

TENNESSEE REGULATORY AUTHORITY



RECEIVED

NOV 21 PM 1:48

A. DOCKET ROOM

460 James Robertson Parkway
Nashville, Tennessee 37243-0505

November 16, 2012

Lance J.M. Steinhart, P.C.
Lance J.M. Steinhart
1725 Windward Concourse
Suite 150
Alpharetta, Georgia 30005

RE: Docket No. 12-00121, *Application of Business Network Long Distance, Inc. for a Certificate to Provide Resold Interexchange Telecommunications Services in Tennessee*

Dear Mr. Steinhart:

The Tennessee Regulatory Authority is in receipt of the above application for authority to provide resold long distance telecommunications services in Tennessee. In order to process the application, please provide the following:

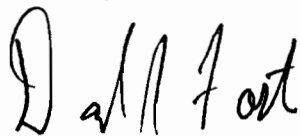
1. The application lists the principal place of business for Business Network Long Distance, Inc. as 1400 Sixteenth Street, Suite 400 Denver, Colorado 80202. Is this where the employees of Business Network Long Distance, Inc. report to work? Is this also where the company's business records are kept?
2. Are there other businesses at the 1400 Sixteenth Street, Suite 400 Denver, Colorado address? If so, what types of businesses are also located there? Are any of those businesses affiliated with Business Network Long Distance, Inc.?
3. Question H on page 3 of the application asks for the name and telephone number of a contact person authorized to respond to Authority inquiries regarding company operations Monday through Friday. The telephone number listed, (800) 421-9674, rings to "The Smith Company" in Washington, D.C. The attendant answering that number claims they have no affiliation with any long distance provider. Provide the Authority with the name and current telephone number, fax number and email address of a contact person authorized to respond to Authority inquiries regarding company operations.
4. Question C. on page 4 of the application asks for a list of states where the applicant is authorized to operate at this time, as well as a history of operations there. The attachment provided in response is a list of states, but does not contain a history of operations in those states. Please provide a history of operations in each state listed in the attachment, including any complaints filed against the company and how they were resolved.

5. The second portion of Question C. on page 4 of the application asks for a list of the number and types of complaints filed against the applicant and the applicant's current status regarding each complaint. The answer is provided as "none." However, a public records search revealed at least two (2) FCC actions against Business Network Long Distance, Inc. for unauthorized change of subscriber's telecommunications carrier. Please explain.
6. Who will Business Network Long Distance, Inc. use as its "third party billing agent" as indicated in question M. on page 5 of the application? Provide the name, address, and contact telephone number for the third party billing company to be used. Also provide a copy of the contract between Business Network Long Distance, Inc. and the third party billing company.
7. Question N on page 5 of the application indicates that the applicant will be marketing its services through "web and telemarketing." Provide the name of the telemarketing company that will be used by Business Network Long Distance, Inc. to market its services in Tennessee.
8. Provide a copy of the contract between Business Network Long Distance, Inc. and the telemarketing company it will be using.
9. Tenn. Code Ann. 65-4-401 *et seq.* and TRA Rule 1220-4-11 set forth the definitions, rules and requirements for telephone solicitations in Tennessee. These apply no matter where the call originates, when calling a Tennessee residential telephone customer who has placed their telephone number on a list of residents objecting to solicitation calls. The statute also requires both the entity contracting with the telemarketer and the telemarketing company to both register as solicitors with the Tennessee Regulatory Authority. Provide a sworn affirmation that Business Network Long Distance, Inc., as well as the telemarketing company it contacts with for telemarketing services, will comply with both Tenn. Code Ann. § 65-4-401 *et seq.* and TRA Rule 1220-4-11.
10. The response to question P on page 5 of the application indicates that Business Network Long Distance, Inc. will "attempt to get a written letter of agency" when switching a consumer's long distance. Provide a copy of the letter of agency to be used when switching the long distance service of consumers in Tennessee.
11. The response to question P further states that if a written letter of agency cannot be obtained, all orders will be third party verified. Provide the name of the third party verification company to be used to verify orders in Tennessee, a copy of the script to be used in verifying long distance change orders, as well as a copy of the contract between Business Network Long Distance, Inc. and the third party verification company.
12. On the verification page of the application signed by Brian H. Curtiss, the Notary Public seal of Michelle E. Gillies is illegible. In what state or jurisdiction is Ms. Gillies commissioned and on what date does her commission expire? Please provide a copy of her certificate granting notary public status.
13. The signature of Mr. Brian H. Curtiss, President of Business Network Long Distance, Inc. appears to be a stamped copy of Mr. Curtiss' signature rather than an original. Provide a verification page with a properly notarized original signature, with the signor

- certifying that all representations in the Reseller Application and all attachments and appendices are true and correct to the best of their knowledge and belief, and the understanding that omissions or inaccuracies may result in denial of the application.
14. Article IV of the Bylaws of Business Network Long Distance, Inc. indicates that there shall be a President, a Secretary and a Treasurer of the company. The management biographical information attached to the application only includes that of Mr. Brian Curtiss, Owner and President of Business Network Long Distance, Inc. Who is the Secretary of Business Network Long Distance, Inc.? Who is the Treasurer of the company? Provide biographical information for the other officers of the company, including all relevant education and experience in the telecommunications industry.
 15. Further explain the "Carrier Cost Recovery Charge" detailed on the company's tariff sheet 27. What service does the customer receive for this charge? Note: Tariffs can only contain charges for services rendered and must be optional.
 16. Further explain the "Payphone Dial Around Surcharge" and "Universal Service Fund Assessment" charge listed on tariff page 28. What service does the customer receive for this charge? Note: Tariffs can only contain charges for services rendered and must be optional.
 17. The bond provided in the application is missing the printed name and title of the Principal below his signature, as well as the acknowledgment of principal and acknowledgment of surety pages. Please provide a properly signed and notarized acknowledgment for both the principal and surety, acknowledging the contents, accuracy and validity of the bond.
 18. Regarding Tenn. Code Ann. § 65-21-114, provide more specific detail as to how Business Network Long Distance, Inc. will comply with the statute regarding county-wide calling.
 19. The financial information provided with the application was a balance sheet as of June 30, 2012. Provide financial information for the preceding three-year period for Business Network Long Distance, Inc., including balance sheets, income statements and statements of cash flows.

It is requested that this information be provided no later than 2:00 pm on November 30, 2012 and that you reference Docket Number 12-00121 on the response. In accordance with TRA rules submit either (1) thirteen written copies of your response or (2) four written copies and an electronic version. Should you have questions regarding this request, please contact Lisa Foust at 615-741-2904 extension 220.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Foster", written in a cursive style.

David Foster
Utilities Division Chief