

124 West Allegan Street, Suite 1000
Lansing, Michigan 48933
T (517) 482-5800 F (517) 482-0887
www.fraserlawfirm.com

Douglas J. Austin	Edward J. Castellani	Jennifer Utter Heston	RETIRED
Michael E. Cavanaugh	Peter D. Houk	Samantha A. Kopacz	Donald A. Hines
David E.S. Marvin	Jonathan E. Raven	Paul V. McCord	John J. Loose
Stephen L. Burlingame	Thaddeus E. Morgan	Brian T. Gallagher	Archie C. Fraser
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Gary C. Rogers	Elizabeth H. Latchana	Laura S. Fausssié	Everett R. Trebilcock
Mark A. Bush	Brian P. Morley	Richard C. Vershava*	(1918-2002)
Michael H. Perry	Max R. Hoffman, Jr.	Norbert T. Madison, Jr.	James R. Davis
Brandon W. Zuk	Thomas L. Sparks	Meisa M. W. Mysliwicz	(1918-2005)
Thomas J. Waters	Paula J. Manderfield	Aaron L. Davis	Mark R. Fox
Michael S. Ashton	Marlaine C. Teahan	Paul C. Mallon, Jr.	(1953-2011)
H. Kirby Albright	Mark E. Kellogg	Shaina R. Reed	Peter L. Dunlap, P.C.
Graham K. Crabtree	Ryan K. Kauffman	Jared A. Roberts	
Michael P. Donnelly			

*Licensed to Practice in Washington, Not licensed to practice in Michigan

mashton@fraserlawfirm.com

(517) 377-0875

December 10, 2018

Ms. Kavita Kale, Executive Secretary
Michigan Public Service Commission
7109 W. Saginaw Hwy.
Lansing, MI 48917

RE: MPSC Docket No. U-20301
*In the matter of the Application of Xclutel, LLC for a License to Provide Basic
Local Exchange Service*

Dear Ms. Kale:

Enclosed for filing in the above-referenced matter, please find the ***Amended Testimony Of Scott Sinclair, Chief Executive Officer Of Xclutel, LLC***. The originally filed exhibits remain unchanged.

If you have any questions or concerns with the enclosed, please do not hesitate to contact me.

Very truly yours,

Fraser Trebilcock Davis & Dunlap, P.C.



Michael S. Ashton

MSA/ab
Enclosures

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

* * * * *

In the matter of the Application of	§	
Xclutel, LLC for a License to Provide Basic	§	Case No. U-20301
Local Exchange Service	§	
_____	§	

**AMENDED TESTIMONY OF SCOTT SINCLAIR
CHIEF EXECUTIVE OFFICER OF XCLUTEL, LLC**

1 Q. PLEASE STATE YOUR NAME, POSITION, AND BUSINESS ADDRESS.

2 A. My name is Scott Sinclair. I am the Chief Executive Officer of Xclutel, LLC (“Xclutel”).
3 In my capacity as Chief Executive Officer, I am responsible for the day to day business of
4 the company. My business address is 3075 Tollview Dr., Rolling Meadows, Illinois 60008.

5
6 Q. PLEASE BRIEFLY DESCRIBE YOUR BACKGROUND AND QUALIFICATIONS.

7 A. I have more than 20 years of experience in the telecommunications industry and currently
8 oversee sales, marketing and operations of Xclutel. My experience is further described in
9 the Resume attached as Exhibit A-3 hereto.

10

11 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

12 A. The purpose of my testimony is to describe and support Xclutel’s application for a license
13 to provide local service within the State of Michigan.

14

15 Q. PLEASE DESCRIBE THE OPERATIONS OF XCLUTEL.

16 A. Xclutel is an Illinois Corporation in good standing and registered to do business in
17 Michigan. See Exhibit A-1. Xclutel seeks authorization to provide basic local exchange
18 service within incumbent geographic territories of AT&T Michigan, Frontier North, Inc.,
19 and Frontier Midstates, Inc. in the State of Michigan. Xclutel is currently authorized to
20 provide local exchange and long-distance services in Illinois and Indiana. Xclutel will
21 offer facilities based and resale of intrastate private line/special access service as well as

1 local exchange, interexchange service (long distance) and information services. Xclutel
2 intends to offer service within one year from the date its license is granted.

3
4 Q. PLEASE OUTLINE XCLUTEL'S MANAGERIAL, TECHNICAL AND FINANCIAL
5 QUALIFICATIONS.

6 A. Xclutel has extensive qualifications to provide local exchange service. Descriptions of the
7 technical and managerial experience of Xclutel's personnel are attached as Exhibit A-3. As
8 indicated in that Exhibit, Xclutel personnel have extensive experience in the
9 telecommunications industry. Xclutel has access to adequate technical and managerial
10 resources to perform the services for which it seeks authority.

11
12 Q. HAS ANY OF XCLUTEL'S MANAGERIAL, FINANCIAL OR TECHNICAL STAFF
13 PREVIOUSLY BEEN EMPLOYED BY AN ENTITY LICENSED BY THE MICHIGAN
14 PUBLIC SERVICE COMMISSION?

15 A. I previously served as Chief Executive Officer of Airdis Telecom, LLC, previously located
16 at 2215 Enterprise Dr., Westchester, IL 60154. This company operated from 2005 to 2009,
17 prior to its winding down in 2010 due to an internal management dispute that resulted from
18 the mismanagement of a loan by the company's Chief Financial Officer. It is my
19 understanding that, subsequent to our operational wind-down, one-last annual report was
20 filed with the Michigan Corporations Bureau in May of 2010. I have recently been informed
21 that Airdis Telecom's license to operate in Michigan was revoked subsequent to its close
22 of business. Airdis Telecom relied upon a third-party vendor to provide compliance

1 support; this company should have surrendered Airdis Telecom's certificate subsequent to
2 the unwinding of the business. I apologize for the error; Xclutel does not rely upon that
3 third-party vendor for compliance support. Xclutel instead contracts with CT Corporation
4 and also relies upon the support of FosterLaw to ensure that compliance requirements are
5 met. As a result of these additional changes, Xclutel believes that it will not have any future
6 non-compliance issues and Xclutel is prepared to timely notify the Commission of a change
7 to its Chief Executive Officer or operations within Michigan.

8
9 Q. DOES XCLUTEL HAVE ADEQUATE ACCESS TO THE CAPITAL NECESSARY TO
10 PROVIDE THE PROPOSED LOCAL EXCHANGE SERVICES IN MICHIGAN?

11 A. Yes. Xclutel has the ability to fund proposed operations in Michigan from current assets
12 and business operations as demonstrated in Confidential Exhibit A-2

13
14 Q. WHAT GEOGRAPHIC AREAS WILL XCLUTEL SERVE?

15 A. Xclutel seeks authority to provide services in the incumbent geographic territories of
16 AT&T Michigan, Frontier North, Inc., and Frontier Midstates, Inc. throughout the State of
17 Michigan.

18
19 Q. HOW WILL XCLUTEL ESTABLISH ITS LOCAL CALLING AREAS?

20 A. Xclutel's local calling areas will be the same as the local calling areas of the incumbent
21 local exchange carriers.

1 Q. IF AUTHORIZED TO PROVIDE LOCAL EXCHANGE SERVICES, WILL XCLUTEL
2 ABIDE BY THE RULES, REGULATIONS, POLICIES AND ORDERS OF THIS
3 COMMISSION, AND THE LAWS OF THE STATE OF MICHIGAN, IN ITS
4 PROVISION OF LOCAL EXCHANGE TELECOMMUNICATIONS SERVICE,
5 INCLUDING AN AGREEMENT TO PROVIDE LOCAL EXCHANGE SERVICES
6 WITHIN ONE YEAR OF BEING GRANTED A LICENSE?

7 A. Yes.

8

9 Q. PLEASE DESCRIBE THE PUBLIC INTEREST BENEFITS ASSOCIATED WITH
10 XCLUTEL'S PROPOSED OFFERING OF LOCAL SERVICES IN MICHIGAN.

11 A. The grant of Xclutel's application will further the public interest and benefit all
12 telecommunication consumers within the State of Michigan. Xclutel's provision of
13 telecommunication services would promote the public interest by providing high-quality
14 service at competitive prices.

15

16 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

17 A. Yes, it does.