

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

In The Matter of the Application of	)	
	)	
	)	
<b>Brightspeed Fiber Services LLC</b> to Provide	)	Case No. _____
Telecommunications and Interconnected	)	
Voice over Internet Protocol Services	)	
	)	

**APPLICATION AND REQUEST FOR WAIVER**

Pursuant to Sections 392.611.4 and 392.550 of the Revised Statutes of Missouri, Brightspeed Fiber Services LLC (“Applicant”) respectfully seeks certification and registration issued by the Missouri Public Service Commission (“Commission”) to provide certain telecommunications services and Voice over Internet Protocol (“VoIP”) service throughout the State of Missouri. Applicant submits the following in support of its request.

1. Applicant’s legal name is Brightspeed Fiber Services LLC. Applicant is a Delaware limited liability company registered and in good standing with the Missouri Secretary of State’s Office. A copy of Applicant’s certificate of registration is attached at **Exhibit A**.

2. Applicant’s contact information is as follows:

Pamela Sherwood  
Vice President, Regulatory Compliance and Broadband Office  
Brightspeed Fiber Services LLC  
1120 South Tryon St.  
Charlotte, NC 28203  
(704) 314-2249  
[pamela.sherwood@brightspeed.com](mailto:pamela.sherwood@brightspeed.com)

Please direct any correspondence regarding this application to:

Pamela Sherwood  
Vice President, Regulatory Compliance and Broadband Office  
Brightspeed Fiber Services LLC  
1120 South Tryon St.  
Charlotte, NC 28203  
(704) 314-2249  
[pamela.sherwood@brightspeed.com](mailto:pamela.sherwood@brightspeed.com)

*With copies to:*

Tim Opitz  
Opitz Law Firm, LLC  
308 E. High St., Suite B101  
Jefferson City, MO 65101  
(573) 825-1796  
[Tim.opitz@opitzlawfirm.com](mailto:Tim.opitz@opitzlawfirm.com)

John L. Flynn  
Howard J. Symons  
Jenner & Block LLP  
1099 New York Ave., NW, Suite 900  
Washington, DC 20001  
(202) 639-6000  
[jflynn@jenner.com](mailto:jflynn@jenner.com)  
[hsymons@jenner.com](mailto:hsymons@jenner.com)

3. Applicant is an indirect, wholly owned subsidiary of Connect Holding II LLC (“Connect Holding II”)—a Delaware limited liability company which, through its subsidiaries, provides voice and data services to enterprise, government, wholesale, and retail customers in 20 states, including Missouri.<sup>1</sup> Connect Holding II’s subsidiaries providing telecommunications services in Missouri include: Brightspeed Broadband, LLC; Brightspeed of East Missouri, LLC; Brightspeed of Missouri, LLC; Brightspeed of Northwest Arkansas, LLC; and Brightspeed of West Missouri, LLC (the “Brightspeed Missouri Affiliates”).

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<sup>1</sup> Connect Holding II does not directly provide any telecommunications services and is not certificated by the Commission. Connect Holding II and its parents and subsidiaries are collectively referred hereto as “Brightspeed.”

4. To facilitate a proposed financing transaction involving Applicant and certain other Connect Holding II subsidiaries, Brightspeed plans to transfer its broadband access and wholesale transport service facilities, operations, and customers from the Brightspeed Missouri Affiliates to Applicant and Applicant's affiliate, Brightspeed Fiber Connection LLC ("Brightspeed Fiber Connection").<sup>2</sup> Upon the completion of this transfer, Applicant and Brightspeed Fiber Connection will provide these services to the Brightspeed Missouri Affiliates' existing customers, as well as any future customers, in the Brightspeed Missouri Affiliates' service territories, and the Brightspeed Missouri Affiliates will cease providing such services.
5. Applicant therefore seeks a Certificate of Service Authority to provide non-switched local telecommunications service and interexchange telecommunications service, as well as registration to provide VoIP service. Applicant intends to provide voice and data transport services to enterprise customers, including other telecommunications providers, on a wholesale basis. Applicant will also provide certain services not regulated by the Commission, such as broadband and internet access services.
6. Applicant seeks to provide the proposed services in the areas where the Brightspeed Missouri Affiliates are currently providing these services. A map depicting the service areas is attached hereto at **Exhibit B.**

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<sup>2</sup> The Brightspeed Missouri Affiliates hold existing certificates of service authority or registration in Missouri. Commission approval is therefore not required for transferring the facilities, operations, and customers from these entities. See 20 Mo. Code of State Regs. 4240-28.011(4). Brightspeed Fiber Connection is concurrently seeking authorization under separate application to provide telecommunications and VoIP services.

7. Applicant's services will be identified on its website at <https://www.brightspeed.com/>.
8. Attached at **Exhibit C** is an affidavit signed by an authorized representative of the Applicant as required under Section 392.550(3) of the Revised Statutes of Missouri.

### **REQUEST FOR WAIVER**

9. Rule 20 CSR 240-4.017(1) provides "[a]ny person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case." Applicant seeks a waiver of this 60-day notice requirement.
10. Rule 20 CSR 240-4.017(1)(D) provides that a waiver may be granted for good cause upon the applicant submitting a verified declaration that it has had no communication with the office of the commission within the prior 150 days regarding any substantive issue likely to be in this case. The attached **Exhibit C** contains this verified declaration. Accordingly, for good cause shown, Applicant moves for a waiver of the 60-day notice requirement and acceptance of this Application.

WHEREFORE, the Applicant requests the Commission to issue an order granting Applicant's requested certification and registration.

Respectfully submitted,

**/s/ Tim Opitz**

Tim Opitz, Mo. Bar No. 65082

Opitz Law Firm, LLC  
308 E. High St., Suite B101  
Jefferson City, MO 65101  
(573) 825-1796  
[Tim.opitz@opitzlawfirm.com](mailto:Tim.opitz@opitzlawfirm.com)

*Counsel to Brightspeed Fiber  
Services LLC*

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document was delivered by electronic mail, on this 23<sup>rd</sup> day of June, 2025, to the following parties:

General Counsel  
Missouri Public Service Commission  
PO Box 360  
Jefferson City, MO 65102  
[staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov)

Office of Public Counsel  
PO Box 7800  
Jefferson City, MO 65102  
[opcservice@opc.mo.gov](mailto:opcservice@opc.mo.gov)

**/s/ Tim Opitz**  
Tim Opitz, Mo. Bar No. 65082

**EXHIBIT A**  
**CERTIFICATE OF REGISTRATION**

# Delaware

The First State

Page 1

*I, CHARUNI PATIBANDA-SANCHEZ, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF CONVERSION OF A DELAWARE CORPORATION UNDER THE NAME OF "BRIGHTSPEED MIDWEST CAPITAL, INC." TO A DELAWARE LIMITED LIABILITY COMPANY, CHANGING ITS NAME FROM "BRIGHTSPEED MIDWEST CAPITAL, INC." TO "BRIGHTSPEED FIBER SERVICES LLC", FILED IN THIS OFFICE ON THE SECOND DAY OF JUNE, A.D. 2025, AT 4:24 O`CLOCK P.M.*



*C. P. Sanchez*

Charuni Patibanda-Sanchez, Secretary of State

4156449 8100V  
SR# 20252927834

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

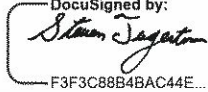
Authentication: 203871062  
Date: 06-05-25



STATE OF DELAWARE  
CERTIFICATE OF CONVERSION  
FROM A CORPORATION TO A  
LIMITED LIABILITY COMPANY PURSUANT TO  
SECTION 18-214 OF THE LIMITED LIABILITY  
COMPANY ACT

- 1.) The jurisdiction where the Corporation first formed is Delaware.
- 2.) The jurisdiction immediately prior to filing this Certificate is Delaware.
- 3.) The date the corporation first formed is 05/10/2006.
- 4.) The name of the Corporation immediately prior to filing this Certificate is  
Brightspeed Midwest Capital, Inc.
- 5.) The name of the Limited Liability Company as set forth in the Certificate of  
Formation is Brightspeed Fiber Services LLC.

IN WITNESS WHEREOF, the undersigned have executed this Certificate on the  
2nd day of June, A.D. 2025.

By:  F3F3C88B4BAC44E...  
Authorized Person

Name: Steven Tugentman  
Print or Type

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 04:24 PM 06/02/2025  
FILED 04:24 PM 06/02/2025  
SR 20252927834 - File Number 4156449

# Delaware

The First State

Page 1

*I, CHARUNI PATIBANDA-SANCHEZ, SECRETARY OF STATE OF THE  
STATE OF DELAWARE DO HEREBY CERTIFY THAT THE ATTACHED IS A  
TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF  
"BRIGHTSPEED FIBER SERVICES LLC" FILED IN THIS OFFICE ON THE  
SECOND DAY OF JUNE, A.D. 2025, AT 4:24 O`CLOCK P.M.*



4156449 8100V  
SR# 20252927834

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

A handwritten signature in black ink, reading "C. P. Sanchez", written in a cursive style.

Charuni Patibanda-Sanchez, Secretary of State

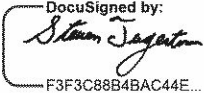
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Date: 06-05-25

STATE OF DELAWARE  
CERTIFICATE OF FORMATION  
OF LIMITED LIABILITY COMPANY

The undersigned authorized person, desiring to form a limited liability company pursuant to the Limited Liability Company Act of the State of Delaware, hereby certifies as follows:

1. The name of the limited liability company is Brightspeed Fiber Services LLC.

2. The Registered Office of the limited liability company in the State of Delaware is located at 1209 Orange Street (street), in the City of Wilmington, Zip Code 19801. The name of the Registered Agent at such address upon whom process against this limited liability company may be served is The Corporation Trust Company.

By:  F3F3C88B4BAC44E...  
Authorized Person

Name: Steven Tugentman  
Print or Type

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 04:24 PM 06/02/2025  
FILED 04:24 PM 06/02/2025  
SR 20252927834 - File Number 4156449

# STATE OF MISSOURI



**Denny Hoskins**  
**Secretary of State**

## CERTIFICATE OF REGISTRATION

WHEREAS,

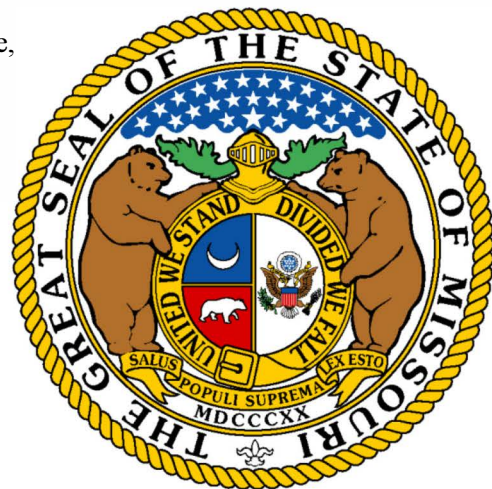
***BRIGHTSPEED FIBER SERVICES LLC***  
***FL001711030***

existing under the laws of the State of Delaware has filed with this state its Application of Registration and whereas this Application of Registration conforms to the Missouri Limited Liability Company Act.

NOW, THEREFORE, I, DENNY HOSKINS, Secretary of State of the State of Missouri, by virtue of the authority vested in me by law, do hereby certify and declare that on the 12th day of June, 2025, the above Foreign Limited Liability Company is duly authorized to transact business in the State of Missouri and is entitled to any rights granted Limited Liability Companies.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 12th day of June, 2025.

*Denny Hoskins*  
Secretary of State





# State of Missouri

Denny Hoskins, Secretary of State

Corporations Division  
PO Box 778 / 600 W. Main St., Rm. 322  
Jefferson City, MO 65102

FL001711030  
Date Filed: 6/12/2025  
Denny Hoskins  
Missouri Secretary of State

## Application for Registration of a Foreign Limited Liability Company (Submit with filing fee of \$105.00)

1. The name of the foreign limited liability company is: Brightspeed Fiber Services LLC
2. The name under which the foreign limited liability company will conduct business in Missouri is (must contain "limited company", "limited liability company", "LC", "LLC", "L.C.", or "L.L.C.") (must be filled out if different from line (1)):
3. The foreign limited liability company was formed under the laws of Delaware on the  
date of 05/10/2006  
(month/day/year) (state or jurisdiction)
4. The purpose of the foreign limited liability company or the general character of the business it proposes to transact in this state is:

Provide telecommunications services.

5. The name and address of the limited liability company's registered agent in Missouri is (this line must be completed and include a street address):

C T Corporation System	5661 Telegraph Road, Ste 4B	Saint Louis, MO 63129-4275
Name	Address (PO Box may <u>only</u> be used in conjunction with a physical street address)	City/State/Zip

The Secretary of State is appointed agent for service of process if the foreign limited liability company fails to maintain a registered agent. **Note:** failure to maintain a registered agent constitutes grounds to cancel the registration of the foreign limited liability company.

6. The address of the registered office in the jurisdiction organized. If none required, then the principal office address of the foreign limited liability company is:

1120 S. Tryon St.,	Charlotte, NC 28203
Address (PO Box may <u>only</u> be used in conjunction with a physical street address)	City/State/Zip

7. This application must include a current certificate of good standing/existence from the secretary of state or other similar official in the state of domicile. Such document should be dated within 60 calendar days from filing.

(Please see next page)

Name and address to return filed document:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, and Zip Code: \_\_\_\_\_

ORI-06122025-0612 State of Missouri  
No of Pages 3 Pages



Creation - LLC/LP/LLP

8. ☐ Series LLC (OPTIONAL) Pursuant to Section 347.186, the foreign limited liability company may establish a designated series in its operating agreement. The names of the series must include the full name of the limited liability company under which it has been admitted to transact business in this state and are the following:

New Series:

- ☐ The limited liability company gives notice that the series has limited liability.

New Series:

- ☐ The limited liability company gives notice that the series has limited liability.

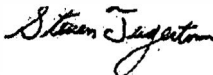
New Series:

- ☐ The limited liability company gives notice that the series has limited liability.

(Each separate series must also file an Attachment Form LLC 4A.)

In Affirmation thereof, the facts stated above are true and correct.

(The undersigned understands that false statements made in this filing are subject to the penalties provided under Section 575.040, RSMo)

Authorized Signature		Printed Name	Date
		Steven Tugentman	6.10.2025
Authorized Signature		Printed Name	Date
Authorized Signature		Printed Name	Date



# Delaware

Page 1

The First State

I, CHARUNI PATIBANDA-SANCHEZ, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BRIGHTSPEED FIBER SERVICES LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE ELEVENTH DAY OF JUNE, A.D. 2025.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN PAID TO DATE.



4156449 8300

SR# 20253039120

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

A handwritten signature in black ink, reading "C. B. Sanchez", is written over a horizontal line.

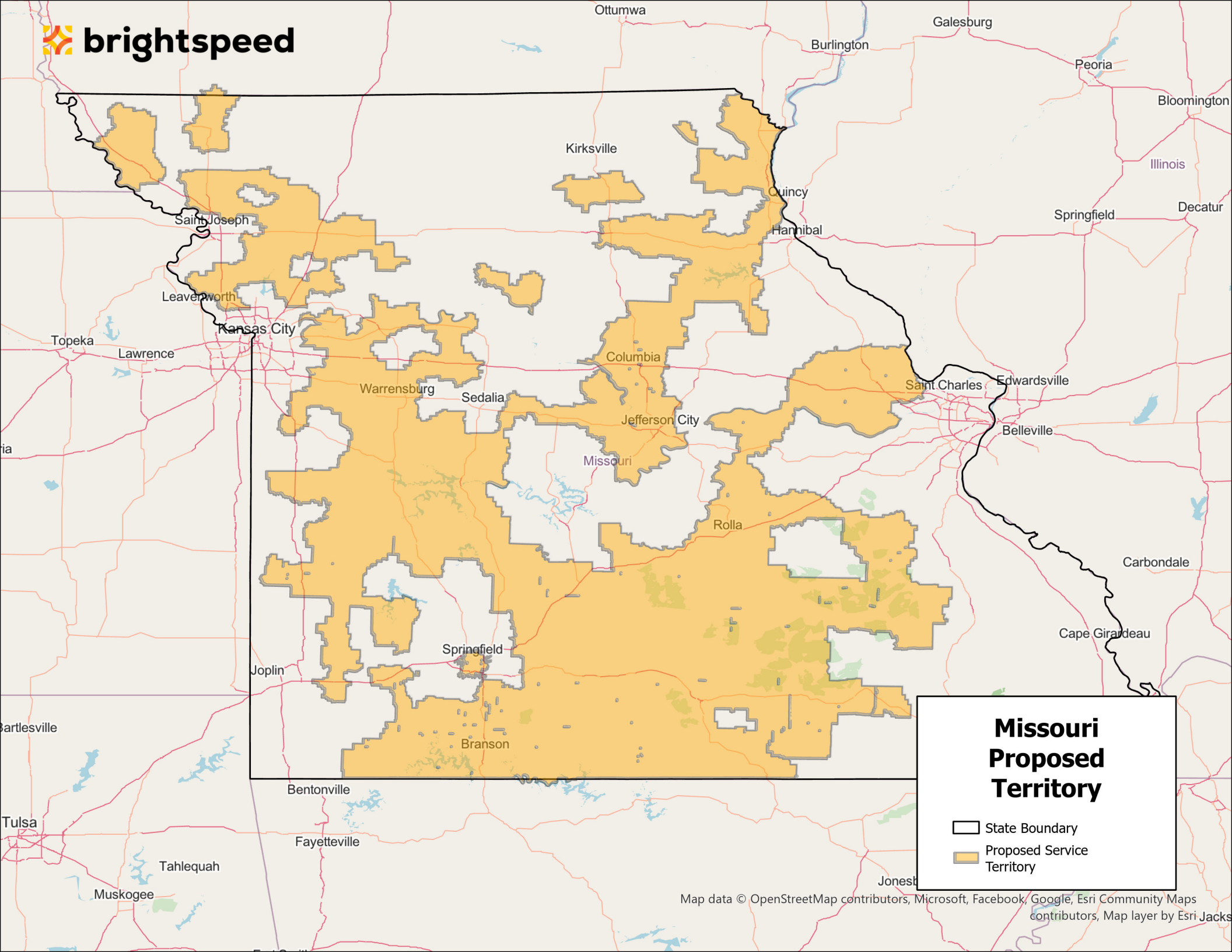
Charuni Patibanda-Sanchez, Secretary of State

Authentication: 203920274

Date: 06-11-25

**EXHIBIT B**  
**SERVICE AREA MAP**





**EXHIBIT C**

**AFFIDAVIT**

## AFFIDAVIT AND REQUEST FOR WAIVER

I, Pamela Sherwood, a natural person, do hereby swear and affirm that I am Vice President, Regulatory Compliance and Broadband Office of Connect Holding II LLC, which wholly owns Brightspeed Fiber Services LLC (“Applicant”); that I am an authorized representative of Applicant; and that the following information and statements are true and correct to the best of my knowledge and belief.

(1) Applicant’s basic information is as follows:

Legal Name, Including d/b/a, if Applicable	Brightspeed Fiber Services LLC
Principal Place of Business	1120 South Tryon St. Charlotte, NC 28203
Principal Executive Officers	<b>Michel Combes</b> , Executive Chairperson and Chief Executive Officer <b>Tom Maguire</b> , Adviser and Member of Board of Directors <b>Manuel Sampedro</b> , Chief Operating Officer <b>Jacky Wu</b> , Chief Financial Officer <b>Sorabh Saxena</b> , Chief Information Officer <b>Jeff Lowney</b> , President, Enterprise and Wholesale <b>Courtland Madock</b> , President, Consumer & Small Business <b>Colon McLean</b> , Chief Human Resources Officer <b>Steve Tugentman</b> , Chief Legal Officer <b>Amy Wulfestieg</b> , Chief Communications Officer <b>Juan Rio</b> , Chief Transformation Officer <b>Sherry Hessenthaler</b> , Chief Corporate Development Officer

(2) Applicant seeks to offer its proposed telecommunications and VoIP services throughout the State of Missouri.

(3) Applicant is legally, financially, and technically qualified to provide the requested authorization to provide the proposed telecommunications and interconnected VoIP services;

- (4) Applicant is ready, willing, able, and will comply with all applicable state and federal laws and regulations imposed upon providers of the proposed telecommunications and interconnected VoIP services;
- (5) Applicant will comply with applicable assessment requirements. These assessments include but are not necessarily limited to, as applicable:
- (a) Relay Missouri assessment requirements identified in 20 CSR 4240-28.012(2)(C);
  - (b) Missouri universal service fund assessment requirements identified in 20 CSR 4240-28.012(2)(B);
  - (c) Missouri Public Service Commission assessment requirements identified in 20 CSR 4240-28.012(2)(A);
  - (d) Local enhanced 911; and
  - (e) Any applicable license tax.
- (6) Applicant will comply with applicable reporting requirements identified in 20 CSR 4240-28.012, including maintaining an updated list of company contacts in the Missouri Commission's Electronic Filing and Information System;
- (7) Applicant has established a process for handling inquiries from customers concerning billing issues, service issues, and other consumer-related complaints; and
- (8) Applicant's service meets the criteria as defined within Section 386.020 of the Revised Statutes of Missouri for the proposed services sought for certification or registration.

The undersigned requests waiver of Rule 4.017 for good cause. By signing this form, I hereby certify that neither I, nor any other members of this filing party, has had communications with a Commissioner, Commissioner Advisor, Regulatory Law Judge, or any member of their

support team in the one hundred fifty (150) days prior to the filing date of this application regarding any substantive issue included in this filing.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. This concludes my affidavit.



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Pamela Sherwood  
Vice President, Regulatory Compliance and  
Broadband Office  
Connect Holding II LLC

State of Ohio

County of Franklin

Subscribed and sworn before me this 19<sup>th</sup> day of June, 2025.



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Notary Public

Notary Seal:

Notarized online using audio-video communication

