



THOMAS, NIESEN & THOMAS, LLC

Attorneys and Counsellors at Law

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June 10, 2016

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of NEP TelCom, Inc. for Approval to Offer, Render, Furnish or Supply
Telecommunications Services to the Public in the Commonwealth of Pennsylvania;
Docket No. A-2016-2543613 (CLEC)

Dear Secretary Chiavetta:

We are counsel to NEP TelCom, Inc. ("Company") in the above matter. On May 26, 2016, we filed the Company's Amended Application for Approval to Offer, Render, Furnish, or Supply Telecommunications Services to the Public in the Commonwealth of Pennsylvania as a facilities-based Competitive Local Exchange Carrier. We have been advised by Staff of the Bureau of Technical Utility Services that certain Application pages should be resubmitted to clarify matters addressed in Sections 10, 16, and 18 of the Application. Accordingly, enclosed for filing are revised Pages 6, 7, and 8 to the Application, which should replace the corresponding pages currently on file.

Copies of the revised Application pages are being served in accordance with the certificate of service attached to it.

Should any additional information be required to perfect the Application, please do not hesitate to contact me.

Very truly yours,

THOMAS, NIESEN & THOMAS, LLC

By

Charles E. Thomas, III

Enclosure

cc: Certificate of Service (w/encl.)
Mark Lum (TUS) (w/encl.)
Rick Swiderski (w/encl.)
Gary Zingaretti (w/encl.)

CERTIFICATE OF SERVICE

I hereby certify that I have this 10th day of June, 2016, served a true and correct copy of the foregoing document upon the persons, listed below, via first class mail, postage prepaid:

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

Office of Small Business Advocate
300 North Second Street, Suite 202
Harrisburg, PA 17101

Consolidated Communications of PA Co.
4008 Gibsonia Road
Gibsonia, PA 15044-9311

Verizon Pennsylvania LLC
1717 Arch Street
Floor 3SE
Philadelphia, PA 191013

Verizon North LLC
1717 Arch Street
Floor 3SE
Philadelphia, PA 191013

Armstrong Telephone Company - North
One Armstrong Place
Butler, PA 16001

Armstrong Telephone Company - PA
1755 Rte. 30
Clinton, PA 15026

Bentleyville Telephone Company
d/b/a FairPoint Communications
1 Davis Farm Road
Portland, ME 04103

Marianna & Scenery Hill Telephone Company
d/b/a FairPoint Communications
1 Davis Farm Road
Portland, ME 04103

Citizens Telephone Company of Kecksburg
2748 State Route 982, P.O. Box 156
Mammoth, PA 15666-0156

Frontier Communications Companies
37 Dillard Avenue
New Holland, PA 17557

Citizens Telephone of New York
Box 217
26 South Main Street
Hammond, NY 13646

Hancock Telephone Company
34 Read Street
P.O. Box 608
Hancock, NY 13783

Hickory Telephone Company
75 Main St.
Hickory, PA 15340

Ironton Telephone Company
4242 Mauch Chunk Road
Coplay, PA 18037

Lackawaxen Telecommunications Services
104 Hotel Road, P.O. Box 8
Rowland, PA 18457

Laurel Highland Telephone Company
4157 Main Street, P.O. Box 168
Stahlstown, PA 15687

North-Eastern Pennsylvania Telephone Co.
720 Main Street, P.O. Box D
Forest City, PA 18421-0150

North Penn Telephone Company
4145 Route 549
Mansfield, PA 16933

Palmerton Telephone Company
465 Delaware Avenue, P.O. Box 215
Palmerton, PA 18071

Pennsylvania Telephone Company
191 Middle Road
Jersey Shore, PA 17740

Pymatuning Independent Telephone Co.
7 Edgewood Drive
Greenville, PA 16125-8832

South Canaan Telephone Company
2175 Easton Turnpike, P.O. Box 160
South Canaan, PA 18459

TDS/Deposit Telephone Co.
87 Front Street
Deposit, NY 13754

TDS/Mahanoy & Mahantango Telephone Co.
P.O. Box 336, RR1
Herndon, PA 17830-0336

TDS/Sugar Valley Telephone Co.
32 E. South Street
Loganton, PA 17747

United Telephone Company of PA
d/b/a CenturyLink
240 N. Third Street, Suite 300
Harrisburg, PA 17101

Venus Telephone Corporation
1698 County Line Road, P.O. Box 75
Venus, PA 16364

West Side Telecommunications
1449 Fairmont Road
Morgantown, WV 26501

Windstream Communications Companies
124 East Main Street, 5th Floor
Ephrata, PA 17522

Yukon Waltz Telephone Company
4157 Main Street, P.O. Box 168
Stahlstown, PA 15687



Charles E. Thomas, III (PA ID # 201014)

As a CLEC, the Applicant intends to provide retail local services including point to point dedicated services and local telephone service. Local telephone service will be offered to both business and residential customer. Additional service will be available, including call waiting, caller ID, call return, call forwarding, three way calling and other features. Service will be provisioned primarily through fiber optic technology and other facilities which may be owned or leased from other companies.

As noted in item 9 above, the Company does not intend to offer UNE-P or resold local service. The reference herein to leased facilities pertains to backhaul and or interconnection facilities in such cases where leasing is a more viable option.

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.

The Company seeks statewide authority to provide telephone service as a Competitive Local Exchange Carrier.

See Attachment C for a list of the Incumbent Local Exchange Carriers in whose territory the Company seeks approval in this application.

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.

The Company will serve both residential and business customers throughout the Commonwealth.

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 Reseller, CLEC, CAP, or IXC Facilities-based. A copy of all proposed tariffs must be appended to each original and duplicate original and copy of Form 377.

When initially certified by the PUC, NEP TelCom filed both a local tariff and an intrastate access tariff (PA PUC Nos 1 and 2 respectively). With this filing, the Company proposes PA P.U.C. No. 3 as a replacement for PA PUC No. 1 (local). A copy of this tariff is included herein as See Attachment D. Also included is Attachment E, PA P.U.C. No. 4, a replacement for PA PUC No. 2 (Switched Access Tariff).

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.

NEP TelCom has no revenue or expenses at this time. As such, it will rely on its affiliate The North-Eastern Pennsylvania Telephone Company for financial security. The Applicant refers to and incorporates herein the annual reports of The North-Eastern Pennsylvania Telephone Company and the financial statements contained therein. Accounting records and supporting documentation will be maintained by:

**Michelle Kotchko
720 Main Street
Forest City, PA 18421**

15. START DATE: The Applicant proposes to begin offering services within 60 to 90 days of the date of this application.

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, to which the present Application is preliminary or with which it forms a part. The Application is not related to any other proceedings before the Commission.

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

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 claims no particular status pursuant to the Federal Telecommunications Act of 1996.

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.

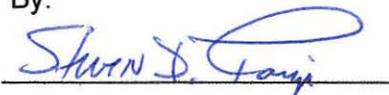
No entity or individual identified in this Application has been convicted of a crime involving fraud or similar activity.

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:

NEP TelCom, Inc.

By:



Title:

President