

January 15, 2014

VIA EFILING

Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
Second Floor - Room N201  
Harrisburg, PA 17120

**Katherine E. Barker Marshall**

Senior Attorney  
202.857.6104 DIRECT  
202.857.6395 FAX  
marshall.katherine@arentfox.com

Re: Amendment to the Application of CallFire, Inc. to Provide Competitive Local Exchange Service and Interexchange Service within the Commonwealth of Pennsylvania, Docket No. A-2013-2388971, et al.

Dear Ms. Chiavetta :

Enclosed please find, for filing, the Amendment to the above-captioned Application. This Amendment encompasses pages 1-4, 8-9, and Exhibit B of the Application, and accounts for the following changes:

- 1) Update to CallFire, Inc.'s ("Applicant" or "CallFire") address.
- 2) Update the Officers and Management of the Applicant - CallFire's Chief Revenue Officer, Ronald Burr, has been elevated to Chief Executive Officer of the Company, in addition to his role as Chief Revenue Officer. Dinesh Ravishanker is no longer affiliated with CallFire in any capacity.
- 3) Update to Question #19 to reflect that the Applicant's predecessor in interest entered into a consent decree, with no admission or finding of liability with the Federal Trade Commission in 2013.

Please confirm this filing via return e-mail. Thank you for your anticipated cooperation in this matter and please do not hesitate to contact me if you have any questions or concerns.

AFDOCS/10667242.1

Respectfully submitted,

A handwritten signature in black ink, reading "Katherine E. Barker Marshall". The signature is written in a cursive style with a large initial 'K'.

Katherine E. Barker Marshall

Attachment

cc: Service List (via First Class Mail)  
Spencer Nahf, Commission Staff (via e-mail)

**Application of:**

**CallFire, Inc.**

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.

**CallFire, Inc.  
1410 2<sup>nd</sup> Street, Floor 2  
Santa Monica, CA 90401  
Telephone: 877.897.3473  
Facsimile: (310) 943-0415**

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.

**Michael B. Hazzard  
Katherine Barker Marshall  
Arent Fox LLP  
1717 K Street NW NW  
Washington, DC 20036  
Telephone: (202) 857-6104  
Facsimile: (202) 857-6395**

**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.

**Katherine Barker Marshall**

**Arent Fox LLP**  
**1717 K Street NW**  
**Washington, DC 20036**  
**Telephone: (202) 857-6104**  
**Facsimile: (202) 857-6395**

**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 (Pennsylvania Emergency Management Agency).

**Jagannathan "TJ" Thinakaran**  
**CallFire, Inc.**  
**1410 2<sup>nd</sup> Street, Floor 2**  
**Santa Monica, CA 90401**  
**Telephone: (213) 221-2208**  
**Facsimile: (310) 943-0415**  
**E-mail: [tj@callfire.com](mailto:tj@callfire.com)**

**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.

**Jagannathan "TJ" Thinakaran**  
**CallFire, Inc.**  
**1410 2<sup>nd</sup> Street, Floor 2**  
**Santa Monica, CA 90401**  
**Telephone: (213) 221-2208**  
**Facsimile: (310) 943-0415**  
**E-mail: [tj@callfire.com](mailto:tj@callfire.com)**

**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)
  - X \*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 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.**

**Please see *Exhibit A*.**

**The Applicant is incorporated in the State of Delaware.**

Give name and address of officers:

**Ronald Burr  
Chief Executive Officer & Chief Revenue Officer**

**Vijesh Mehta**  
**Chief Technology Officer**

**Punit Shah**  
**Chief Information Officer**

**Jagannathan "TJ" Thinakaran**  
**Chief Operating Officer**

**Komnieve Singh**  
**President**

**Biographies of these officers can be found at *Exhibit B*.**

All officers can be reached at the Applicant's headquarters:

**1410 2<sup>nd</sup> Street, Floor 2, Santa Monica, CA 90401.**

**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.

If the Applicant or an affiliate has predecessors who have 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.

**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 and predecessors (please identify affiliates versus predecessors).

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 Attorney General**  
Office of Consumer Protection  
Strawberry Square  
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.

**Applicant seeks authority as a competitive carrier. Applicant is not an incumbent carrier, nor has served as an incumbent carrier.**

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.

**Neither Applicant, any affiliate of the applicant, or person identified in this Application has been convicted of a crime involving fraud or similar activity. Applicant's predecessor in interest, Skyy Consulting, Inc. entered into a consent decree, without admission of liability, with the Federal Trade Commission ("FTC") to settle allegations of violation of the Telemarketing Sales Rule, 16 C.F.R. Part 310, and 15 U.S.C. §45. Applicant has agreed to**

enter into a compliance program to ensure its customers remain compliant with the FTC's Telemarketing Sales Rule, and made a voluntary contribution of \$75,000.

In addition, in 2013, CallFire was requested to respond to a general Letter of Inquiry from the Federal Communications Commission regarding its processes for customers to create their own calling lists, and generating their own messages. No action has been taken against CallFire.

Applicant inadvertently failed to disclose the following matters in its Application, due to miscommunication amongst those responsible for drafting and filing the Application on behalf of CallFire. Applicant apologizes for the inconvenience and oversight and has established protocols to ensure such a mistake does not happen in the future.

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:

CallFire, Inc. \_\_\_\_\_

By:



Title: Counsel to CallFire, Inc.

## **Exhibit B**

### **Officer and Management Biographies**

Applicant's management team includes individuals with substantive experience in successfully developing and operating telecommunications businesses. Consequently, CallFire has the adequate internal technical resources to support its Pennsylvania operations. This expertise in the telecommunications industry makes Applicant's management well-qualified to operate its operations in Pennsylvania. Specific details of the business and technical experience of CallFire's officers and management personnel are attached below.

#### **Ron Burr**

##### **Chief Executive Officer and Chief Revenue Officer**

He may have just recently hopped on the CallFire express, but Web pioneer Ron Burr is already having a significant impact. He oversees sales, marketing and business-development initiatives, expands the range of clients served, and builds vendor, partner and investor relationships. Ron founded NetZero, eventually helping it become one of the world's largest Internet service providers. Holder of eight Internet technology patents in online advertising and market research, he was named one of the "25 Top Unsung Heroes of the Net" by Interactive Week, one of the "21 people leading us into the 21st Century" by Response Magazine, and one of the "Top 50 IT executives at xSPs" by InfoWorld. Ron also serves as an advisor and board member for his nonprofit, Faith Horizon.

#### **Komnieve Singh**

##### **President & Co-Founder**

A meditator and a motivator, Komnieve manages our superior Sales & Support team at CallFire. One of our co-founders, he originally served as the systems architect and played a key role in building the core infrastructure that powers our platform. He has almost 13 years of experience in managing companywide IT initiatives, scalable VoIP architectures, and networks that must continuously work in order for the business to function. In doing so, he's garnered a reputation as a proven VoIP veteran with a track record of delivering results on ambitious projects. In addition to his love of meditation, Komnieve greatly brightens our daily work life by bringing his beautiful Chocolate Labrador, Ronak, to our offices.

#### **TJ Thinakaran**

##### **Chief Operating Officer & Partner**

TJ is responsible for day-to-day operations at CallFire, as well as overseeing CallFire's major business development initiatives. He has more than a decade of experience in software solutions and architectures. Before joining CallFire as a partner, he worked at IBM Corporation, where he earned a reputation for consistently delivering on high-visibility, high-risk projects. He has authored many IBM Academy of Technology studies and was a frequent speaker at various technology leadership conferences. TJ graduated magna cum laude from the University of

California, Irvine, with a bachelor's degree in computer science and a master's in informatics. When not at his desk, you'll find him on his yoga mat or cycling the canyons of Malibu.

**Vijesh Mehta**

**Chief Technology Officer & Co-Founder**

Vijesh has over 10 years of experience taking web-based services to market and sits on the board of four major web-based platforms. He also has extensive experience in shaping corporate strategy and exceptional knowledge of highly scalable software architectures. His previous endeavors include the widely recognized consulting firm Skyy Consulting, which developed one of the largest open-source telecom platforms available today. Fun fact: Vijesh got his first computer at age 8, at which point he proceeded to write his first lines of code in Basic while trying to get a game to work.

**Punit "Pete" Shah**

**Chief Information Officer & Co-Founder**

A developer by trade but business technologist at heart, Punit has over a decade of experience with product design and execution. Early in his career, he served on engineering teams at Microsoft, co-patented technology for stroke rehabilitation, and began building VoIP systems that handled tens of millions of calls monthly for telecom carriers. Today, his industry experience and business mind are a rare commodity - while primarily driving product design and requirements he contributes on most teams here, including operations, development, marketing and design. Its no coincidence, he is also regularly advising the startup community. Apart from CallFire, Punit is a little-well-known socialite in the Los Angeles area - spending his free time dancing, traveling, and rubbing shoulders with his tens of thousands of contacts. He holds a bachelor's in computer science from the University of California, Irvine and a master's in information technology from Harvard University. Fun fact: Way back when - he created the CallFire brand name!

**CERTIFICATE OF SERVICE**

I hereby certify that on January 15, 2014, I served a copy of **CallFire, Inc.'s**  
**Amendment to the Application for Certification as a Competitive Local**  
**Exchange Carrier and Interexchange Carrier** upon the entities listed below in  
the manner indicated in accordance with the requirements of 52 Pa. Code Section  
1.54.

**First Class Mail:**

**Verizon North Inc.**  
1717 Arch Street  
Philadelphia, PA 19103

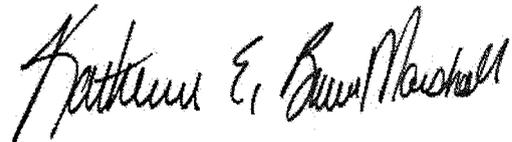
**United Telephone Company, d/b/a**  
**CenturyLink**  
6391 Sprint Parkway  
Overland Park, KS 66251-6100

**Verizon Pennsylvania Inc.**  
1717 Arch Street  
Philadelphia, PA 19103

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

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

**Office of Attorney General**  
Office of Consumer Protection  
Strawberry Square  
Harrisburg, PA 17120



Dated: January 15, 2014

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Katherine Barker Marshall, Esq.