

April 22, 2016

VIA PRIORITY MAIL

Mr. Donald Cole, Acting Executive Director
Virgin Islands Public Services Commission
P.O. Box 40
Charlotte Amalie
Saint Thomas, VI 00804

Re: Capital Networks USVI, LLC – Petition for Authorization to Operate as a Telecommunications Service Provider within the U.S. Virgin Islands

Dear Mr. Cole:

Capital Networks USVI, LLC (“Capital Networks USVI”), by its undersigned counsel, hereby submits one (1) original redacted, public copy and one (1) original confidential copy of its Petition for Authorization to Operate as a Telecommunications Service Provider within the U.S. Virgin Islands (“Petition”).

Capital Networks USVI respectfully requests that the Commission deem the financial statements submitted as **Exhibit C** confidential and exempt from public disclosure pursuant to 33 V.I. Code R. §§ 881(g)(3), and (6). Capital Networks USVI considers the information contained in the financial statements to be trade secret and competitively sensitive – the disclosure of which would give an undue advantage to competitors, and serve no public purpose. Accordingly, Capital Networks USVI requests that the financial statements be exempt from public disclosure pursuant to the applicable laws and regulations.

An additional copy of this transmittal letter is provided. Please date-stamp and return the additional copy of this letter in the self-addressed envelope provided.

Should you have any questions regarding the contents of this transmittal, please contact the undersigned.

Respectfully submitted,

Michael P. Donahue

Counsel for Capital Networks USVI, LLC

Enclosures

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**BEFORE THE
VIRGIN ISLANDS PUBLIC SERVICES COMMISSION**

In the Matter of the Petition of)
Capital Networks USVI, LLC)
For Authorization to Operate)
As a Telecommunications Service Provider)
Within the U.S. Virgin Islands)

Case No. 658

PETITION

Capital Networks USVI, LLC (“Capital Networks USVI,” or “Petitioner”), pursuant to the Rules of the Virgin Islands Public Services Commission (“Commission”), respectfully requests the Commission for authorization to provide telecommunications services in the U.S. Virgin Islands (the “Petition”).

In support of this Petition, Capital Networks USVI states as follows:

1. Petitioner’s Name and Contact Information:

Capital Networks USVI, LLC
925B Peachtree Street NE, Suite 710
Atlanta, GA 30309
Tel: (877) 296-1009
Fax: N/A
Email: info@itbutility.com
Website: www.itbutility.com

2. Petitioner’s Representatives:

Correspondence regarding the Petitioner’s ongoing regulatory compliance should be directed to:

David Garner, Vice President
Capital Networks USVI, LLC
925B Peachtree Street NE, Suite 710
Atlanta, GA 30309
Tel: (877) 296-1009
Fax: N/A
Email: info@itbutility.com

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Correspondence concerning this Petition should be directed to:

Michael P. Donahue
Keenan P. Adamchak
Marashlian & Donahue, PLLC
1420 Spring Hill Road, Suite 401
McLean, VA 22102
Tel: (703) 714-1319
Fax: (703) 563-6222
Email: mpd@commlawgroup.com
kpa@commlawgroup.com

3. Corporate Information:

Petitioner is a Delaware limited liability company with its principal place of business at 925B Peachtree Street NE, Suite 710, Atlanta, GA 30309. Please see **Exhibit A** attached hereto for a copy of Petitioner's Articles of Formation.

Petitioner's authorization to do business in the U.S. Virgin Islands is currently pending. Petitioner will update the Commission with a copy of its registration to do business in the U.S. Virgin Islands upon grant of such authority.

4. Registered Agent and Designated Office in the U.S. Virgin Islands:

CT Corporation System
Waterfront Center, Suite A
72 Kronprindesens Gade
St. Thomas, VI 00802
Tel: (212) 590-9009
Email: CLS-CTInternational@wolterskluwer.com

5. Officers of Petitioner:

Name	Title	Contact Information
David Garner	Vice President	Capital Networks USVI, LLC 925B Peachtree Street NE, Suite 710 Atlanta, GA 30309 Tel: (877) 296-1009 Fax: N/A Email: info@itbutility.com

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6. Ownership Information:

Petitioner is a wholly-owned subsidiary of Interstate Transport and Broadband, LLC (“Interstate Transport and Broadband”), a Delaware limited liability company. Interstate Transport and Broadband, is a wholly-owned subsidiary of Interstate Transport and Broadband Holdings, LLC, a Delaware limited liability company.

7. Description of Proposed Services:

Petitioner requests authority to operate throughout the U.S. Virgin Islands – except in those areas subject to rural exemption pursuant to the Federal Communications Act. Specifically, Petitioner requests authority to provide local exchange service in all service areas that are open to competition.

Petitioner intends to provide facilities-based resold intrastate local exchange telecommunications services. Specifically, Petitioner will provide transport, backhaul, and broadband data and other voice and data services as well as other infrastructure used by carriers, emergency responders, public safety agencies, backhaul providers, and other companies. These services will be provided using a combination of fixed lines and microwave links to ensure resiliency.

Petitioner operates on a customer demand basis as each customer has individual needs that vary according to the size and type of the company, each customer will have a unique build-out plan and equipment requirement. Petitioner does not plan to deploy a system until it has a customer under contract. Consequently, Petitioner cannot meaningfully determine its projected income, expenses, and operations until a build-out plan has been identified by a prospective customer.

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8. Interconnection Agreements:

Petitioner has not entered into any interconnection agreements with other telecommunications providers operating in the U.S. Virgin Islands. Following grant of authority by the Commission, Petitioner will enter into any such agreements necessary to provide its services.

9. Petitioner's Financial, Managerial, and Technical Qualifications:

Petitioner is financially, managerially, and technically qualified to provide competitive local exchange services in the U.S. Virgin Islands. Petitioner's operations in the U.S. Virgin Islands will be entirely financed by its parent company, Interstate Transport and Broadband. Please see Exhibit B attached hereto for documents demonstrating Petitioner's managerial and technical qualifications. Please also see Exhibit C attached hereto for documents supporting Petitioner's financial qualifications.

10. Complaints and Investigations:

Petitioner is not currently, nor has it ever been, subject to any complaints or investigations in any jurisdiction.

11. Services in Other Jurisdictions:

As a newly-formed company, Petitioner has not offered telecommunications services in any jurisdiction.

12. Affiliate Information:

Petitioner has no affiliates operating as telecommunications service providers in any jurisdiction.

13. Public Interest Statement:

Grant of this Petition would serve the public interest by expanding the availability of competitive telecommunications services in the U.S. Virgin Islands. Moreover, grant of this

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Petition will allow Petitioner to compete effectively in order to offer the latest services and technologies at levels meeting or exceeding those currently offered by telecommunications providers operating in the U.S. Virgin Islands. Petitioner plans to maintain, expand, and upgrade its network as necessary to meet the evolving needs and expectations of its customers in the U.S. Virgin Islands. Accordingly, the Commission's grant of this Petition would be in the public interest for the reasons stated above.

Conclusion

WHEREFORE, Capital Networks USVI, LLC respectfully requests that the Commission accept the foregoing Petition for filing, and grant Capital Networks USVI, LLC the authority to provide telecommunications services within the U.S. Virgin Islands.

Respectfully Submitted,



Michael P. Donahue
Keenan P. Adamchak
Marashlian & Donahue, PLLC
1420 Spring Hill Road, Suite 401
McLean, VA 22102
Tel: (703) 714-1319
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Email: mpd@commlawgroup.com
kpa@commlawgroup.com

Counsel for Capital Networks USVI, LLC

Dated: April 22, 2016

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EXHIBIT A

Corporate Documents

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Delaware
The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "CAPITAL NETWORKS USVI, 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 EIGHTEENTH DAY OF FEBRUARY, A.D. 2016.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "CAPITAL NETWORKS USVI, LLC" WAS FORMED ON THE SEVENTEENTH DAY OF FEBRUARY, A.D. 2016.



5966705 8300

SR# 20160908222

You may verify this certificate online at corp.delaware.gov/authver.shtml


Jeffrey W. Bullock, Secretary of State

Authentication: 201848938

Date: 02-18-16

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Delaware

The First State

Page 1

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "CAPITAL NETWORKS USVI, LLC", FILED IN THIS OFFICE ON THE SEVENTEENTH DAY OF FEBRUARY, A.D. 2016, AT 4:58 O'CLOCK P.M.




Jeffrey W. Bullock, Secretary of State

5966705 8100
SR# 20160907567

You may verify this certificate online at corp.delaware.gov/authver.shtml

Authentication: 201848869
Date: 02-18-16

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State of Delaware
Secretary of State
Division of Corporations
Delivered 04:58 PM 02/17/2016
FILED 04:58 PM 02/17/2016
SR 20160894978 - File Number 5966705

STATE of DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE of FORMATION

First: The name of the limited liability company is Capital Networks
USVI, LLC

Second: The address of its registered office in the State of Delaware is 160
Greentree Drive, Ste 101 in the City of Dover
Zip code 19904. The name of its Registered agent at such address is
National Registered Agents, Inc.

Third: (Use this paragraph only if the company is to have a specific effective date of
dissolution: "The latest date on which the limited liability company is to dissolve is
_____".)

Fourth: (Insert any other matters the members determine to include herein.)

In Witness Whereof, the undersigned have executed this Certificate of Formation this

17th day of February, 2016.

By: /s/ Tracey Taylor
Authorized Person (s)

Name: Tracey Taylor

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EXHIBIT B

Management Resumes

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Dave Garner

3972 Barranca Parkway, Suite J-606, Irvine, CA 92606 | 520-456-6652

Professional Experience:

Thirty-six years of experience in the telecommunication industry including network design, implementation, and project management; thirteen years of experience in outside plant construction, cable television, telephone, and aerial and underground fiber optics. Launched numerous wireless and DAS systems. Possesses international experience building and launching wireless and fiber optic communication systems.

President of SDV LLC 2010.

Languages: Proficient written and spoken Spanish.

Work History:

Vice President - Interstate Broadband and Transport – Irvine, CA

July 2015 – Present

Overseeing implementation of NOC processes and procedures, managing RFPs and implementation of SOWs, managing fiber bids for T-Mobile, supervising site selection criteria and set up for Macro site selection, and overseeing implementation of utility coordination processes, procedures, and training.

Market Manager, Construction - Black & Veatch – Kansas City, MO

February 2014 – July 2015

Managed construction projects and implementation in the MOKAN (Missouri –Kansas) area.

Market Manager, Backhaul - Black & Veatch – Chicago, IL

June 2013 – February 2014

Managed the implementation of backhaul in Chicago.

Regional Construction Manager - Black & Veatch – Chicago, IL

November 2011 – May 2012

Supervised the construction and implementation of sites for the Sprint Network Vision Project, including the deployment of 1,105 sites in Chicago and approximately 400 sites in Indiana.

Deputy Construction Manager - Bechtel – Phoenix, AZ

May 2011 – November 2011

Managed the construction for AT&T turfing in Phoenix.

Lead Field Coordinator - Bechtel – Chicago, IL

January 2011 – May 2011

Managed 220 sites for Clear-wire Substantial Services project.

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President - SDV LLC – Minneapolis, MN

February 2010

Acted as project manager of construction and managed the 4G network roll out for SDV LLC, as part of Clear-wire Minneapolis.

Consultant

1996-2009

Successful System Launches:

- **Lead Construction Manager/Project Manager - Cricket Communications**
Managed 220 sites in the downtown Chicago area. Coordinated A&E, power and telco, and bid walks. Responsible for managing up to fifteen construction managers.
- **DAS Project Manager - Cricket Communications**
Managed the installation of five outdoor DAS systems with approximately twenty miles of fiber and thirty remote location installations. Managed and oversaw installation of DAS systems in O'Hare and Midway airports and all underground tunnels and platforms of the Chicago Transit Authority, as well as various malls, casinos and McCormick Place, and an 8 million square foot show center.
- **VIAX Implementation Director - Argentina Fiber Optics**
Oversaw and managed the installation of fiber ducts, cables, and equipment in Buenos Aires, Argentina.
- **Project/Contract Manager - Nortel Argentina, Impsat 2000 Fiber Optics**
Oversaw and managed the installation of network operating centers in Buenos Aires, Argentina and Sao Paulo, Brazil. Installed fiber rings in Buenos Aires and Sao Paulo and fiber from Buenos Aires, Argentina to Santiago, Chile.
- **Project Manager - Copesa GSM Project**
Responsible for design, site acquisition, construction and turn on of 47 sites in Paraguay.
- **Site Engineering Manager, Nortel Singapore**
Implemented new drawings and engineering standards for 60 sites in Singapore.
- **Construction Manager - Western Wireless, Nortel Oklahoma**
Oversaw and managed the installation of 110 sites in Oklahoma.
- **Construction Manager - Omnipoint Florida**
Oversaw and managed the installation of 120 sites in Florida.

Quality Assurance Representative and Field Supervisor - GTE

1989 – 1996

Projects:

- **GTE RTSS Project**
Acted as the quality assurance representative and installation team supervisor on the GTE RTSS Project, a secure telephone distribution system linking major U.S. military command posts around the world. Possessed TS/SCI security clearance.
- **GTE/MSE/EAC Project**

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Fielded the mobile subscriber equipment to military units worldwide.

- **GTE/CTI Cellular Project**

Area Manager for the CTI Cellular Project in Argentina. Managed all aspects of turnkey project of 996 sites including system design, site acquisition, installation, contract management and final testing with CNT.

OSP Installation Associate

1981-1989

Mapped pole lines and ground easements for incorporation into drawings for installing and designing Cable television systems. Installed strand for support of trunk and feeder cables. Installed and trenched conduits and pedestals for underground systems. Installed trunk and feeder cables per design. Spliced trunk and feeder cables per design. Turn on of installed systems and design of systems for incorporation into the final drawings.

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EXHIBIT C

Financial Information


CONFIDENTIAL – SUBMITTED UNDER SEPARATE SEAL

PURSUANT TO 33 V.I. CODE R. §§ 881(g)(3), and (6)

VERIFICATION

I, **Dave Garner**, hereby certify that I am the Vice President of Capital Networks USVI, LLC ("Capital Networks USVI"), and am authorized to make this certification on behalf of Capital Networks USVI; that the foregoing filing was prepared under my direction and supervision; and that the contents with respect to Capital Networks USVI are true and correct to the best of my knowledge, information, and belief.

I declare under penalty of perjury under the law of the United States of America that the foregoing is true and correct. Executed this 21 day of April, 2016.



Name: **Dave Garner**

Title: **Vice President**

Capital Networks USVI, LLC