & Rosenthal LLP
4520 Main Street, Suite 1100
Kansas City, MO 64111
Telephone: 816.460.2424
Facsimile: 816.531-7545
Email: mjohnson@sonnenschein.com
lgilbreath@sonnenschein.com

Attorneys for Applicant

Andrew O. Isar
Miller Isar, Inc.
4423 Point Fosdick Drive NW
Suite 306
Gig Harbor, WA 98335
Telephone: 253.851.6700
Facsimile: 866.474.3630
Email: aisar@millerisar.com

Applicant's Regulatory Consultants

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing Application has been hand-delivered or mailed, First Class mail, postage prepaid, this 20th day of May, 2010, to:

Office of the Public Counsel
Governor Office Building
P.O. Box 2230
200 Madison, Suite 650
Jefferson City MO 65102

/s/ Mark P. Johnson

Mark P. Johnson

VERIFICATION OF APPLICANT

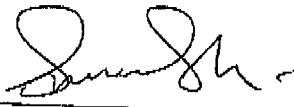
COMMONWEALTH OF CALIFORNIA

COUNTY OF LOS ANGELES

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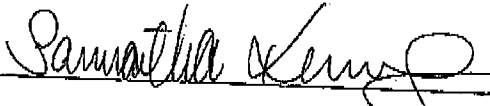
I, Imtiaz Hossain, first being duly sworn upon oath, depose and say I am Vice President of United Telecom, Inc. d/b/a Rodeo Telecom, Inc., that I have read the above and foregoing application by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except to those matters stated upon information and belief, and as to those, I believe the same to be true.

United Telecom, Inc. dba Rodeo
Telecom. Inc.

By: 

Imtiaz Hossain
Vice President
3550 Wilshire Boulevard, 17th Floor
Los Angeles, CA 90010
Telephone: 213.381.7160

Subscribed and sworn to before me this 14th day of April, 2010.



Notary Public in and for the State of California,

residing at: Los Angeles,

CALIFORNIA



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LIST OF EXHIBITS

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