

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of)
ACN DIGITAL PHONE SERVICE, LLC) Case No. _____
for Registration to Provide Interconnected Voice)
over Internet Protocol Service)

APPLICATION

COMES NOW ACN Digital Phone Service, LLC ("Applicant"), pursuant to §392.550 RSMo (Cum. Supp. 2008), and for its application to the Missouri Public Service Commission ("Commission") states as follows:

1. The Applicant's legal name is ACN Digital Phone Service, LLC. Applicant is a Limited Liability Company organized in the State of Delaware on October 13, 2005. Applicant's street and mailing address, electronic mail address, fax and telephone number are:

ACN Digital Phone Service, LLC
1000 Progress Place NE
Concord, North Carolina 28025
Telephone: 704-370-5510
Facsimile: 704-632-8072
Web: www.myacn.com

2. Applicant is registered with the Missouri Secretary of State as a foreign limited liability company and is in good standing. A copy of Applicant's certificate of good standing is attached as Exhibit A.
3. The Applicant seeks registration to offer and provide interconnected voice over Internet protocol service.
4. Attached is an affidavit signed by an officer or general partner of the Applicant making the eight statements required by §392.550.3, RSMo, plus confirmation the Applicant's service meets the criteria of interconnected voice over Internet protocol service as defined by §386-020(23).

WHEREFORE, the Applicant requests the Commission to issue an order granting the applicant a registration to offer and provide interconnected voice over Internet protocol service in the exchanges listed in the Affidavit.

Respectfully submitted,

/s/ Mark W. Comley

Mark W. Comley #28847
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(573) 634-2266
(573) 636-3306 FAX
comleym@ncrpc.com

Attorneys for ACN Digital Phone Service, LLC

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 28th day of January, 2009, to General Counsel's Office at gencounsel@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov.

/s/ Mark W. Comley

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for ACN Digital Phone Service, LLC, applicant in this proceeding; that I have read the above and foregoing Application and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant.

/s/ Mark W. Comley

Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 28th day of January, 2009.

/s/ Annette M. Borghardt

Notary Public for Cole County, MO; M.C.E. 3-11-10

AFFIDAVIT

I, Keith Kuder, a natural person, do hereby swear and affirm that I am the General Counsel of North America for ACN Digital Phone Service, LLC ("Applicant"), and that the following statements are true and correct to the best of my knowledge and belief:

(1) The location of the principal place of business and the names of the principal executive officers of the Applicant:

Principal Place of Business: ACN Digital Phone Service, LLC
1000 Progress Place NE
Concord, NC 28025

Officers:	President	Dave Stevanovski
	Treasurer	Richard Boughrum
	Secretary	Colleen Jones

(2) Each exchange, in whole or in part, of a local exchange company in which the Applicant proposes to provide interconnected voice over Internet protocol service:

The Company proposes to offer service statewide.

(3) That the Applicant is legally, financially, and technically qualified to provide interconnected voice over Internet protocol services;

(4) That the Applicant is ready, willing, able, and will comply with all applicable state and federal laws and regulations imposed upon providers of interconnected voice over Internet protocol services;

(5) That the Applicant will charge and collect from its end user customers on interconnected voice over Internet protocol service, and remit to the appropriate authority, fees and surcharges in the same manner as are charged and collected upon end user customers of local exchange telecommunications service and remitted by local exchange telecommunications companies, including but not necessarily limited to:

- (a) Telecommunications programs under section 209.255, RSMo;
- (b) Missouri universal service fund under section 392.248;
- (c) Local enhanced 911;
- (d) Any applicable license tax;

(6) That the Applicant will remit the annual assessment imposed by the Commission under section 386.370, RSMo;

(7) That the Applicant will file, either directly or indirectly through an affiliated competitive local exchange carrier, with the Commission an annual report at a time and covering the yearly period fixed by the Commission;

(8) That the Applicant has established a process for handling inquiries from customers concerning billing issues, service issues, and other consumer-related complaints. Consumer complaints may be directed to:

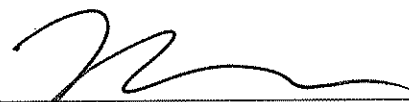
Kathy Wiggington
ACN Digital Phone Service, LLC
1000 Progress Place NE
Concord, NC 28025
Telephone: 888-414-1958
Fax: 704-632-8072
Email: llundqui@acncinc.com

and

(9) The Applicant's interconnected voice over Internet protocol service meets the following criteria:

- (a) Enables real-time, two-way voice communications;
- (b) Requires a broadband connection from the user's location;
- (c) Requires Internet protocol-compatible customer premises equipment; and
- (d) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

This concludes my affidavit.

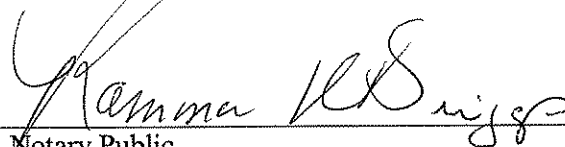


Keith Kuder
General Counsel for North America

STATE OF North Carolina

COUNTY OF Cabarrus

Subscribed and sworn before me this 15 day of December, 2008.



Notary Public

Notary Seal:

STATE OF MISSOURI



Robin Carnahan
Secretary of State

**CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING**

I, ROBIN CARNAHAN, Secretary of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

ACN DIGITAL PHONE SERVICE LLC

using in Missouri the name

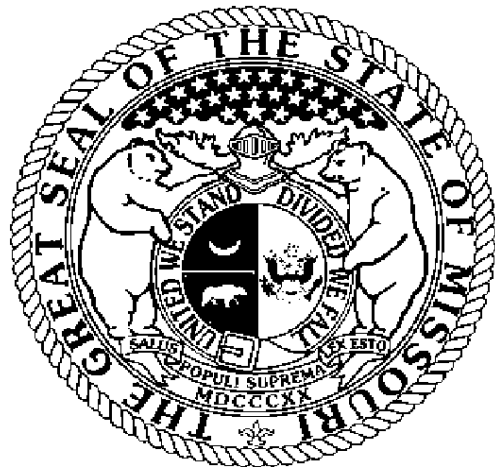
**ACN DIGITAL PHONE SERVICE LLC
FL0696658**

a DELAWARE entity was created under the laws of this State on the 7th day of November, 2005, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 26th day of January, 2009

A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State



Certification Number: 11388196-1 Reference:
Verify this certificate online at <http://www.sos.mo.gov/businessentity/verification>