

213 Market Street, 9th Floor, P.O. Box 865, Harrisburg, PA 17108-0865
Tel: (717) 237-7160 ■ Fax: (717) 237-7161 ■ www.WolfBlock.com

Alan C. Kohler
Direct Dial: (717) 237-7172
Direct Fax: (717) 237-2752
E-mail: akohler@wolfblock.com

ORIGINAL

May 30, 2006

VIA HAND DELIVERY

James McNulty
Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
2nd Fl., 400 North Street
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of Salsgiver Telecom, Inc., for Approval to offer,
render, furnish, or supply telecommunications services to the
public in the Commonwealth of Pennsylvania;

Application Docket No. A-311373 F0002

DOCKETED
JUN 16 2006

Dear Secretary McNulty:

Enclosed for filing are the original and three copies of Salsgiver Telecom, Inc.'s Application to supply telecommunications services, in the above-referenced matter. Also enclosed is a check in the amount of \$250 to cover the filing fee of this application. Copies have been served on the parties listed on the attached Certificate of Service. Please note that this application requests provisional authority.

If you have any questions regarding this filing, please contact me.

Sincerely,



Alan C. Kohler

FOR WOLF, BLOCK, SCHORR and SOLIS-COHEN, LLP

**DOCUMENT
FOLDER**

Enclosures

cc: Certificate of Service (w/encs)

HAR:66057.1/sal212-234106



CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Application upon the participants listed below in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

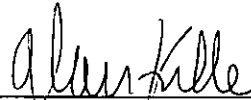
Ronald Weigel
Verizon Pennsylvania, Inc.
Strawberry Square, 4th Floor
Harrisburg, PA 17101

Office of the Attorney General
Office of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

Office of Consumer Advocate
555 Walnut Street
Forum Place, 5th Floor
Harrisburg, PA 17101-1923

Patricia Armstrong
Thomas Thomas Armstrong & Niesen
212 Locust Street, Suite 500
P. O. Box 9500
Harrisburg, PA 17108-9500

Office of Small Business Advocate
Suite 1102, Commerce Bldg.
300 North Second Street
Harrisburg, PA 17101



Alan C. Kohler, Esquire

Date: May 30, 2006

RECEIVED
MAY 30 2006
MAY 30 11 41 AM '06

ORIGINAL

PUC-377
Rev.05/04

Application of:

Salsgiver Telecom, Inc., t/a

A-311373 F0002

for approval to offer, render, furnish or supply telecommunications services to the public in the Commonwealth of Pennsylvania.

1. IDENTITY OF THE APPLICANT: The name, address, telephone number, and fax number of the Applicant.

Salsgiver Telecom, Inc.
301 5th Street
Freeport, PA 16229

Phone: 724 295 1970
Fax: 724 295 0674

DOCKETED
JUN 16 2006

Please identify any predecessors of the Applicant and provide other names under which the Applicant has operated within the preceding five years, including name, address, and telephone number.

Not applicable.

2. ATTORNEY: The name, address, telephone number, and fax number of the Applicant's attorney.

Alan C. Kohler
Wolf, Block, Schorr and Solis-Cohen, LLP
P.O. Box 865
Harrisburg, PA 17108-0865

Phone: (717) 237-7172
Fax: (717) 237-7161

DOCUMENT
FOLDER

3. CONTACTS:

A) APPLICATION: The name, title, address, telephone number, and fax number of the person to whom questions about this application should be addressed.

Lisa Salsgiver
Executive Vice President
Salsgiver Telecom, Inc.
301 5th Street
Freeport, PA 16229

Phone: 724 295 1970
Fax: 724 295 0674

RECEIVED
PUC-377
JUN 15 2006

- B) PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY (PEMA):** The name, title, address, telephone number and FAX number of the person with whom contact should be made by PEMA.

Lisa Salsgiver
Executive Vice President
Salsgiver Telecom, Inc.
301 5th Street
Freeport, PA 16229

Phone: 724 295 1970
Fax: 724 295 0674

- C) RESOLVING COMPLAINTS:** Name, address, telephone number, and FAX number of the person and an alternate person responsible for addressing customer complaints. These persons will ordinarily be the initial point(s) of contact for resolving complaints and queries filed with the Public Utility Commission or other agencies.

Kirk Howard
Manager - Technical Support
Salsgiver Telecom, Inc.
301 5th Street
Freeport, PA 16229

Phone: 724 295 1970 x 106
Fax: 724 295 0674

Alternate: Lisa Salsgiver
Executive Vice President
Salsgiver Telecom, Inc.
301 5th Street
Freeport, PA 16229

Phone: 724 295 1970
Fax: 724 295 0674

4. FICTITIOUS NAME:

- The Applicant will not be using a fictitious name.
- The Applicant will be using a fictitious name. Attach to the Application a copy of the Applicant's filing with the Commonwealth's Department of State pursuant to 54 Pa. C.S. §311, Form PA-953.

5. **BUSINESS ENTITY AND DEPARTMENT OF STATE FILINGS:**

- The Applicant is a sole proprietor.
- The Applicant is a:
- General partnership
 - Domestic limited partnership (15 Pa. C.S. §8511)
 - *Foreign limited partnership (15 Pa. C.S. §8582)
 - Domestic registered limited liability partnership (15 Pa. C.S. §8201)
 - *Foreign registered limited liability general partnership (15 Pa. C.S. §8211)

*Provide name and address of Corporate Registered Office Provider or Registered Office within PA.

Attach to the application the name and address of partners. If any partner is not an individual, identify the business nature of the partner entity and identify its partners or officers.

Attach to the application proof of compliance with appropriate Department of State filing requirements as indicated above.

5. (Continued)

- The Applicant is a:
- Domestic corporation (15 Pa. C.S. §1306)
 - *Foreign corporation (15 Pa. C.S. §4124)
 - Domestic limited liability company (15 Pa. C.S. §8913)
 - *Foreign limited liability company (15 Pa. C.S. §8981)

*Provide name and address of Corporate Registered Office Provider or Registered Office within PA.

Attach to the application proof of compliance with appropriate Department of State filing requirements as indicated above. Additionally, provide a copy of the Applicant's Articles of Incorporation or a Certificate of Organization. The Applicant is incorporated in the State of Pennsylvania.

Give name and address of officers:

Loren Salsgiver	President, CEO	305 Silverview Drive, Sarver, PA 16055
Lisa Salsgiver	Executive Vice President	305 Silverview Drive, Sarver, PA 16055

6. AFFILIATES AND PREDECESSORS WITHIN PENNSYLVANIA:

The Applicant has no affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania.

The Applicant has affiliates doing business in Pennsylvania or predecessors which have done business in Pennsylvania. Name and address of the affiliates. State whether they are jurisdictional public utilities. Give docket numbers for the authority of such affiliates.

**Salsgiver, Inc.
301 5th Street
Freeport, PA 16229**

**Salsgiver Communications, Inc. (CATV company)
301 5th Street
Freeport, PA 16229**

If the Applicant or an affiliates has a predecessor who has done business within Pennsylvania, give name and address of the predecessors and state whether they were jurisdictional public utilities. Give the docket numbers for the authority of such predecessors.

Not applicable

7. AFFILIATES AND PREDECESSORS RENDERING PUBLIC UTILITY SERVICE OUTSIDE PENNSYLVANIA:

The Applicant has no affiliates rendering or predecessors which rendered public utility service outside Pennsylvania.

The Applicant has affiliates rendering or predecessors which rendered public utility service outside Pennsylvania. Name and address of the affiliates. Name and address of the predecessors (please specify which).

8. **APPLICANT'S PRESENT OPERATIONS:** (Select and complete the appropriate statement)

- The applicant is not presently doing business in Pennsylvania as a public utility.
- The applicant is presently doing business in Pennsylvania as a:
 - Interexchange Toll Reseller, InterLATA and/or IntraLATA, (e.g., MTS, 1+, 800, WATS, Travel and Debit Cards)
 - Interexchange Toll Facilities-based carrier, InterLATA and/or IntraLATA, (e.g., MTS, 1+, 800, WATS, Travel and Debit Cards)
 - Competitive Access Provider (dedicated point-to-point or multipoint service; voice or data)
 - Competitive Local Exchange Carrier:
 - Facilities-Based
 - UNE-P
 - Data Only
 - Reseller
 - Incumbent Local Exchange Carrier.
 - Other (Identify).

9. **APPLICANT'S PROPOSED OPERATIONS:** The Applicant proposes to operate as a:

Interexchange Toll Reseller, InterLATA and/or IntraLATA, (e.g., MTS, 1+, 800, WATS, Travel and Debit Cards)

Interexchange Toll Facilities-based carrier, InterLATA and/or IntraLATA, (e.g., MTS, 1+, 800, WATS, Travel and Debit Cards)

Competitive Access Provider (dedicated point-to-point or multipoint service; voice or data)

Competitive Local Exchange Carrier:

Facilities-based

UNE-P

Data Only

Reseller

Incumbent Local Exchange Carrier

Other (Identify).

10. **PROPOSED SERVICES:** Describe in detail the services which the Applicant proposes to offer. If proposing to provide more than one category in Item #9, clearly and separately delineate the services within each proposed operation. If proposing to operate as a facilities based Competitive Local Exchange Carrier, provide a brief description of the Company's facilities.

Services:

Interexchange Toll Reseller

Interexchange Toll Facilities-based

CLEC

Facilities-based

Reseller

Facilities:

The Company is building new fiber optic infrastructure to take advantage of the latest advancement in fiber optic technology.

11. **SERVICE AREA:** Describe the geographic service area in which the Applicant proposes to offer services. Clearly and separately delineate the service territory for each category listed in Item #9. For Competitive Local Exchange Carrier operations, you must name and serve the Incumbent Local Exchange Carriers in whose territory you request authority.

IXC reseller:

Service area is statewide.

IXC facilities-based:

Service area is statewide

CLEC facilities-based:

We will offer service within :

Verizon territory in Allegheny, Armstrong, Butler, Indiana, and Westmoreland counties.

North Pittsburgh Telephone territory in Allegheny, Armstrong, Butler, and Westmoreland counties.

Alltel territory in Allegheny, Armstrong, Indiana, and Westmoreland counties.

CLEC reseller:

We will offer service within :

Verizon territory in Allegheny, Armstrong, Butler, Indiana, and Westmoreland counties.

North Pittsburgh Telephone territory in Allegheny, Armstrong, Butler, and Westmoreland counties.

Alltel territory in Allegheny, Armstrong, Indiana, and Westmoreland counties.

12. **MARKET:** Describe the customer base to which the Applicant proposes to market its services. Clearly and separately delineate a market for each category listed in Item #9.

IXC reseller:

We will market our services to business customers.

IXC facilities-based:

We will market our services to business customers.

CLEC facilities based:

We will market our services to business customers.

CLEC reseller:

We will market our services to business customers.

13. **PROPOSED TARIFF(S):** Each category of proposed operations must have a separate and distinct proposed tariff setting forth the rates, rules and regulations of the Applicant. Every proposed tariff shall state on its cover page the nature of the proposed operations described therein, i.e., IXC R/S, CLEC, CAP, or IXC F/B. A copy of all proposed tariffs must be appended to each original and duplicate original and copy of Form 377.

See attached

14. **FINANCIAL:** Attach the following to the Application:

A general description of the Applicant's capitalization and, if applicable, its corporate stock structure;

Current balance sheet, Income Statement, and Cash Flow Statement of Applicant or Affiliated Company, if relying on affiliate for financial security;

A tentative operating balance sheet and a projected income statement for the first year of operation within the Commonwealth of Pennsylvania; provide the name, title, address, telephone number and fax number of the Applicant's custodian for its accounting records and supporting documentation; and indicate where the Applicant's accounting records and supporting documentation are, or will be, maintained.

If available, include bond rating, letters of credit, credit reports, insurance coverage and reports, and major contracts.

See attached.

15. **START DATE:** The Applicant proposes to begin offering services on or about the filing acceptance date.

16. **FURTHER DEVELOPMENTS:** Attach to the Application a statement of further developments, planned or contemplated, to which the present Application is preliminary or with which it forms a part, together with a reference to any related proceeding before the Commission.

There are no further developments planned or contemplated which are related to this filing.

17. **NOTICE:** Pursuant to 52 Pa. Code §5.14, you are required to serve a copy of the signed and verified Application, with attachments, on the below-listed parties, and file proof of such service with this Commission:

Office of Consumer Advocate
555 Walnut Street
5th Floor, Forum Place
Harrisburg, PA 17101-1923

Office of Small Business Advocate
Commerce Building, Suite 1102
300 North Second Street
Harrisburg, PA 17101

Office of the Attorney General
Office of Consumer Protection
Strawberry Square, 14th Floor
Harrisburg, PA 17120

A certificate of service must be attached to the Application as proof of service that the Application has been served on the above-listed parties. A copy of any Competitive Local Exchange Carrier Application must also be served on any and/or all Incumbent Local Exchange Carrier(s) in the geographical area where the Applicant proposes to offer services.

18. **FEDERAL TELECOMMUNICATIONS ACT OF 1996:** State whether the Applicant claims a particular status pursuant to the Federal Telecommunications Act of 1996. Provide supporting facts.

Not applicable.

19. **COMPLIANCE:** State specifically whether the Applicant, an affiliate, a predecessor of either, or a person identified in this Application has been convicted of a crime involving fraud or similar activity. Identify all proceedings, limited to proceedings dealing with business operations in the last five (5) years, whether before an administrative body or in a judicial forum, in which the Applicant, an affiliate, a predecessor of either, or a person identified herein has been a defendant or a respondent. Provide a statement as to the resolution or present status of any such proceedings.

No Applicant, affiliate, predecessor of either, nor person identified in this Application has ever been convicted of a crime involving fraud or similar activity.

20. **FALSIFICATION:** The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application or, if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

21. **CESSATION:** The Applicant understands that if it plans to cease doing business within the Commonwealth of Pennsylvania, it is under a duty to request authority from the Commission for permission prior to ceasing business.

Applicant: Salsgiver Telecom, Inc.

By: 

Title: Lisa V. Salsgiver Executive Vice President

22. **AFFIDAVIT:** Attach to the Application an affidavit as follows:

AFFIDAVIT

[Commonwealth/State] of Pennsylvania :
County of BUTLER : ss.

Lisa V. Salsgiver, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/She] is the Executive Vice President (Office of Affiant) of Salsgiver Telecom, Inc. (Name of Applicant;)

That Affiant is authorized to and does make this affidavit for said corporation;

That Salsgiver Telecom, Inc., the Applicant herein, acknowledges that [he/she/it] may have an obligation to serve or to continue to serve the public by virtue of the Applicant commencing the rendering of service pursuant to this Application consistent with the Public Utility Code of the Commonwealth of Pennsylvania, Title 66 of the Pennsylvania Consolidated Statutes; with the Federal Telecommunications Act of 1996, signed February 6, 1996, or with other applicable statutes or regulations;

That Salsgiver Telecom, Inc., the Applicant herein, asserts that Affiant possesses the requisite technical, managerial, and financial fitness to render public utility service within the Commonwealth of Pennsylvania and that the Applicant will abide by all applicable federal and state laws and regulations and by the decisions of the Pennsylvania Public Utility Commission.

Next paragraph for CLEC Applicants ONLY (excluding data-only CLECS):

That Salsgiver Telecom, Inc., the Applicant herein, asserts that Affiant has contacted the appropriate 911 Coordinator(s) via certified letter, from the list provided from the PUC web site (<http://www.puc.paonline.com>), and that arrangements are under way for the provisioning of emergency 911 service in each of the Counties/Cities where service is to be provided. The applicant certifies Affiant has attached a copy of the 911 Coordinator list indicating each 911 Coordinator contacted.

That the facts above set forth are true and correct] to the best of [Affiant knowledge, information and belief, and that Affiant expects said entity to be able to prove the same at any hearing thereof.

Lisa V. Salsgiver
Signature of Affiant

Sworn and subscribe before me this 14th day of DEC 2005
Month Year

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Eva M. Artman, Notary Public
Buffalo Twp., Butler County
My Commission Expires May 11, 2008
Member, Pennsylvania Association Of Notaries

Eva M. Artman
Signature of official administering oath

My Commission expires MAY 11 2008

23. VERIFICATION STATEMENT: Attach to the Application a verification statement as follows:

[Commonwealth/State] of Pennsylvania :

ss.

County of BUTLER :

Lisa V. Salsgiver, Affiant, being duly [sworn/affirmed] according to law, deposes and says that:

[He/She] is the Executive Vice President (Office of Affiant) of Salsgiver Telecom, Inc. (Name of Applicant)

That [he/she] is authorized to and does make this affidavit for said corporation;

That the facts above set forth are true and correct to the best of [his/her] knowledge, information, and belief and that [he/she] expects said corporation to be able to prove the same at any hearing hereof.

Lisa V Salsgiver
Signature of Affiant

Sworn and subscribed before me this 14th day of DEC. 2005
Month Year

Notary Eva M. Artman
Signature of official administering oath

My Commission expires MAY 11-2008

RECEIVED
2005 MAY 30 PM 4:16
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Eva M. Artman, Notary Public
Buffalo Twp., Butler County
My Commission Expires May 11, 2008
Member, Pennsylvania Association Of Notaries

Salsgiver Telecom, Inc. has contacted the following 911 Coordinator(s) via certified letter.

Allegheny County

Robert Harvey - 911 Coordinator
400 North Lexington Street
Pittsburgh , PA 15208-2521
Email: rharvey@county.allegheny.pa.us
Office Phone: 412-473-3372
Fax: 412-473-2589

Armstrong County

Marie Mores - 911 Coordinator
450 East Market Street
Kittanning , PA 16201-1409
Email: msmores@co.armstrong.pa.us
Office Phone: 724-548-3225
Fax: 724-548-3243

Butler County

Frank Matis - 911 Coordinator
309 Sunnyview Circle
Butler , PA 16001-3549
Email: fmatis@co.butler.pa.us
Office Phone: 724-284-5211
Fax: 724-287-8024

Indiana County

Paul Beatty - 911 Coordinator
85 Haven Drive
Indiana , PA 15701
Email: pbeatty@indianacounty.org
Office Phone: 724-349-9300
Fax: 724-465-3868

Westmoreland County

Joseph Niedzalkoski - 911 Coordinator
911 Public Safety Road
Greensburg , PA 15601
Email: jniedzal@co.westmoreland.pa.us
Office Phone: 724-600-7320
Fax: 724-830-3666

293055-745

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Articles of Incorporation-For Profit

(15 Pa.C.S.)

Entity Number

3308941

- Business-stock (§ 1306)
- Business-nonstock (§ 2102)
- Business-statutory close (§ 2303)
- Cooperative (§ 7102)
- Management (§ 2703)
- Professional (§ 2903)
- Insurance (§ 3101)

Name

Theresa Schrecengost, RP, Tucker Arensberg, P.C.

Address

1500 One PPG Place

City

State

Zip Code

Pittsburgh, PA 15222

Document will be returned to the name and address you enter to the left.



Fee: \$125

Filed in the Department of State on MAY 24 2005

Debra C. Cantas

Secretary of the Commonwealth

BJ

In compliance with the requirements of the applicable provisions (relating to corporations and unincorporated associations), the undersigned, desiring to incorporate a corporation for profit, hereby states that:

1. The name of the corporation is: Salsgiver Telecom, Inc.

2. The address of this corporation's initial registered office in this Commonwealth is:

<u>301 5th Street</u>	<u>Freeport</u>	<u>Pennsylvania</u>	<u>16229</u>	<u>Armstrong</u>
Number and Street	City	State	Zip	County

3. The corporation is incorporated under the provisions of the Business Corporation Law of 1988.

4. The aggregate number of shares authorized is: 1,000

5. The name and address, including number and street, if any, of each incorporator is:

Name

Address

Ralph F. Manning, Esquire

c/o Tucker Arensberg, P.C., 1500 One PPG Place,
Pittsburgh, PA 15222

IN TESTIMONY WHEREOF, the incorporator has signed these Articles of Incorporation this 24th day of May, 2005.

Ralph F. Manning
RALPH F. MANNING

bc211254.1

PA DEPT OF STATE
2005 MAY 24 AM 10:41

JEM