

# NOWALSKY, BRONSTON & GOTHARD

A Professional Limited Liability Company

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Philip R. Adams, Jr.

July 16, 2009

Via Overnight Mail

Executive Secretary's Office  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

RE: Tri-M Communications, Inc.  
d/b/a TMC Communications.  
Docket No. 09-00091  
Responses to Staff's Data Request

Dear Sirs:

Enclosed for filing please find an original and four (4) copies of the responses to Staff's data request of July 14, 2009. The responses are set forth in the attached.

Please acknowledge receipt of this filing by returning a date-stamped copy of this cover letter in the self-addressed envelope provided.

Should you have any questions regarding this filing, please do not hesitate to contact me.

Sincerely,



Leon Nowalsky *rh*  
[lnowalsky@nbglaw.com](mailto:lnowalsky@nbglaw.com)

LLN/rph  
Enclosure

RECEIVED  
2009 JUL 17 AM 11:12  
T.R.A. DOCKET ROOM

**Application of TRI-M Communications, Inc. d/b/a TMC Communications**

Responses to Staff's Data Request of July 14, 2009 are set forth below:

Q: Answer to question E(1) on page 2 of the application.

A: No

Q: Answer to question H on page 4 of the application.

A: Yes

Q: For the state in which TRI-M is currently doing business, provide information on consumer complaints received for the past year. Include the nature of the complain, with which state or federal agency it was filed, and how the complaint was resolved.

A: The company has received no consumer complaints in any state in which they do business during the last year.

Q: Certificate of Good Standing from the State of California.

A: Attached as Exhibit A.

Q: Detailed biographical information for officers of the company and key management personnel.

A: Attached as Exhibit B.

Q: A notarized statement from an officer of the company that the information contained in the application is true to the best of his or her knowledge.

A: Attached as Exhibit C.

Q: A sworn statement that the company will abide by all state and federal laws and TRA Rules in regard to the provision of telecommunications services in Tennessee.

A: Attached as Exhibit D.

## Exhibit A

# State of California

## Secretary of State

### CERTIFICATE OF STATUS

ENTITY NAME:

TRI-M COMMUNICATIONS, INC.

FILE NUMBER: C2012280  
FORMATION DATE: 05/30/1997  
TYPE: DOMESTIC CORPORATION  
JURISDICTION: CALIFORNIA  
STATUS: ACTIVE (GOOD STANDING)

I, DEBRA BOWEN, Secretary of State of the State of California,  
hereby certify:

The records of this office indicate the entity is authorized to exercise  
all of its powers, rights and privileges in the State of California.

No information is available from this office regarding the financial  
condition, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate  
and affix the Great Seal of the State of  
California this day of June 30, 2009.

DEBRA BOWEN  
Secretary of State

## **Exhibit B**

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## About Us

About Us » [Management Team](#)

## Management Team



### **Ron Ireland, President, CFO**

Ron Ireland joined TMC Communications in 1998 as Controller. Today, as President and Chief Financial Officer, Mr. Ireland oversees TMC's overall operations, including financial planning and analysis and revenue assurance. Under his leadership, the company has remained profitable in an increasingly competitive marketplace. He is also responsible for negotiating contracts with the company's underlying carrier networks that enable TMC agents to offer competitive rates to their customers. Prior to joining TMC, he was the Vice President and Chief Financial Officer of The Bank of Ventura. He earned a bachelor's degree in economics and business from Westmont College and a master's degree in economics from the University of California, Santa Barbara. Mr. Ireland also sits on the company's board of directors.



### **Jewel Bridgers, Vice President of Operations**

Ms. Bridgers directs all aspects of TMC's operations, from provisioning, installation and sales engineering to customer care and technical support. Ms. Bridgers' flawless execution and understanding of customer needs is critical to the company's success. She is responsible for the successful turn-up of every new customer order.

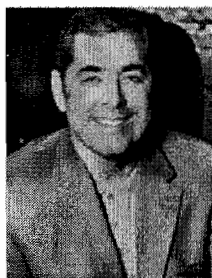
Under Ms. Bridgers' purview is a team of telecom professionals known throughout the industry for their professionalism and follow through. She leads the team in maintaining the company's more than 99 percent customer retention rate and providing exceptional customer care to its customers across the country.

Ms. Bridgers has been in the telecommunications business for more than twenty years. Working for a variety of companies in the sector, there isn't a telecommunications business model she hasn't mastered. Prior to joining TMC, Ms. Bridgers held senior positions with StarTelecommunications, Frontier Communications and TSI among others.



### **Sarah Graham Linares, Vice President of Product Development and Revenue Assurance**

As Vice President of Product Development and Revenue Assurance, Sarah Graham Linares drives the development of new products. She is instrumental in designing and bringing to market new telecom products and services that decrease costs and increase efficiencies for TMC's business customers nationwide. A seasoned professional with over 15 years of telecom experience, Ms. Linares also leads the team that is responsible for TMC's customer bill analysis and 99 percent invoice accuracy. Prior to joining TMC, Ms. Linares held various senior-level analyst positions with WCT Communications, RSL Communications and Countrywide Home Loans. Her technical and product development background give her unique insight into opportunities in the rapidly emerging new age of telecom.

**David Schwartz, Vice President of Sales**

Mr. Schwartz is responsible for TMC's overall sales revenue. Working together with the company's sales directors and independent telecom agents across the country Mr. Schwartz drives TMC's sales strategy. He is also highly involved in the development and roll-out of the company's competitively priced next-generation IP products.

An entrepreneurial leader with over 23 years of sales and marketing experience in the telecom industry, Mr. Schwartz most recently acted as a consultant to TMC in the areas of sales and product development. His telecom expertise and leadership resulted in an immediate increase in revenue growth for the company.

Mr. Schwartz has held senior posts at PNG Telecom, Convergia Networks, Acceris Communications and RSL Communications.

Questions?

**Call us at 866.999.1155**

*A 24/7 live customer care representative will be glad to help you.*

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## **Fred Krupica, Director**

Fred Krupica brings over 30 years of experience at several high-growth corporations, most recently at Altra Inc., a leading biofuels company. Prior to Altra, he was CFO for Fastclick Inc., (NASDAQ:FSTC) an internet advertising technology company, where he led the company's IPO and subsequent sale and merger to Valueclick Inc. (NASDAQ:VCLK). Fred's previous positions include CFO at WJ Communications (NASDAQ:WJCI), CFO for Magnetic Data Technologies, CFO and Chief Operating Officer for a private equity firm, and founder of a professional services firm. Krupica also served in various senior financial management positions at Atlantic Richfield, Pullman Inc. and PricewaterhouseCoopers. Krupica is a CPA and holds a Bachelor of Science in Accounting from the University of Illinois and an MBA in finance from UCLA.

## **MICHAEL E. PFAU**

Mike Pfau's law practice is focused on the representation of businesses and individuals in their corporate, securities, tax, real estate, and other general legal matters. He also provides general counsel services to technology, manufacturing, e-commerce, real estate, and service businesses. He is very active advising technology start-up companies.

Mike represents the leading real estate firms in the Central Coast in their sophisticated acquisition, financing, and leasing transactions.

Mike has extensive experience with private offerings of securities, including "Regulation D" private placements with venture firms, "Angel" investors, and strategic partners. As part of his corporate practice, he assists clients in selecting an appropriate form of entity, capitalizing the entity, retaining key employees, and negotiating and documenting real property leasing, loan, strategic distribution, manufacturing, and licensing arrangements, as well as merger and acquisition transactions.

Mike earned his law degree from Boston College Law School and a Masters of Laws (LL.M.) in Income Taxation from Georgetown University Law Center, and was admitted to practice in Connecticut in 1979 and in California in 1986. He is a founding partner of Reicker, Pfau, Pyle & McRoy. Prior to starting that firm, he was a partner in Schramm & Raddue.

Mike was founding director and shareholder of Business First Bank in Santa Barbara, and is on the Board of Directors of Heritage Oaks Bank (Nasdaq: HEOP). He also was a founding board member of Venture Investment Partners, a group of angel investors that invest in start-up companies based in the Central Coast.

Mike is an active member of the Santa Barbara community. He is an advisor to the Technology Management Program at UCSB's College of Engineering and a member of the Board of Directors of the UCSB Economic Forecast Project. Mike is the Past President of the Santa Barbara Region Chamber of Commerce and was a founding director and is a past president of the Santa Barbara Region Economic Community Project, and is a past member of the Board of Directors of Direct Relief International, the United Boys and Girls Club, the Goleta Boys and Girls Club (where he was president), the Santa Barbara Public Education Fund and the Goleta Chamber of Commerce.



## Exhibit C

For Individual and Partners:

_____ Signature	_____ Signature
_____ PRINTED NAME	_____ PRINTED NAME
_____ Signature	_____ Signature
_____ PRINTED NAME	_____ PRINTED NAME

For Corporations  
and Other Organizations

\_\_\_\_\_  
Tri-M Communications, Inc. dba TMC Communications  
(NAME OF CORPORATION)

BY: \_\_\_\_\_  
\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
Ron Ireland  
PRINTED NAME

\_\_\_\_\_  
President  
Title

ATTEST: \_\_\_\_\_  
\_\_\_\_\_  
Title

On this the 1<sup>st</sup> day of July, 2009 before me, a Notary Public  
Ron Ireland

known to me to be the person(s) named in, and who executed the foregoing application, being duly sworn according to law, deposes and says that the statements and representations set forth in the above application are true and correct to the best of his/her knowledge and belief.



\_\_\_\_\_  
Notary Public

seal

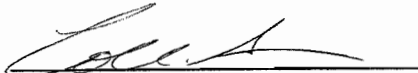
## **Exhibit D**

Statement of Compliance

Tri-M Communications, Inc. d/b/a TMC Communications agrees to abide by all applicable state statutes and Orders, Rules and Regulations entered and adopted by the Tennessee Regulatory Authority in regard to the provision of telecommunications services in Tennessee.

By:   
Ron Ireland, President  
Tri-M Communications, Inc.  
d/b/a TMC Communications

Sworn to and subscribed before me this 14<sup>th</sup> day of July, 2009.

  
Notary Public

My Commission expires Nov. 17, 2011.

