

McGILL, GOTSDINER, WORKMAN & LEPP, P.C., L.L.O.

R. THOMAS WORKMAN
GARY M. GOTSDINER
ROBERT L. LEPP
MICHAEL S. MOSTEK
PAUL R. ELOFSON
ROBERT J. KMIECIK
KEITH A. GREEN
MARK A. PIEPER
MARY L. HEWITT
ALAN E. PEDERSEN
JULIE ENGELHARDT
ADRIENNE H. BENNETT
KRISTIN S. CARNABY
CHRISTINA M. FINK

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11404 WEST DODGE ROAD
OMAHA, NEBRASKA 68154-2584
(402) 492-9200
FAX: (402) 492-9222
INTERNET: mgwl@mgwl.com

OF COUNSEL:

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WILLIAM E. MOONEY
RONALD R. VOLKMER
G. MICHAEL FENNER

RECEIVED
SEP 07 2001
PUBLIC SERVICE
COMMISSION
STEPHEN T. MCGILL
(1942-1997)

August 31, 2001

Via Certified Mail

Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

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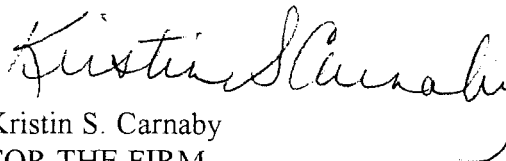
RE: Viva Telecom, L.L.C.
Our File No.: 7704-0003

Dear Sir/Madam:

Enclosed for filing in your office please find the original plus four copies of Viva Telecom, L.L.C.'s ("Viva") Informational Filing for Authority to Operate as a Reseller of Interexchange Telecommunications Services in Kentucky. Included with the filing is a copy of Viva's proposed tariff.

If you have any questions, or need anything further to process this filing, please contact the undersigned.

Very truly yours,



Kristin S. Carnaby
FOR THE FIRM

KSC:ksc
Enc.
cc: Mary Timmins
#209649.1

RECEIVED

SEP 07 2001

PUBLIC SERVICE
COMMISSION

BEFORE THE
PUBLIC SERVICE COMMISSION OF KENTUCKY

IN THE MATTER OF THE)
INFORMATIONAL FILING OF)
VIVA TELECOM, L.L.C. FOR)
AUTHORITY TO OPERATE AS A)
RESELLER OF INTEREXCHANGE)
TELECOMMUNICATIONS)
SERVICES THROUGHOUT)
KENTUCKY)

No. _____

Pursuant to Administrative Case 359, Viva Telecom, L.L.C. ("Viva"), hereby submits the following:

1. Name and Address of Utility

Viva Telecom, L.L.C.
1844 South 3850 West, Suite A
Salt Lake City, UT 84104
(801) 990-0325
(801) 990-0326 - fax

2. A copy of Viva's Articles of Organization and Kentucky Certificate of Authority are attached as Exhibits A and B.

3. Customer complaint contact

Jeddie W. Ricks
1844 South 3850 West, Suite A
Salt Lake City, UT 84104
(801) 990-0325
(801) 990-0326 - fax

4. Regulatory issues contact

Mark A. Pieper
Kristin S. Carnaby
McGill, Gotsdiner, Workman & Lepp, P.C., L.L.O.
11404 West Dodge Road, Suite 500
Omaha, NE 68154-2584
(402) 492-9200
(402) 492-9222 - fax


5. The required notarized officer's statement is attached as Exhibit C.
6. Viva does not seek to provide operator assisted services to traffic aggregators as defined in Administrative Case No. 300.
7. A copy of Viva's proposed tariff is attached as Exhibit D.

WHEREFORE, Viva Telecom, L.L.C. requests that the Public Service Commission of Kentucky grant it 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 31st day of August, 2001.

VIVA TELECOM, L.L.C.

By:


Kristin S. Carnaby

MCGILL, GOTSCHNER, WORKMAN & LEPP, P.C.,
L.L.O.

11404 West Dodge Road, Suite 500

Omaha, NE 68154-2584

(402) 492-9200

VERIFICATION OF APPLICANT

STATE OF UTAH)
) ss.
COUNTY OF Salt Lake)

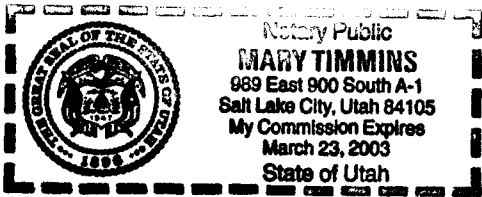
I, Jeddie W. Ricks, being first duly sworn, state that I am a Manager of Viva Telecom, L.L.C., the Applicant herein; that I have reviewed the matters set forth in the Application and Exhibits and the statements contained therein are true to the best of my knowledge, except as to those matters which are stated on information or belief, and as to those matters I believe them to be true.

VIVA TELECOM, L.L.C.

By: Jeddie W. Ricks
Jeddie W. Ricks, Manager

Sworn to and subscribed before me this 27 day of August, 2001.

Mary Timmins
Notary Public





Utah Department of Commerce
Division of Corporations & Commercial Code
160 East 300 South, 2nd Floor, Box 146705
Salt Lake City, UT 84114-6705
Phone: (801) 530-4849
Toll Free: (877)526-3994 Utah Residents
Fax: (801) 530-6438
Web site: <http://www.commerce.state.ut.us>

Registration Number: 4816675-0160
Business Name: VIVA TELECOM, L.L.C.
Registered Date: SEPTEMBER 27, 2000

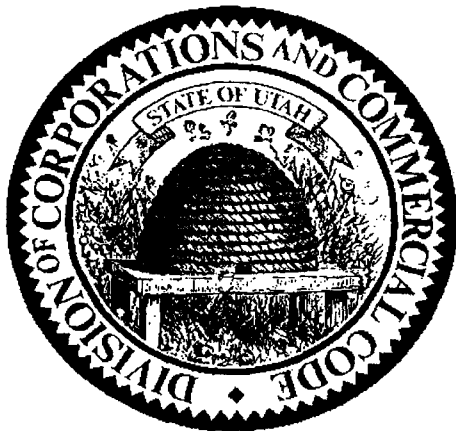
03/16/01

CERTIFIED COPY OF THE ARTICLES OF ORGANIZATION

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE ("DIVISION") HEREBY CERTIFIES THAT THE ATTACHED IS TRUE, CORRECT, AND COMPLETE COPY OF THE ARTICLES OF

VIVA TELECOM, L.L.C.

AS APPEARS OF RECORD IN THE OFFICE OF THE DIVISION.



Ric Campbell

Ric Campbell
Acting Division Director of
Corporations and Commercial Code

Dept. of Professional Licensing
(801)530-6628

Real Estate
(801)530-6747

Public Utilities
(801)530-6651

Securities
(801)530-6600

Consumer Protection
(801)530-6601

04816675

KA

ARTICLES OF ORGANIZATION
OF
VIVA TELECOM, L.L.C.

FILED
SEP 27 2000

Utah Sta Of Corp. & Comm. Code

The undersigned acting as Manager(s) of this Utah Limited Liability Company (the "Company") under the Utah Limited Liability Company Act, adopts the following Articles of Organization for the Company:

1. The name of the Company is Viva Telecom, L.L.C.
2. The latest date upon which the Company is to be dissolved is January 1, 2080.
3. The principal business purpose for which the Company is formed is to transact any and all lawful business for which limited liability companies may be organized under the Act.
4. The street address of the Company's registered office and the name and street address of the registered agent and the principal place of business where the records required to be maintained are to be kept are as follows:

Dallas W. Ricks
3545 South 3200 West
West Valley City, Utah 84119

I hereby consent to be named as the registered agent of the Company.

Dallas W Ricks
Dallas W. Ricks

5. The Company appoints the director of the Division of Corporations and Commercial Code of the Utah Department of Commerce as agent for service of process of the Company if the appointed registered agent has resigned, the registered agent's authority has been revoked, or if the agent cannot be found or served with the exercise of reasonable diligence.

09-27-00P01:34 RCVD

296350.1

6. The business and affairs of the Company shall be managed by Managers. The name and address of each Manager of the Company is as follows:

Dallas W. Ricks
3545 South 3200 West
West Valley City, Utah 84119

Timothy S. Ricks
3545 South 3200 West
West Valley City, Utah 84119

Jeddie W. Ricks
3545 South 3200 West
West Valley City, Utah 84119

Dated this 20th day of September, 2000.

MANAGERS:

Dallas W. Ricks
Dallas W. Ricks

Timothy S. Ricks
Timothy S. Ricks

Jeddie W. Ricks
Jeddie W. Ricks

4816675

XS

I Herby certify that the foregoing has been filed
and approved on this 17 day of Nov 2000
in the office of this Division and hereby issue
this Certificate thereof.

AMENDED ARTICLES OF ORGANIZATION

OF
VIVA TELECOM, L.L.C.

Lineer _____ Date 11/27/00



LORENA RIFFONENSON
DIVISION DIRECTOR

On September 27, 2000, Articles of Organization for Viva Telecom, L.L.C. were filed with the State of Utah. The undersigned acting as Managers of this Utah Limited Liability Company (the "Company") under the Utah Limited Liability Company Act, hereby adopts the Amended Articles of Organization for the Company as follows:

1. The name of the Company is Viva Telecom, L.L.C.
2. The latest date upon which the Company is to be dissolved is January 1, 2080.
3. The principal business purpose for which the Company is formed is to transact any and all lawful business for which limited liability companies may be organized under the Act.
4. The street address of the Company's registered office and the name and street address of the registered agent and the principal place of business where the records required to be maintained are to be kept are as follows:

Jeddie W. Ricks
2009 South 4130 West #D
Salt Lake City, Utah 84104

I hereby consent to be named as the registered agent of the Company.

Jeddie W. Ricks

Jeddie W. Ricks

5. The Company appoints the director of the Division of Corporations and Commercial Code of the Utah Department of Commerce as agent for service of process of the Company if the appointed registered agent has resigned, the registered agent's authority has been revoked, or if the agent cannot be found or served with the exercise of reasonable diligence.

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FILED

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JBB

11-17-00 10:11 AM

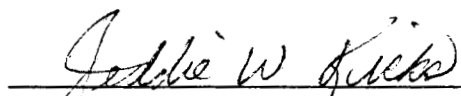
6. The business and affairs of the Company shall be managed by Managers. The name and address of each Manager of the Company is as follows:

Jeddie W. Ricks
2009 South 4130 West #D
Salt Lake City, Utah 84104

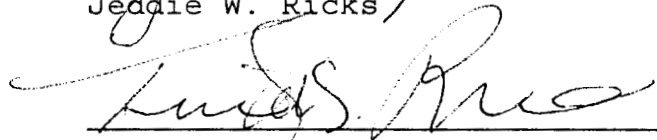
Timothy S. Ricks
2009 South 4130 West #D
Salt Lake City, Utah 84104

Dated this 16 day of Nov, 2000.

MANAGERS:



Jeddie W. Ricks



Timothy S. Ricks

COMMONWEALTH OF KENTUCKY
JOHN Y. BROWN III
SECRETARY OF STATE

COPY
8588896.00



John Y. Brown III
Secretary of State
Received and Filed
01/16/2001 11:55 AM
Fee Receipt: \$90.00
Pcraine - L902

APPLICATION FOR CERTIFICATE OF AUTHORITY

Pursuant to the provisions of KRS Chapter 275, the undersigned hereby applies for authority to transact business in Kentucky on behalf of the limited liability company named below and for that purpose submits the following statements:

1. The company is a limited liability company (LLC).
 a professional limited liability company (PLLC).

2. The name of the limited liability company is
Viva Telecom, L.L.C.

3. The name of the limited liability company to be used in Kentucky is

(if "real name" is unavailable for use)

4. Utah is the state or country of organization.

5. October 1, 2000 is the date of organization and, if the limited liability company has a specific date of dissolution, the latest date upon which the limited liability company is to dissolve is N/A

6. The street address of the office required to be maintained in the state of formation or, if not so required, the principal office address is
2009 South 4130 West, #D Salt Lake City Utah 84104
Street City State Zip Code

7. The names and usual business addresses of the current managers, if any, are as follows:
Jeddie W. Ricks 2009 South 4130 West #D Salt Lake City, UT 84104
Name Address
Timothy S. Ricks 2009 South 4130 West #D Salt Lake City, UT 84104
Name Address
(Attach a continuation, if necessary)

8. The street address of the registered office in Kentucky is
828 Lane Allen Road, Suite F4 Lexington KY 40504
Street City State Zip Code

and the name of the registered agent at that office is
Lexis Document Services Inc.

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

(Delayed effective date and/or time)

I certify that, as of the date of filing this application, the above-named limited liability company validly exists as a limited liability company under the laws of the jurisdiction of its formation.

Jeddie W. Ricks
Signature
Jeddie W. Ricks, Manager
Type or Print Name & Title

Date: December 11, 2000

I, Lexis Document Services Inc., consent to serve as the registered agent on behalf of the limited liability company.
Type or print name of registered agent

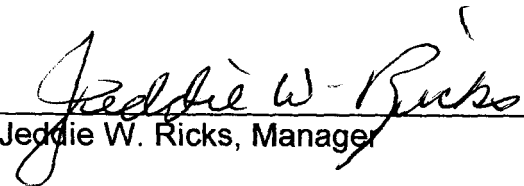
Rebecca Heisler Asst Secretary
Signature of Registered Agent
Rebecca Heisler, Assistant Secretary
Type or Print Name & Title

OFFICER'S STATEMENT

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

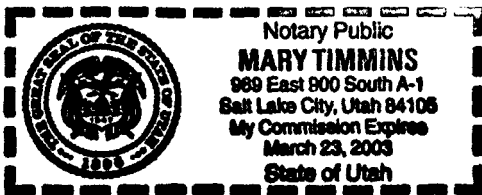
Jeddie W. Ricks, being first duly sworn, deposes and states that he is a Manager of Viva Telecom, L.L.C. ("Viva") and that Viva has provided service in Kentucky, and they will refund or credit customer accounts for all monies already collected for intrastate service in Kentucky prior to the filing of this Notice of Intent.

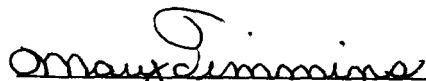
VIVA TELECOM, L.L.C.



Jeddie W. Ricks, Manager

Subscribed and sworn to before me this 20th day of August, 2001.





Notary Public