

2005-479

S T O L L | K E E N O N | & | P A R K | L L P

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November 23, 2005

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NOV 28 2005

PUBLIC SERVICE
COMMISSION

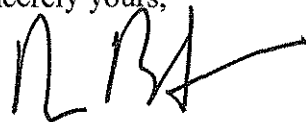
Ms. Elizabeth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, Kentucky 40601

Re: Dialog Telecommunications, Inc. Application for Designation as an ETC

Dear Ms. O'Donnell:

Enclosed please find an original and four copies of Dialog Telecommunications, Inc.'s Application for Designation as an Eligible Telecommunications Carrier. Please indicate receipt of this filing by placing your file-stamp on the extra copy and returning to me in the enclosed self-addressed, postage-paid envelope.

Sincerely yours,



Douglas F. Brent
Counsel for Dialog Telecommunications, Inc.

DFB:jms

Enc.

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

NOV 28 2005
PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF DIALOG TELECOMMUNICATIONS,))
INC. FOR DESIGNATION AS AN ELIGIBLE))
TELECOMMUNICATIONS CARRIER UNDER)) CASE NO. 2005-00__
THE TELECOMMUNICATIONS ACT OF 1996))

APPLICATION OF DIALOG TELECOMMUNICATIONS, INC.

Dialog Telecommunications, Inc. ("Dialog"), by its undersigned counsel and pursuant to Section 214(e) of the Telecommunications Act of 1996 (the "1996 Act") and Sections 54.101, 54.201 and 54.203 through 54.207 of the Rules of the Federal Communications Commission ("FCC"), hereby requests that the Kentucky Public Service Commission ("Commission") designate Dialog as an Eligible Telecommunications Carrier ("ETC") for its current service area throughout the State of Kentucky. In further support of its Application, Dialog states as follows:

1. Dialog is a North Carolina corporation with its principal offices located at 540 Griffith Road, Charlotte, NC 28217. Dialog is a utility as defined by KRS § 278.010(3)(e) and is authorized by the Commission to provide telecommunications services in Kentucky.
2. Dialog provides service in Kentucky pursuant to its tariffs No. 1 and No. 2 filed and approved by the Commission.

3. As a result of the work and cooperation of federal and state regulators, the FCC has adopted a number of cost recovery policies and mechanisms designed to promote and maintain universal service (the "Universal Service Fund"). The Universal Service Fund was established, in part, to provide support for network infrastructure investment in areas such as those serviced by Dialog which are generally characterized as high cost due to their rural nature. Mechanisms were also established in an effort to moderate the amount of costs to be recovered through basic, recurring charges to users, thereby assisting efforts to maintain reasonable basic rate levels.

4. Since January 1, 1998, a competitive local exchange carrier qualifies to receive the universal service support set forth above only if it has been designated by a state regulatory agency as an ETC. The Universal Service Fund therefore represents significant untapped resources which could greatly benefit the consumers and businesses of the State of Kentucky upon the designation of Dialog as an ETC.

5. Dialog requests that the Commission, by order, designate the company as an ETC for its current service area throughout the Commonwealth of Kentucky. Such action is entirely consistent with both the 1996 Act and the public interest of the State of Kentucky. Dialog is not requesting certification within the exchange territory of any Rural telephone company.

6. Dialog provides local and interexchange services in approximately fifty Kentucky counties. The majority of Dialog's customers are in less densely populated areas of Western Kentucky. All of Dialog's customers are located within the exchange territory of BellSouth Telecommunications, Inc. Exhibit "A" to this application identifies those BellSouth wire centers in which Dialog provides service and in which ETC status is sought.

7. Dialog strives to assist in bringing premier telecommunications services to these areas and is committed to the provision of high quality, reasonably priced services. As an ETC, Dialog will provide telecommunications services to customers within predominantly non-urban areas of Kentucky, and will also be permitted to participate in certain cost recovery mechanisms established by the FCC.

8. In order to be designated as an ETC, the FCC's rules require that carriers must publicize and offer the list of services supported by the federal universal service mechanisms. As demonstrated below, Dialog satisfies these requirements and should be granted ETC status. Under the applicable federal rule, 47 CFR § 54.101(a), the ETC must offer the following services:

- a) Voice grade access to the public switched network;
- b) Access to free-of-charge "local usage" defined as an amount of minutes of use of exchange service;

- c) Dual tone multi-frequency signaling or its functional equivalent;
- d) Single-party service or its functional equivalent;
- e) Access to emergency services;
- f) Access to operator services;
- g) Access to interexchange services;
- h) Access to directory assistance; and
- i) Toll limitations services for qualifying low-income customers.

9. Qualified ETCs must offer these services either using their own facilities or a combination of their own facilities and the resale of services of another facilities-based carrier. Further, ETCs must advertise the availability of, and the prevailing prices for, the universal services throughout the area in which they have been designated an ETC. Dialog will comply with each of these requirements regarding service provisions and advertisement, and will utilize all universal service support for the provision, maintenance, and upgrading of the supported services.

10. Dialog will implement a program to advertise the availability of the above referenced services and related charges using media of general distribution in its service area as required by Section 214(e)(1)(B) of the 1996 Act and Section 54.201(d)(2) of the FCC's rules.

11. Dialog meets all eligibility requirements in order to be designated an ETC as codified in the federal statute and as promulgated in FCC rules. In addition, once designated as an ETC, Dialog will be obligated to offer Lifeline service under 47 CFR § 54.405, and will file with the Commission tariff revisions to include service descriptions and rates for Lifeline and Linkup services.

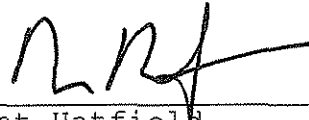
12. Attached hereto as Exhibit "B" and incorporated herein by reference is the affidavit of James A. Bellina, President of Dialog, in support of this Application.

CONCLUSION

Having demonstrated that Dialog satisfies the conditions necessary for designation as an ETC, and having shown that the public and universal service interests of the telecommunications consumers of the State of Kentucky will be served, Dialog respectfully requests that the Commission designate it as an ETC.

Respectfully submitted,

DIALOG TELECOMMUNICATIONS, INC.



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502-568-9100

Attorneys for Dialog
Telecommunications

EXHIBIT A

CLLI	RateCenter
ALLNKYMA	ALLEN
AURRKYMA	AURORA
BDFRKYMA	BEDFORD
BGDDKYMA	BAGDAD
BLFDKYMA	BLOOMFIELD
BLSPKYMA	BLUFF SPG
BNLYKYMA	BENHAMLNCH
BNTNKYMA	BENTON
BRGNKYMA	BURGIN
BRMNKYMA	BREMEN
BRTWKYES	BARDSTOWN
BVDMKYMA	BEAVER DAM
BYVLKYMA	BEATTYVL
CADZKYMA	CADIZ
CHPLKYMA	CHAPLIN
CLAYKYMA	CLAY
CLHNKYMA	CALHOUN
CLPTKYMA	CLOVERPORT
CLTNKYES	CLINTON
CMBGKYMA	CAMPBELSBG
CNCYKYMA	CENTRAL CY
CNTNKYMA	CANTON
CNTWKYMA	CENTERTOWN
COTNKYMA	CROFTON
CRBNKYMA	CORBIN
CRBOKYMA	CRAB ORCH
CRLSKYMA	CARLISLE
CRTNKYMA	CARROLLTON
CYDNKYMA	CORYDON
CYNTKYMA	CYNTHIANA
DAVLKYMA	DANVILLE
DIXNKYMA	DIXON
DRBOKYES	DRAKESBORO
DWSPKYES	DAWSON SPG
EDVLKYMA	EDDYVILLE
EKTNKYMA	ELKTON
ELCYKYES	ELKHORN CY
EMNNKYES	EMINENCE
EMNNKYPL	CROPPER
ERTNKYMA	EARLINGTON
FDCKKYES	FEDSCREEK
FDVLKYMA	FORDSVILLE
FEBRKYMA	MCCARR
FKLNKYMA	FRANKLIN
FLTNKYMA	WATER VLY
FNVLYKYMA	FINCHVILLE

FORDKYMA	FORD
FRDNKYMA	FREDONIA
GBVLKYMA	GILBERTSVL
GHNTKYMA	GHENT
GNVLKYMA	GREENVILLE
GRACKYMA	GRACEY
GRTWKYMA	GEORGETOWN
GTHRKYMA	GUTHRIE
HANSKYMA	HANSON
HBVLKYMA	HEBBARDSVL
HCMNKYMA	HICKMAN
HDBGKYMA	CORNISHVL
HRBGKYES	HARDINSBG
HRFRKYMA	HARTFORD
HRLNKYMA	HARLAN
HWVLKYMA	HAWESVILLE
INEZKYMA	INEZ
ISLDKYMA	ISLAND
JCSNKYMA	JACKSON
JLLCTNMA	JELICO
JNCYKYMA	JUNCTIONCY
KKVLKYMA	KIRKSVILLE
LBJTKYMA	LEBANONJCT
LOUSKYES	LOUISA
LRBGKYMA	LAWRENCEBG
LVMRKYMA	LIVERMORE
MARNKYMA	MARION
MARTKYMA	MARTIN
MCDNKYMA	MCDANIELS
MCWLKYMA	MCDOWELL
MDBOKYMA	MIDDLESBO
MDVIKYMA	MADISONVL
MGFDKYMA	MORGANFLD
MGTWKYMA	MORGANTOWN
MLBGKYMA	MILLERBURG
MLTNKYMA	MILTON
MRGPKYMA	MORTONSGAP
MRRYKYMA	MURRAY
MTEDKYMA	MOUNT EDEN
MTSTKYMA	MTSTERLING
MYFDKYMA	MAYFIELD
MYVLKYMA	MAYSVILLE
NEBOKYMA	NEBO
NEONKYES	NEON
NRVLKYMA	NORTONVL
NWHNKYMA	NEW HAVEN
OWTNKYMA	NEWLIBERTY
PARSKYMA	NOMIDDLETN
PDCHKYIP	PADUCAH
PDCHKYLO	PADUCAH

PDCHKYMA	PADUCAH
PDCHKYRL	SYMSONIA
PIVLKYMA	PINEVILLE
PKVLKYMA	PIKEVILLE
PKVLKYMT	PIKEVILLE
PLRGKYMA	PLEASATRDG
PMBRKYMA	PEMBROKE
PNTHKYMA	PANTHER
PNVLKYMA	PAINTSVL
PRBGKYES	PRESTONSBG
PRTNKYES	PRINCETON
PRVDKYMA	PROVIDENCE
PRVLKYMA	PERRYVILLE
PTRYKYMA	PORT ROYAL
RBRDKYMA	ROBARDS
RCMDKYMA	RICHMOND
SCRMKYMA	SACRAMENTO
SDVLKYMA	SADIEVILLE
SEBRKYMA	SEBREE
SHGVKYMA	SHARON GRV
SHVLKYMA	SHELBYVL
SLGHKYMA	SLAUGHTERS
SLPHKYMA	SULPHUR
SLVSKYMA	SALVISA
SNTNKYMA	STANTON
SPFDKYMA	MACKVILLE
SSVLKYMA	SIMPSONVL
STCHKYMA	ST CHARLES
STFRKYMA	STANFORD
STGRKYMA	STAMPNGRND
STNLKYMA	STANLEY
STONKYMA	STONE
STRGKYMA	STURGIS
SWSNKYMA	SOWILLIMSN
TPVLTNMA	BESSIEBEND
TRENKYMA	TRENTON
TYVLKYMA	TAYLORSVL
UNCYTNMA	JORDAN
UTICKYMA	UTICA
VIRGKYMA	VIRGIE
WACOKYMA	WACO
WDDYKYMA	WADDY
WHBGKYMA	WHITESBURG
WHVLKYMA	WHITESVL
WLBGKYMA	WILLIAMSBG
WLCKKYES	WALLINSCRK
WRFDKYMA	WARFIELD
WSBGKYMA	WILLISBURG
WYLDKYES	WAYLAND