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October 6, 2006

**FILED<sup>3</sup>**

OCT 6 2006

The Honorable Colleen M. Dale  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Missouri Public  
Service Commission

Re: Cause Based Commerce Incorporated, d/b/a The Sienna Group

Dear Judge Dale:

Please find enclosed for filing on behalf of Cause Based Commerce Incorporated, d/b/a The Sienna Group, the original and five copies of an Application.

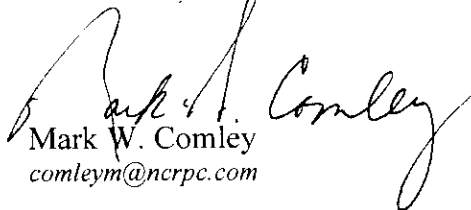
Would you please bring this filing to the attention of the appropriate Commission personnel.

Please contact me if you have any questions regarding this filing. Thank you.

Very truly yours,

NEWMAN, COMLEY & RUTH P.C.

By:

  
Mark W. Comley  
[comleym@ncrpc.com](mailto:comleym@ncrpc.com)

MWC:ab

Enclosure

cc: Office of Public Counsel  
General Counsel's Office  
Henry T. Kelly  
Tim Bischel

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>3</sup>

OCT 6 2006

In the Matter of the )  
Application of )  
Cause Based Commerce Incorporated )  
d/b/a The Sienna Group )  
)  
for a certificate of service authority to )  
provide interexchange telecommunications )  
services and to classify such services and the )  
company as competitive )

Missouri Public  
Service Commission

Case No. \_\_\_\_\_

APPLICATION

Cause Based Commerce Incorporated d/b/a The Sienna Group ("Applicant"), a Ohio Corporation, files this verified application respectfully requesting that the Missouri Public Service Commission ("Commission") issue an order that:

- (a) grants Applicant a Certificate of Service Authority to provide interexchange telecommunications services pursuant to Chapter 392 of the Missouri Revised Statutes.
- (b) grants competitive status to Applicant, and classifies the Applicant's services as competitive.
- (c) waives certain Commission rules and statutory provisions pursuant to Section 392.420, RSMo 2000.

In support of its request, Applicant states:

1. The legal name and principal office or place of business of the Applicant are:

Cause Based Commerce Incorporated  
6460 Harrison Avenue, Suite 302  
Cincinnati, Ohio 45247

A copy of Applicant's authority issued by the Missouri Secretary of State to transact business in Missouri is attached hereto as Exhibit 1. Applicant does business under the name of "The Sienna

Group.” A copy of Applicant’s Registration of Fictitious Name with the Missouri Secretary of State is attached as Exhibit 2.

2. Applicant is a reseller of telecommunications services. Applicant proposes to provide interexchange telecommunications services within Missouri including direct outbound dialing (1+ and 101XXXX), 800 and 888 (Toll-Free), travel cards, and prepaid calling cards. Applicant respectfully requests authority to provide service to prospective business and residential customers throughout the State of Missouri.

3. Applicant has the experience in the telecommunications industry and the technical and financial resources to provide telecommunications services within Missouri as set forth in Exhibit 3.

4. Pursuant to the requirements of 4 CSR 240-3.510(1)(C), attached as Exhibit 4 to this application is a proposed tariff for interexchange telecommunications services bearing a 45-day effective date. The proposed tariff contains the rules and regulations applicable to the Applicant’s customers, a description of the services offered, and a list of rates associated with such services.

5. Applicant requests classification as a competitive telecommunications company within the State of Missouri, and that its services are classified as competitive. Applicant believes that its proposed services will be subject to sufficient competition to justify a lesser degree of regulation. Granting of this application is in the public interest as it will allow greater price and service options for telephone users.

6. Applicant also respectfully requests, pursuant to Section 392.420 RSMo 2000, that the Commission waive the application of the following rules and statutory provisions as it relates to the regulation of Applicant:

392.210.2 Establish Uniform System of Accounts for Annual Reports  
392.240(1) Setting Just and Reasonable rates  
392.270 Ascertain property values  
392.280 Establish depreciation accounts  
392.290 Issuance of securities  
392.300.2 Acquisition of stock  
392.310 Issuance of stock and debt  
392.320 Stock dividend payment  
392.330 Issuance of securities, debts and notes  
392.340 Reorganization(s)  
4 CSR 240-10.020 Depreciation fund income  
4 CSR 240-30.040 Uniform System of Accounts

These rules and statutory provisions are principally designed to apply to non-competitive telecommunications carriers. As a result, it would be inconsistent with the goal and purpose of federal and state statutes to apply these rules and statutes to a competitive company such as Applicant.

7. Applicant, pursuant to Section 386.570, RSMo 2000, will comply with all applicable Commission rules except those which are specifically waived by the Commission pursuant to a request filed by the Applicant.

8. Correspondence or communications pertaining to this Application should be addressed to the following persons:

Mark W. Comley  
Newman, Comley & Ruth P.C.  
601 Monroe Street, Suite 301  
P.O. Box 537  
Jefferson City, Missouri 65102-0537  
Telephone: 573-634-2266  
Fax: 573-636-3306  
[comleym@ncrpc.com](mailto:comleym@ncrpc.com)

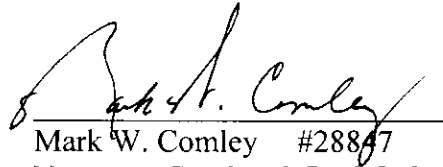
Henry T. Kelly  
Kelley Drye & Warren, LLP  
333 West Wacker Drive, 26<sup>th</sup> Floor  
Chicago, IL 60606  
[hkelly@kelleydrye.com](mailto:hkelly@kelleydrye.com)

9. The Applicant has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment or decision has occurred within three years of the date of this Application. No Commission annual reports or assessment fees are overdue.

10. Grant of this Application will further the public interest by expanding the availability of competitive telecommunications services in the State of Missouri. In addition, intrastate offering of these services is in the public interest because the services will provide Missouri customers with access to new technologies and service choices, and can permit customers to achieve increased efficiencies and cost savings. In particular, the public will benefit directly, through the use of the competitive services to be offered by Applicant, and indirectly, because the presence of Applicant in this market will increase the incentives for other telecommunications providers to operate more efficiently, offer more innovative services, reduce their prices, and improve their quality of service.

**WHEREFORE**, Applicant, Cause Based Commerce Incorporated, respectfully requests that the Missouri Public Service Commission grant it a certificate of service authority to provide interexchange telecommunications services within the State of Missouri. Applicant also requests classification as a competitive telecommunications company and that its services be classified as competitive. In addition, Applicant requests a waiver of the above-referenced rule and statutory provisions.

Respectfully submitted,

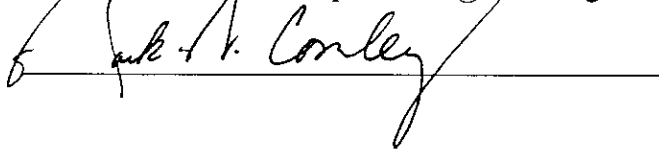


Mark W. Comley #28847  
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Henry T. Kelly  
Kelley Drye & Warren, LLP  
333 West Wacker Drive, 26<sup>th</sup> Floor  
Chicago, IL 60606  
[hkelly@kelleydrye.com](mailto:hkelly@kelleydrye.com)

Certificate of Service

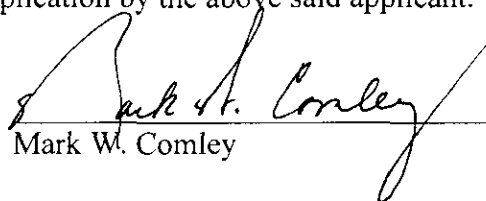
I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 6<sup>th</sup> day of October, 2006, to General Counsel's Office at [gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov); and Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov).



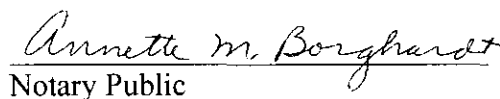
ATTORNEY VERIFICATION

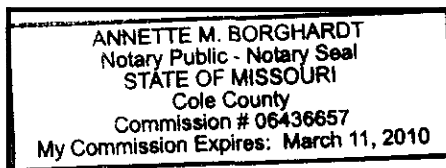
STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF COLE        )

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for Cause Based Commerce Incorporated, d/b/a The Sienna Group, 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.

  
Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 5th day of October, 2006.

  
Notary Public



## **ATTACHED EXHIBITS**

- |           |  |
|-----------|--|
| Exhibit 1 | Missouri Secretary of State Authorization  |
| Exhibit 2 | Registration of Fictitious Name  |
| Exhibit 3 | Executive Officers' Qualifications and Experience Company's<br>Telecommunications Background |
| Exhibit 4 | Tariff   |



Exhibit 1  
Missouri Secretary of State Authorization

# 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

**CAUSE BASED COMMERCE INCORPORATED**

using in Missouri the name

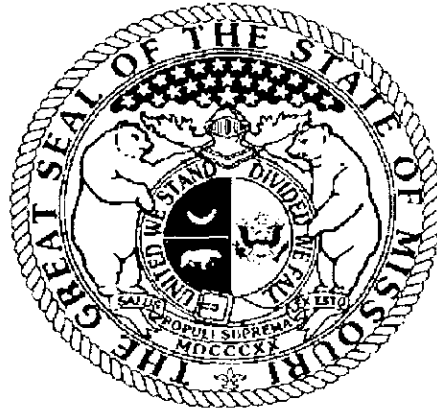
**CAUSE BASED COMMERCE INCORPORATED  
F00738959**

a OHIO entity was created under the laws of this State on the 15th day of May, 2006, 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 10th day of August, 2006

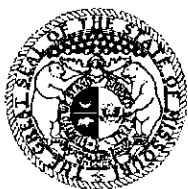
A handwritten signature in cursive script that reads "Robin Carnahan".

Secretary of State



Certification Number: 8955278-1 Reference:  
Verify this certificate online at <http://www.sos.mo.gov/businessentity/verification>

Exhibit 2  
Registration of Fictitious Name



**State of Missouri**  
**Robin Carnahan, Secretary of State**

**File Number: 200623590359**  
**X00759910**  
**Date Filed: 08/23/2006**  
**Expiration Date: 08/23/2011**  
**Robin Carnahan**  
**Secretary of State**

## **Registration of Fictitious Name**

This fictitious name filing shall expire 5 years from the date filed unless a renewal filing is submitted within 6 months prior to the expiration date.

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. (Chapter 417, RSMo)

**The undersigned is doing business under the following name, and at the following address:**

Business name to be registered: **The Sienna Group**  
Business address: **6460 Harrison Ave., Suite 302**  
City, State and Zip Code: **Cincinnati OH 45247**

If all parties are jointly and severally liable, percentage of ownership need not be listed.

<b>Name of Owners, Individual or Business Entity</b>	<b>Street and Number</b>	<b>City and State</b>	<b>Zip Code</b>	<b>If listed, Percentage of ownership must equal 100%</b>
<b>CAUSE BASED COMMERCE INCORPORATED</b>	<b>6460 Harrison Ave. Suite 302</b>	<b>Cincinnati OH</b>	<b>45247</b>	<b>100%</b>

**In Affirmation thereof, the facts stated above are true:**

(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060, RSMo)

**Tim Bischel**

*(Authorized Signature)*

**President**

*(Authorized Party Relationship)*

Exhibit 3

Executive Officers' Qualifications and Experience  
Company's Telecommunications Background

### **Explanation of Technical and Managerial Expertise**

Cause Based Commerce (CBC) was formed in 1996 as an Affinity Marketing company of Telecommunications services. During the first phase of the organizations lifecycle (10 Years) CBC represented Wholesale Providers product and service offering to its target market as an Agent of the Wholesale Provider. During the past year CBC has shifted its focus to directly offer Product and Services using a Wholesale purchase and resale arrangement.

CBC's target market includes a variety of Cause-oriented Customers. CBC prides itself in our ability to support over 2,000 National and Regional Charities including many Churches and Schools as they seek alternative sources of funding to support and maintain viability.

The Management Team:

David W. Condit – One of the original founders with 10 years of Industry experience covering product development, sales, marketing, finance and customer service.

Timothy J. Bischel - One of the original founders with years of Industry experience and Entrepreneurial expertise. Tim has started and/or lead 3 new business ventures over his 16 + year career.

Mark J. Eichler -- 23 Years of progressive leadership in the Contact Center Market. Largest assignment was at Wells Fargo where he reported to the Vice Chairman and led the Consumer Credit Group's Call Centers (5 locations and 1,500 employees). Mark has depth of experience in all aspects of Call Center management including In-bound/Outbound/Fulfillment with a special emphasis in Credit, Collections, Telemarketing/Sales, Customer Service and Records Management.

Aimee Hauer -- As Manager of Customer Service and Provisioning, Aimee has over 5 years of Telecommunications experience in all aspects of operations management.

The operational staff of CBC currently handles marketing, sales, customer service, billing and collections. CBC currently leverages outsourcing arrangements with leading providers of Operation and Billing Support Systems (OSS/BSS), Tax Management, and Regulatory/Compliance support services. Current Vendors include Custom Call Data Systems, Tax Partners, Bricker & Eckler and Kravitz, Brown & Dortch.

Exhibit 4

Tariff