

Telecommunications  
E Commerce  
Technology  
Corporate & Finance  
Trademarks  
Proprietary Rights  
Complex Litigation  
General Business Law

# The Helein Law Group, LLP

8180 Greensboro Drive  
Suite 700  
McLean, VA 22102

(703) 714-1300 (Telephone)  
(703) 714-1330 (Facsimile)  
mail@thlglaw.com

Writer's Direct Dial Number

(703) 714-1313

August 26, 2004

## Via Overnight Courier

Tom Dorman, Executive Director  
Kentucky Public Service Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40601

**Re: *In the Matter of the Informational Filing of C.M., Inc.  
for Authority to Operate as a Reseller of Interexchange  
Telephone Service Throughout Kentucky***

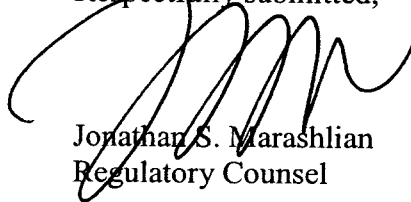
Dear Mr. Dorman:

On behalf of C.M., Inc. ("CM"), transmitted herewith is an original plus three (3) copies of its Information Filing for Authority to Operate as a Reseller of Interexchange Telephone Service Throughout Kentucky.

An additional copy of this filing is also enclosed, to be date-stamped and returned in the postage-prepaid envelope provided.

Should there be any questions regarding this matter, kindly contact the undersigned.

Respectfully submitted,



Jonathan S. Marashlian  
Regulatory Counsel

JSM/sr  
Enclosure

**RECEIVED**

AUG 27 2004

**PUBLIC SERVICE  
COMMISSION**

Writer's E-mail Address

jsm@thlglaw.com

22205368-0510

tie to

05053680

(9500)

**Before the  
PUBLIC SERVICE COMMISSION OF KENTUCKY**

IN THE MATTER OF THE INFORMATIONAL )  
FILING OF C.M., INC., ) No. \_\_\_\_\_  
FOR AUTHORITY TO OPERATE AS A RESELLER OF )  
INTEREXCHANGE TELEPHONE SERVICE )  
THROUGHOUT KENTUCKY )

C.M., Inc. ("CM") hereby submits the following information in accordance with the provisions of Administrative Case No. 359 and its proposed tariff in accordance with 807 KAR 5:011.

1. The name, address and telephone number of the company is:

C.M., Inc.  
1030 Oak Trace  
Evansville, IN 47725  
Tel: 812-867-0161  
Fax: 812-474-4152  
Toll-free: 800-441-7975  
Internet: [www.cmiaccess.com](http://www.cmiaccess.com)

2. A copy of the Company's Certificate of Existence and Kentucky Certificate of Authority attached hereto as **Exhibits A and B**.
3. The name, street address, telephone and fax numbers of the responsible contact person(s) for customer complaints and regulatory issues:

Customer Service Contact:

Michael S. Atkinson  
President  
C.M., Inc.  
1030 Oak Trace  
Evansville, IN 47725  
Tel: 812-867-0161  
Fax: 812-474-4152  
E-mail: [carrier0814@prodigy.net](mailto:carrier0814@prodigy.net)

Regulatory Contact:

Jonathan S. Marashlian  
The Helein Law Group, LLP  
8180 Greensboro Drive, Suite 700  
McLean, VA 22101-3828  
Phone: (703) 714-1313  
Fax: (703) 714-1330  
E-mail: [jsm@thlglaw.com](mailto:jsm@thlglaw.com)

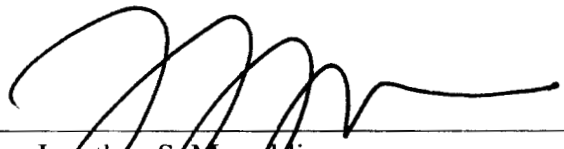
4. A notarized statement that the company has not provided or collected for intrastate service in Kentucky prior to filing its tariff is attached as **Exhibit C**.
5. The Company does not intend to provide operator assisted services to traffic aggregators as defined in Administrative Case No. 330.
6. The Company's proposed tariff is attached as **Exhibit D**.

WHEREFORE, Buyers United, Inc. requests that the Public Service Commission of the Commonwealth of Kentucky grant authority to engage in the resale of interexchange telecommunications services to the public in accordance with applicable laws currently in effect or hereinafter enacted by the Commission.

Respectfully submitted this 26<sup>th</sup> day of August, 2004.

C.M., INC.

By: \_\_\_\_\_

  
Jonathan S. Marashlian  
The Helein Law Group, LLP  
8180 Greensboro Drive, Suite 700  
McLean, Virginia 22102  
Ph: (703) 714-1313


VERIFICATION OF APPLICANT

STATE OF INDIANA )  
 )  
COUNTY OF VANDERBUGH )


SS:

I, Michael S. Atkinson, being first duly sworn, state that I am President of C.M., Inc., the Applicant herein; that I have reviewed the matters set forth in the Application and Exhibits and the statements contained therein are true to the best of my knowledge, except as to those matters which are stated on information or belief, and as to those matters I believe them to be true.

C.M., INC.

By:   
Michael S. Atkinson, President

Sworn to and subscribed before me this 25<sup>th</sup> day of August, 2004.

  
Notary Public  
Tonya E. Hanson, a resident  
of Warrick County IN  
My Commission Expires: 9-22-08

**EXHIBIT A**

**CERTIFICATE OF EXISTENCE**

STATE OF INDIANA  
OFFICE OF THE SECRETARY OF STATE  
CERTIFICATE OF EXISTENCE

To Whom These Presents Come, Greetings:

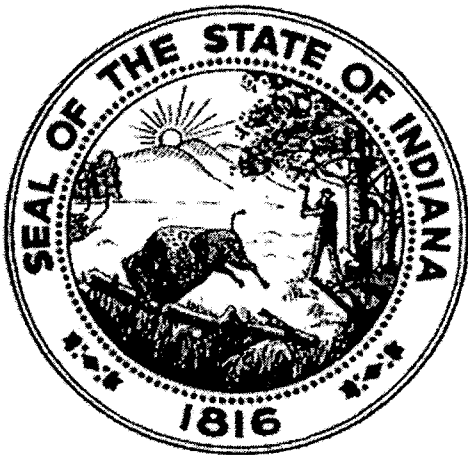
I, TODD ROKITA, Secretary of State of Indiana, do hereby certify that I am, by virtue of the laws of the State of Indiana, the custodian of the corporate records, and proper official to execute this certificate.

I further certify that records of this office disclose that

C M INC

duly filed the requisite documents to commence business activities under the laws of State of Indiana on September 09, 1985, and was in existence or authorized to transact business in the State of Indiana on August 04, 2004.

I further certify this For-Profit Domestic Corporation has filed its most recent report required by Indiana law with the Secretary of State, or is not yet required to file such report, and that no notice of withdrawal, dissolution or expiration has been filed or taken place.



In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this Fourth Day of August, 2004 .

A handwritten signature in black ink that reads "Todd Rokita".

TODD ROKITA, Secretary of State

198509-194 / 2004080414702

**EXHIBIT B**

**KENTUCKY CERTIFICATE OF AUTHORITY**

COMMONWEALTH OF KENTUCKY  
JOHN Y. BROWN III  
SECRETARY OF STATE

0492323.09

John Y. Brown III  
Secretary of State

APPLICATION FOR CERTIFICATE OF AUTHORITY

Received and Filed  
04/20/09 11:58 AM

Pursuant to the provisions of KRS Chapter 271B, 273 or 274, the undersigned hereby applies for authority to transact business on behalf of the corporation named below and for that purpose submits the following statements:

Fee Receipt: \$90.00

dday-P101

1. The corporation is  a business corporation (KRS 271B),  a nonprofit corporation (KRS 273),  a professional service corporation (KRS 274).

2. The name of the corporation is  
C M INC

3. The name of the corporation to be used in Kentucky is  
CARRIER MARKETING, INC.

(If real name is unavailable for use)

4. INDIANA is the state or country under whose law the corporation is incorporated.

5. 9/09/85 is the date of incorporation and the period of duration is UNLIMITED

6. The street address of the corporation's principal office is  
1030 OAK TRACE EVANSVILLE IN 47725

7. The street address of the corporation's registered office in Kentucky is  
KENTUCKY HOME LIFE BUILDING LOUISVILLE, KY 40202

and the name of the registered agent at that office is  
C T CORPORATION SYSTEM

8. The names and usual business addresses of the corporation's current officers and directors are as follows:

|                |                     |                                     |
|----------------|---------------------|-------------------------------------|
| President      | MICHAEL S ATKINSON  | 1030 OAK TRACE EVANSVILLE, IN 47725 |
| Vice President |                     |                                     |
| Secretary      | GEORGE ANN ATKINSON | 1030 OAK TRACE EVANSVILLE, IN 47725 |
| Treasurer      | GEORGE ANN ATKINSON | 1030 OAK TRACE EVANSVILLE, IN 47725 |
| Directors      |                     |                                     |

(Attach a continuation sheet, if necessary)

9. If a professional service corporation, all the individual shareholders, not less than one half of the directors, and all of the officers other than the secretary and treasurer are licensed in one or more states or territories of the United States or District of Columbia to render a professional service described in the statement of purposes of the corporation.

10. A certificate of existence duly authenticated by the Secretary of State accompanies this application.

11. This application will be effective upon filing, unless a delayed effective date and/or time is specified:

*George Ann Atkinson*  
Signature  
GEORGE ANN ATKINSON SEC/TRES  
Type or Print Name & Title

Date: MARCH 31, 20 00

I, C T CORPORATION SYSTEM, consent to serve as the registered agent on behalf of the corporation.  
Type or print name of registered agent

SEE ATTACHED SIGNED STATEMENT OF CONSENT OF REGISTERED AGENT  
Signature of Registered Agent

Type or Print Name & Title



COMMONWEALTH OF KENTUCKY  
REVENUE CABINET  
FRANKFORT  
40620

CARRIER MARKETING INC  
1030 OAK TRACE  
EVANSVILLE IN 47725

DATE: FEBRUARY 18, 2000

SUBJECT: KENTUCKY CORPORATION INCOME AND LICENSE TAX  
ACCOUNT NUMBER

THE CORPORATION HAS BEEN ASSIGNED ACCOUNT NUMBER 162276  
TO BE USED WHEN FILING KENTUCKY CORPORATION INCOME AND  
LICENSE TAX RETURNS. PLEASE USE THIS ACCOUNT NUMBER ON ALL  
RETURNS AND CORRESPONDENCE REGARDING KENTUCKY CORPORATION  
INCOME AND LICENSE TAXES.

A KENTUCKY CORPORATION INCOME AND LICENSE TAX RETURN MUST BE FILED  
BY EVERY CORPORATION;

- A) ORGANIZED UNDER THE LAWS OF KENTUCKY;
- B) HAVING ITS COMMERCIAL DOMICILE IN KENTUCKY (KRS 141.120(1)(B));
- C) OWNING OR LEASING PROPERTY IN KENTUCKY;
- D) HAVING ONE (1) OR MORE INDIVIDUALS EMPLOYED OR SUBJECT TO  
UNEMPLOYMENT INSURANCE TAX IN KENTUCKY; OR
- E) WHICH IS A PARTNER IN A PARTNERSHIP DOING BUSINESS IN KENTUCKY.

IF THE CORPORATION HAS PREVIOUSLY BEEN ACTIVE, RETURNS MAY BE DUE  
FOR PRIOR YEARS. CORPORATION RETURNS MAY BE OBTAINED BY ONE OF  
THE FOLLOWING METHODS:

- 1) TAXFAX, A FAX-ON-DEMAND SERVICE, AT (502) 564-4459;
- 2) THE KENTUCKY REVENUE CABINET WEB PAGE AT  
[WWW.STATE.KY.US/AGENCIES/REVENUE/REVHOME.HTM](http://WWW.STATE.KY.US/AGENCIES/REVENUE/REVHOME.HTM).

IF YOU HAVE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT THE CORPORATION  
TAX SECTION AT THE ADDRESS OR PHONE NUMBER BELOW.

CORPORATION TAX SECTION  
DIVISION OF COMPLIANCE AND TAXPAYER ASSISTANCE  
STATION 52  
P.O. BOX 1302  
FRANKFORT KY 40602  
(502) 564-8139

AN EQUAL OPPORTUNITY EMPLOYER M/F/D

REVISED FORM 11/93 BY V. NBO

**COMMONWEALTH OF KENTUCKY**  
**REVENUE CABINET**  
**SALES AND USE TAX PERMIT**

NAME & ADDRESS  
CARRIER MARKETING INC  
1050 OAK TRACE  
EVANSVILLE IN 47711

ACCOUNT NUMBER  
180332  
↑  
REFER TO THIS NUMBER  
IN ALL CORRESPONDENCE

| PROCESSING DATA |        |         |       | ISSUE DATE |      |
|-----------------|--------|---------|-------|------------|------|
| SUBCH           | COUNTY | SUBSESS | MONTH | DAY        | YEAR |
|                 | 142    | 069     | 02    | 19         | 2000 |

THIS GENERAL BUSINESS LICENSE IS ISSUED PURSUANT TO KRS 152.957.

POST IN A CONSPICUOUS PLACE

THIS PERMIT IS NOT TRANSFERABLE

THIS PERMIT IS ISSUED PURSUANT  
TO AUTHORITY OF CHAPTER 139 OF  
THE KENTUCKY REVISED STATUTES  
AND IS VALID UNTIL CANCELLED OR  
REVOKED.



**EXHIBIT C**

**NOTARIZED STATEMENT**

Before the  
PUBLIC SERVICE COMMISSION OF KENTUCKY

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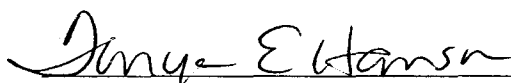
I, Michael S. Atkinson, President of C.M., Inc., do hereby attest that:

C.M. has not provided or collected for retail intrastate service in Kentucky prior to filing its tariff.



Michael S. Atkinson, President

Sworn to and subscribed before me this 25<sup>th</sup> day of August, 2004.



Notary Public

Tonya E. Hanson, a resident  
of Warrick County, IN

My Commission Expires: Sept 22, 2008

**EXHIBIT D**

**PROPOSED INTRASTATE TARIFF**

**C.M., Inc.**

1030 Oak Trace  
Evansville, IN 47725

RATES, RULES AND REGULATIONS for FURNISHING

RESALE TELECOMMUNICATIONS SERVICES

Filed with the

PUBLIC SERVICE COMMISSION OF KENTUCKY

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of telecommunications services provided by C.M., Inc. between points within the Commonwealth of Kentucky.

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Issued:

Effective:

Issued by: Michael S. Atkinson, President  
1030 Oak Trace  
Evansville, IN 47725