

ORIGINAL

NEW APPLICATION



0000129754

**BEFORE THE ARIZONA CORPORATION COMMISSION
RECEIVED**

**IN THE MATTER OF THE APPLICATION OF
MIDWESTERN TELECOMMUNICATIONS, INC.
FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER**

OCT -4 P 2:49
AZ CORP COMMISSION
DOCKET CONTROL

DOCKET NO.

T-20819A-11-0365

**APPLICATION FOR DESIGNATION AS AN ELIGIBLE
TELECOMMUNICATIONS CARRIER**

COMES NOW Midwestern Telecommunications, Inc. (hereafter "MTI" or "the Company") and makes application to the Arizona Corporation Commission (Commission) for designation as an eligible telecommunications carrier (ETC). This application is made pursuant to 47 U.S.C. § 214(e)(1)-(2) and the rules and regulations of the Commission.

The Company seeks ETC designation in Arizona as a wireless carrier only for the purpose of receiving federal low-income universal support (i.e., Lifeline and Link-Up support). The Company does not make application for ETC designation to offer services supported by the federal universal service fund's high-cost program. The Company satisfies all of the statutory and regulatory requirements for designation as an ETC in the requested designated service area. As explained herein, the public interest would be served by granting this petition.

MTI is an Illinois corporation whose principal offices are located at 15426 South 70th Court, Orland Park, IL 60462.

Arizona Corporation Commission
DOCKETED

OCT -4 2011

1

DOCKETED BY	<i>nr</i>
-------------	-----------

The following company contact information is provided to the Commission for complaints and/or billing dispute issues:

Midwestern Telecommunications, Inc.
Jerry Holt, President
(708) 679-5050
15426 South 70th Court
Orland Park, IL 60462
jk@mymti.com

The Company commits to resolve complaints received by the Commission against the Company. The above-identified contact person will work with the Commission staff for complaint resolution.

Exhibit A contains the Company's Articles of Incorporation.

Exhibit B contains the Company's Certificate to do Business in Arizona.

Exhibit C identifies the Company's officers and directors.

Exhibit D introduces to the Commission the Company's key technical and managerial personnel with the knowledge and experience to perform the services for which designation is sought.

Exhibit E contains financial documentation evidencing the Company's ability to perform the services for which designation is sought. Because of the competitively-sensitive nature of the contents of Exhibit E, Exhibit E is confidentially-filed with the Commission.

The Company has been designated an ETC in Illinois and Arkansas. The Company has pending applications for designation as an ETC in the following jurisdictions: Louisiana and Mississippi.

Upon designation as an ETC, the Company will provide the supported services throughout the requested designated service area and offer Lifeline and Link-Up service to qualified low-income consumers. The Company does not currently provide service in Arizona.

I. Authority for Designation of an ETC

Title 47 U.S.C. § 214(e)(2) of the Act provides that a state commission shall upon request designate a common carrier as an eligible telecommunications carrier (ETC) for a service area designated by the state commission. Title 47 U.S.C. § 214(e)(1) provides that an ETC shall be eligible to receive universal service support in accordance with section 254 of the Act and shall, in the service area for which the designation is received, offer the services that are supported by federal universal service support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services, and shall advertise the availability of such services and their costs using media of general distribution. The Federal Communications Commission has promulgated a list of the services or functionalities that shall be supported by federal universal service support mechanisms at 47 C.F.R. § 54.101.

II. The Company is a Common Carrier

The Company is regulated as a common carrier under 47 C.F.R. § 20.9(a)(10) which provides that mobile satellite service involving the provision of commercial mobile radio service (by licensees or resellers) directly to end users shall be treated as common carriage services. The Company will be providing the required services, in part, as a reseller. See Section IV.

III. The Company Shall Offer Required Services

Pursuant to 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(d)(1), the Company shall, throughout the service area for which designation is received, offer the services that are supported by Federal universal service support mechanisms defined in 47 C.F.R. § 54.101(a). These services are: 1) voice grade access to the public switched network; 2) local usage; 3) dual tone multi-frequency signaling or its functional equivalent; 4) single-party service or its functional equivalent; 5) access to emergency services; 6) access to operator services; 7) access to interexchange service; 8) access to directory assistance; and 9) toll limitation for qualifying low-income consumers. The Company shall provide these required services.

IV. The Company Shall Use Its Own Facilities, Or a Combination of Its Own Facilities and Resale of Another Carrier's Services

Pursuant to 47 U.S.C. § 214(e)(1)(A) and 47 C.F.R. § 54.201(d)(1) and in accordance with WAC 480-123-030(1)(b) and (c), the Company shall use its own facilities or a combination of its own facilities and resale of another carrier's services to offer the services that are supported by Federal universal service support mechanisms. The Company has entered into

a capital lease agreement with a third party which enables the Company to utilize a leased switch to provide one or more of the supported services that are supported by Federal universal service support mechanisms, and which will be used in combination with a network architecture being provided from an underlying wireless provider that the Company obtains at resale. The switching facility is located at 624 S. Grand Avenue, Los Angeles, CA inside a collocation space.

V. The Company Shall Provide Service Throughout the Designated Service Area

Pursuant to 47 U.S.C. § 214(e)(1) and 47 C.F.R. § 54.201(d), the Company shall offer the services that are supported by Federal universal service support mechanisms throughout the service area for which designation is received. In addition, the Company commits to provide service throughout its proposed designated service area to all customers making a reasonable request for service. See 47 C.F.R. § 54.202(a)(1)(i). The Company certifies that it will provide service on a timely basis to requesting customers within the Company's service area where the Company's network already passes the potential customer's premises. See 47 C.F.R. § 54.202(a)(1)(i)(A). The Company certifies that it will provide service within a reasonable period of time, if the potential customer is within the Company's licensed service area but outside its existing network coverage, if service can be provided at reasonable cost by: 1) modifying or replacing the requesting customer's equipment; 2) deploying a roof-mounted antenna or other equipment; 3) adjusting the nearest cell tower; 4) adjusting network or customer facilities; 5) reselling services from another carrier's facilities to provide service; or 6) employing, leasing or constructing an additional cell site, cell extender, repeater, or other similar equipment. See 47 C.F.R. § 54.202(a)(1)(i)(B).

VI. The Company Will Advertise

Pursuant to 47 U.S.C. § 214(e)(1)(B) and 47 C.F.R. § 54.201(d)(2), the Company shall advertise the availability of the services that are supported by Federal universal service support mechanisms and the charges for such services using media of general distribution.

Exhibit F contains sample planned advertising. In addition, the Company may advertise, among other means, via newspaper, mail circular, and radio and target residential customers with its advertising efforts. The Company will advertise in accordance with Commission rules.

VII. The Company Shall Make Available Lifeline and Link up Service

Pursuant to 47 C.F.R. § 54.405 and 47 C.F.R. § 54.411(d), the Company shall make available Lifeline and Link Up service to qualifying low-income consumers and publicize the availability of Lifeline and Link Up service in a manner reasonably designed to reach those likely to qualify for the service. The Company's proposed Lifeline and Link Up service offerings are identified and described in Section XIV. The Company will make a concerted effort to notify municipal, state, and federal governmental agencies whose clientele may likely benefit the most from having the Company designated as an ETC by the Commission.

VIII. Service Area for Which Designation Is Requested

The Company requests ETC designation throughout Arizona with the exception of Arizona tribal lands.

IX. Emergency Situations

Pursuant to 47 C.F.R. § 54.202(a)(2), a carrier seeking ETC designation must demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.

Since the Company is providing service to its customers, in part, through the use of facilities obtained from other carriers, this arrangement allows the Company to provide to its customers the same ability to remain functional in emergency situations as currently provided by the carriers to their own customers, including access to a reasonable amount of back-up power to ensure functionality without an external power source, rerouting of traffic around damaged facilities, and the capability of managing traffic spikes resulting from emergency situations.

X. Consumer Protection and Service Quality Standards

Pursuant to 47 C.F.R. § 54.202(a)(3), a carrier seeking ETC designation must demonstrate that it will satisfy applicable consumer protection and service quality standards. The Company commits to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service.

XI. Designation of the Company as an ETC Is in the Public Interest

Designation of the Company as an ETC would be in the public interest. Competition furthers the goals of telecommunications service and provides the consumer with a greater

choice of providers and service choices, which will in turn result in market-driven prices and quality. Granting the Company ETC status would advance principles of customer service by providing increased competition and is therefore in the public interest. In addition, as a wireless provider, the Company can often serve a larger local calling area than a traditional wireline provider and afford the customer the convenience of telephony mobility.

The designation of the Company as an ETC will offer Lifeline-eligible customers a greater choice of providers for accessing telecommunications services not available to such customers today and should likely expand participation of qualifying customers in the Lifeline program.

XII. 5-Year Plan

Pursuant to 47 C.F.R. § 54.202(a)(1)(ii), a carrier seeking ETC designation must submit a five-year plan that describes proposed improvements or upgrades to the Company's network on a wire center-by-wire center basis. Because the Company seeks ETC designation solely for purposes of reimbursement for provision of subsidized Lifeline and Link Up services to eligible customers, submission of a five-year plan should not be required at this time and waiver of any such requirement is hereby sought.

XIII. Local Usage Plan

Pursuant to 47 C.F.R. § 54.202(a)(4), a carrier seeking ETC designation must demonstrate that it offers a local usage plan comparable to the one offered by the incumbent LEC

in the service areas for which it seeks designation. The Company's offering of local usage plans will be comparable to or exceed the underlying ILEC plans. See Section XIV.

XIV. Summary of Offering

The Company identifies and provides to the Commission the following description of each of the Company's service offerings (i.e., calling plans) that will qualify for federal universal service support.

Lifeline

Under the Company's wireless Lifeline plan, the Company will provide qualified Lifeline customers who reside in the service area with 100 minutes of free anytime local and long distance minutes each month and will use all low-income universal service support to allow the Company to provide the service with no monthly recurring charge, thus ensuring that the consumer receives 100% of all universal service support funding for which the Company will seek reimbursement from the Universal Service Fund necessary to provide the free minutes of airtime above. In the event that all airtime has been used, Lifeline Customers will have the ability to purchase additional time. Current pricing ranges from 60 additional minutes at \$5.00 to 1000 additional minutes at \$50. Customers can purchase additional minutes by calling into customer service and paying for minutes using a debit or credit card or by purchasing airtime cards at various retail outlets.

The wireless plan will also include a free handset and the following Custom Calling features:

- (1) Caller ID;
- (2) Call Waiting;
- (3) Call Forwarding;
- (4) 3-Way Calling
- (5) Voicemail.

Wireless handsets will be delivered at no charge to qualifying customers. Service will be activated, and the requisite number of minutes will be added upon certification of the customer for Lifeline and Link-Up.

Link Up

Under 47 C.F.R. § 54.411(a)(1), Link Up is an assistance program for qualifying low-income consumers that an ETC shall offer as part of the provision of services supported by the federal universal service support mechanism and consists of a reduction in the carrier's customary charge for commencing telecommunications service for a single telecommunications connection at a consumer's principal place of residence. The reduction shall be half of the customary charge or \$30.00, whichever is less.

Qualifying subscribers will have the reduced activation charge deferred for a 12-month period with no interest.

XV. Equal Access

Pursuant to 47 C.F.R. § 54.202(a)(5), the Company certifies that it may be required to provide equal access to long distance carriers in the event that no other ETC is providing equal access within the service area.

XVI. Consumer Certification

Consistent with 47 C.F.R. § 54.409, the Company shall obtain a consumer's signature on a document under penalty of perjury that the consumer receives benefits under an approved assistance program or that the consumers' household meets applicable income requirements; and that the consumer will notify the Company if the consumer ceases participation in a program or his income criteria exceeds approved thresholds. The Company shall obtain this certification annually and shall put in place quality control mechanisms to ensure that only eligible consumers are participating in Lifeline and Link Up.

XVII. Annual Reporting Requirements

The Company shall comply with all annual reporting requirements for designated ETCs listed in 47 C.F.R. § 54.209, as applicable. In addition, the Company will annually report to the Commission all USF funding received and the amount of subsidization provided to Lifeline and Link-Up customers.

XVIII. Conclusion

WHEREFORE, PREMISES CONSIDERED, the Company respectfully requests designation as an ETC for purposes of receiving federal universal service support; that the Commission waive the hearing for this matter if the Company and other parties to this proceeding achieve a settlement; that the Commission send appropriate notice of the Final Order to the Federal Communications Commission; and that the Commission issue such other orders as are deemed necessary in this matter.

Respectfully submitted,

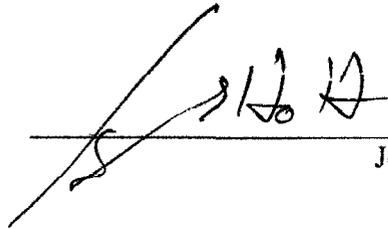
Mark Foster
Attorney at Law
707 West Tenth Street
Austin, Texas 78701
(512) 708-8700

By: 

Mark Foster
State Bar No.07293850
**Attorney for Midwestern
Telecommunication, Inc.**

VERIFICATION

I, Jerry Holt, first being duly sworn, hereby state that I am President of Midwestern Telecommunications, Inc., that I am authorized to make this verification on behalf of Midwestern Telecommunications, Inc., that I have read the foregoing petition for limited designation as an eligible telecommunications carrier, that I have knowledge of the facts stated therein, and that the same are true and correct to the best of my knowledge, information and belief. I certify under penalty of perjury under the laws of Arizona that the foregoing statement is true and correct.



Jerry Holt

Subscribed and sworn before me this 21st day of September, 2011 in Cook County, IL.

Arlee Holt

Notary Public



LIST OF EXHIBITS

Exhibit A	Articles of Incorporation
Exhibit B	Certificate to do Business in Arizona
Exhibit C	Officers and Directors
Exhibit D	Key Managerial/Technical Personnel
Exhibit E (Confidential)	Financial Documentation
Exhibit F	Sample Lifeline/Link Up advertisement

EXHIBIT A
Articles of Incorporation

File Number

5919-222-1

State of Illinois
Office of
The Secretary of State

Whereas, ARTICLES OF INCORPORATION OF
MIDWESTERN TELECOMMUNICATIONS, INCORPORATED
INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN
FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE
BUSINESS CORPORATION ACT OF ILLINOIS, IN FORCE JULY 1, A.D. 1984.

Now Therefore, I, George H. Ryan, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.

In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, at the City of Springfield, this 30TH day of DECEMBER A.D. 19 96 and of the Independence of the United States the two hundred and 21ST



George H. Ryan

Secretary of State

C-212.2

EXHIBIT B
Certificate to do Business in Arizona

STATE OF ARIZONA



Office of the
CORPORATION COMMISSION
CERTIFICATE OF GOOD STANDING

To all to whom these presents shall come, greeting:

I, Ernest G. Johnson, Executive Director of the Arizona Corporation Commission, do hereby certify that

*****MIDWESTERN TELECOMMUNICATIONS, INCORPORATED*****

a foreign corporation organized under the laws of Illinois did obtain authority to transact business in the State of Arizona on the 7th day of September 2010.

I further certify that according to the records of the Arizona Corporation Commission, as of the date set forth hereunder, the said corporation has not had its authority revoked for failure to comply with the provisions of the Arizona Business Corporation Act; and that its most recent Annual Report, subject to the provisions of A.R.S. sections 10-122, 10-123, 10-125 & 10-1622, has been delivered to the Arizona Corporation Commission for filing; and that the said corporation has not filed an Application for Withdrawal as of the date of this certificate.

This certificate relates only to the legal authority of the above named entity as of the date issued. This certificate is not to be construed as an endorsement, recommendation, or notice of approval of the entity's condition or business activities and practices.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Arizona Corporation Commission. Done at Phoenix, the Capital, this 20th Day of May, 2011, A. D.




Executive Director

By: _____ 617093

EXHIBIT C

Officers and Directors

Jerry Holt, President/ Co-CEO
(708) 679-5050
15426 South 70th Court
Orland Park, IL 60462
jh@mymti.com

Ikechuku Chinwah, Co-CEO
(708) 679-5050
15426 South 70th Court
Orland Park, IL 60462

Patricia Thomas, CIO
15426 South 70th Court
Orland Park, IL 60462

Arlee Holt, CFO/COO
15426 South 70th Court
Orland Park, IL 60462

EXHIBIT D
Key Managerial and Technical Personnel

Managerial Ability

Jerry E. Holt

Co-CEO

Jerry Holt is the Co-Founder of MTI. Mr. Holt's background includes working in key business segments, which include Telecommunications, Finance and Legal. While employed at Citgo Refinery Mr. Holt held a key role as the lead Training Manager. In this position he was responsible for training all Citgo employees on the proper use and understanding of Telecommunications and Network Systems. It is this understanding of Telecommunications and Computers that provided the basis for MTI's entry in the Telecommunications market and has laid a solid foundation for the company's phenomenal growth. Mr. Holt's exceptional leadership and organizational skills are the catalyst that leads MTI into its continued growth and expansion.

Mr. Holt holds a B.A. in Political Science from the University of California at Berkley.

Ikechuku V. Chinwah

Co-CEO

Ikechuku Chinwah is the Co-Founder of MTI. Mr. Chinwah's background includes over fourteen years experience working in the Marketing and Retail Management sectors. While employed at the Woolworth Corporation, Mr. Chinwah worked as a Regional Manager for Foot Locker. In this capacity, Mr. Chinwah gained valuable Marketing and Customer Services skills. It is this experience that has strategically placed MTI in one of the fastest growing business segments, Telecommunications. Mr. Chinwah's keen marketing eye has secured MTI's place as the market leader in Illinois. He successfully launched an advertising and promotion program which allowed MTI to increase its customer base by 3.557% at the end of its first year of operation.

Mr. Chinwah holds a B.S. in Biology from California State University at Los Angeles.

Patricia Thomas

CIO

Patricia Thomas is the Chief Information Officer of MTI. Prior to joining MTI, Ms. Thomas worked as a Consultant to MTI and other companies such as Ameritech, Quaker Oats, and Nabisco Brands. Ms. Thomas specializes in process engineering (work flow automation), technology integration and financial analysis. Ms. Thomas successfully implemented a case tracking system for the Georgia EEOC- Fair Housing. This system assisted in processing Fair Housing Complaints and identifies repeat offenders. Ms. Thomas also worked as a Consultant to Ameritech. In this capacity, Ms. Thomas gained valuable knowledge of Telecommunications and worked closely with new CLEC's wishing to do business in the Ameritech region. Ms. Thomas's experience with Ameritech coupled with her in-depth knowledge of systems integration, designed flexible systems, which allow MTI to respond quickly to Incumbent LEC's changing business rules and systems requirements.

Ms. Thomas holds a B. S. in Computer Information Systems from DePaul University.

Arlee Holt

CFO/COO

Arlee Holt is the Director of Operations of MTI. Prior to joining MTI, Ms. Holt served as Accounting Supervisor of Burditt & Radzius Law Firm located in Chicago, Illinois. Her duties included, but were not limited to, the maintenance of general ledgers and financial reports. She managed a team of 5. After leaving Burditt & Radzius, she worked as Accounting Director for Duff & Phelps, LLC also located in Chicago, Illinois.

Ms. Holt was responsible for the supervision of tax professionals. She oversaw tax reporting, tax planning and compliance functions of the company. She had the authority for personnel actions and oversaw the day to day operations of her department. Currently, Ms. Holt's duties include accounting management, billing disputes, tax compliance and oversight, as well as asset allocation.

Ms. Holt holds a B. S. in Business Administration from Illinois State University.

EXHIBIT E
Financial Documentation
(CONFIDENTIAL)

EXHIBIT F
Sample Lifeline/Link Up Advertisements

Life-Line & Link-Up

MTI will waive the entire first month service fee regardless of whether you need new phone service or would like to move your phone service to MTI and keep your existing number. However, Link Up does not cover the cost of wiring inside your home. Life Line is a government program that offers qualified people a discount on their monthly MTI Home Phone Service local telephone bill up to \$10.00 each month!

How do I apply?

To apply for Life Line and Link Up call 877-567-3722. You will be asked to provide proof of your eligibility by providing a copy of a document that verifies that you participate in any of the programs mentioned in this pamphlet. See inside for more details.

Are there any restrictions?

Link-Up can only be used for the main telephone line in a household. The name of the eligible Link-Up participant must match the name for the new MTI Home Phone Service being installed. Also, you cannot be claimed as a dependent on another individual's Federal Income Tax unless you are over the age of 65.

What about disconnections?

Being on the Life Line program does not protect you from being disconnected if you fail to pay your telephone bill. If you are disconnected for non-payment you will still be eligible for Life Line but not Link Up.

Have More Questions?

Call Toll-free at:

1-877-567-3722

www.mymti.com



We keep you talking



MIDWESTERN TELECOMMUNICATIONS INC
PO BOX 590
OAK FOREST IL 60452-9803



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 4 OAK FOREST IL
POSTAGE WILL BE PAID BY ADDRESSEE

Get
First Month Free!
No Activation Fee

Do you need
Local Phone Service,
but can't afford it?

**Government Assisted
Home Telephone Service**



Midwestern Telecom Inc

Look inside to learn how to enroll
in the Life-line & Link-up program

Lifeline Link-up

© 2004 Midwestern Telecom Inc. All rights reserved.

877-567-3722

15 in

11.61 in

FREE
• **CELLULAR PHONE**
• **MONTHLY MINUTES**

GOVERNMENT SUPPORTED CELLULAR SERVICE

**ASK FOR APPLICATION AT THE COUNTER
REFILL PREPAID MINUTES HERE!!**

877.567.3722

MTI

Sign Outlet

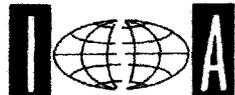
From Imagination... To Fabrication...

phone 708.824.2222 fax 708.824.0894

5516 Cal Sag Rd. Alsip IL. 60803

www.signoutletusa.com

3M Innovation



INTERNATIONAL SIGN ASSOCIATION

COPYRIGHT NOTICE

This layout design reflects unpublished work and may not be copied in any manner without the prior express written approval of Sign Outlet Inc. All rights reserved, including patent, trademarks and copyrights.

Unauthorized use will incur a design charge.

art@signoutletusa.com

Company Name

Date 11.30.10

Phone

Authorized

23.75 in



FREE
• CELLULAR PHONE
• MONTHLY MINUTES

GOVERNMENT SUPPORTED CELLULAR SERVICE

**FREE CELL PHONE AND FREE MINUTES
RIGHT HERE, RIGHT NOW!!!
877.567.3722**

17.49 in

23.86 in



FREE
• CELLULAR PHONE
• MONTHLY MINUTES

GOVERNMENT SUPPORTED CELLULAR SERVICE

**FILL OUT AN APPLICATION RIGHT NOW!!!
FREE CELL PHONE AND FREE MINUTES
877.567.3722**

11.99 in

QTY (4) AUTO MAGNETICS

TOTAL: 230.00

QTY (10) SINGLE SIZED 4MM COROPLAST

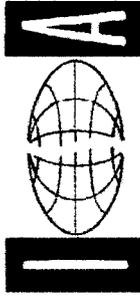
TOTAL EACH: 17.55

Sign Outlet®

From Imagination... To Fabrication...
 phone 708.824.2222 fax 708.824.0894
 5516 Cal Sag Rd. Alsip IL. 60803

www.signoutlet.com

3M Innovation



INTERNATIONAL SIGN ASSOCIATION

COPYRIGHT NOTICE

This layout design reflects unpublished work and may not be copied in any manner without the prior express written approval of Sign Outlet Inc. All rights reserved, including patent, trademarks and copyrights. Unauthorized use will incur a design charge.

www.signoutlet.com

Company Name _____

Date

03.14.11

Phone _____

Authorized _____