

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Application of Pac-West	)	
Telecomm, Inc. for a Certificate of Service	)	
Authority to Provide Local and Interexchange	)	File No. LA-2011-0283
Telecommunications Services in the State	)	Tracking No. YL-2011-0451
of Missouri and to Classify said Services	)	
and the Company as Competitive.	)	

**FILING MEMORANDUM**

COMES NOW Pac-West Telecomm, Inc., by and through its counsel, pursuant to 4 CSR 240-2.080 and herewith files the Affidavit of Todd Wallace, Chief Operating Officer of Pac-West Telecomm, Inc., in connection with the above-styled proceeding.

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

/s/ Carl J. Lumley

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Carl J. Lumley, #32869  
130 S. Bemiston, Suite 200  
St. Louis, Missouri 63105  
(314) 725-8788  
(314) 725-8789 (Fax)  
Email: clumley@lawfirmemail.com

Attorneys for Pac-West Telecom, Inc.

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing document was either mailed, faxed, or emailed this 6th of May, 2011, to the persons listed on the attached service list.

/s/ Carl J. Lumley

General Counsel's Office  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
[gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov)

Lewis Mills  
Office of Public Counsel  
200 Madison Street, Suite 650  
P.O. Box 2230  
Jefferson City, MO 65102  
[opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov)

Cully Dale  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
[cully.dale@psc.mo.gov](mailto:cully.dale@psc.mo.gov)

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

In the Matter of the Application of Pac-West  
Telecomm, Inc. for a Certificate of Service Authority to  
Provide Local and Interexchange Telecommunications  
Services in the State of Missouri and to Classify said  
Services and the Company as Competitive

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**File No. LA-2011-0283**  
Tariff No. YL-2011-0451

State of California

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County of San Joaquin

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)

**AFFIDAVIT OF TODD WALLACE**

I, Todd Wallace, being of lawful age and being first duly sworn, do hereby depose and state that:

1. I am the Chief Operating Officer of Pac-West Telecomm, Inc. ("Pac-West"), the Applicant in the above-referenced proceeding, and am authorized to make this Affidavit on behalf of Pac-West.
2. In my capacity as Chief Operating Officer, I have executive responsibility for the day-to-day operational matters of Pac-West.
3. Pac-West possesses sufficient financial, managerial, and technical capabilities to provide basic local telecommunications services and the other services applied for herein.
4. The Applicant has various obligations to investors and creditors, with related covenants. At times, Applicant has received communications indicating that an investor or creditor does not believe all such covenants have been met; *e.g.*, that Applicant was late in complying with reporting requirements vis a vis the investors and/or creditors. When so notified, Applicant works through such issues with its investors and creditors. However, Applicant, its parent company, affiliates and principals have not failed to make a required





payment in the last three years to such investors and creditors, and accordingly have not defaulted on any of their financial obligations within the last three years.

Further affiant sayeth not.

*Todd Wallace*

~~Thomas Thompson~~

~~Interim Chief Financial Officer~~

Pac-West Telecomm, Inc.

TODD WALLACE

Chief Operating Officer

Sworn to and subscribed before me this 6<sup>th</sup> day of May 2011.

*[Signature]*  
Notary Public

My Commission expires 4/16/2014

