

# TENNESSEE PUBLIC SERVICE COMMISSION

460 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243-0505

KEITH BISSELL, CHAIRMAN  
STEVE HEWLETT, COMMISSIONER  
SARA KYLE, COMMISSIONER



PAUL ALLEN, EXECUTIVE DIRECTOR

Company ID: 00111060  
Home Owners Long Distance, Inc.  
8000 Vantage Bldg. A. Ste. 200  
San Antonio, TX 78230

BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSION  
Nashville, Tennessee September 12, 1995

IN RE: CASE NUMBER: 95-02368

Application for Authority for Operator Services and/or Resell Interexchange (Long Distance) Telecommunications Service and/or Telecommunications Operator Services in Tennessee Pursuant to Rule 1220-4-2-.57.

---ORDER---

This matter is before the Tennessee Public Service Commission upon the application of the above-mentioned company for certification as a long distance/interexchange reseller or telecommunication operator service provider in Tennessee. The Commission considered this application at its regularly scheduled Commission Conference held on September 7, 1995 and concluded that the applicant has met all the requirements for certification and should be authorized to provide the resell of interexchange telecommunications service and/or an operator service on an intrastate basis.

## IT IS THEREFORE ORDERED:

1. That the above-mentioned company is issued a Certificate of Convenience and Necessity as an interexchange telecommunications reseller and/or an operator service provider for state-wide service in Tennessee as specified in its application on file with the Commission.
2. That said company shall comply with all applicable Commission rules and regulations.
3. That this order shall be retained as proof of certification with this Commission, and may be used to obtain appropriately tariffed access service and billing arrangements from Commission authorized telecommunications service providers.
4. That any party aggrieved with the Commission's decision in this matter may file a Petition for Reconsideration with the Commission within ten (10) days from and after the date of this Order.
5. That any Party aggrieved with the Commission's decision in this matter has the right of judicial review by filing a petition with the Tennessee Court of Appeals, Middle Section within sixty (60) days from and after the date of this Order.

  
Executive Director

  
Chairman

  
Commissioner

  
Commissioner

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## APPLICATION FOR CERTIFICATE TO PROVIDE OPERATOR SERVICES AND/OR RESELL INTEREXCHANGE TELECOMMUNICATION SERVICES IN TENNESSEE [RULE 1220-4-2-.57]

### SECTION A

#### Part 1: General Information

A. Name of Applicant HOME OWNERS LONG DISTANCE, INC.  
Address 8000 VANTAGE BLDG A SUITE 2001  
State TEXAS Zip Code 78230 Phone No. (210) 525-8152

B. Owner, Partners, or Corporate Officer

NAME	ADDRESS	CITY	STATE	ZIP CODE
JOE WEBB	8000 VANTAGE #2001	SAN ANTONIO	TEXAS	78230
ED DUNN	8000 VANTAGE #2001	SAN ANTONIO	TEXAS	78230
JAMES YOUNG	8000 VANTAGE #2001	SAN ANTONIO	TEXAS	78230

C. Name and telephone number of Tennessee contact person authorized to respond to Commission inquiries Monday through Friday.

DANA WILSON (210) 525-8152 (210) 525 - 0637

Name Tennessee Phone No. 525-8152 Fax No. 525-0637

NOTE: HOLD, INC. DOES NOT MAINTAIN A TENNESSEE OFFICE.

D. List a toll-free telephone number that consumers can call to report service problems and/or request refunds or adjustments. 800-879-4653/DEBORAH WEAVER

E. Check the type of telecommunication services you plan to provide in Tennessee.

☒ Resell Interexchange long distance services

☐ Operator Services

☐ Other (describe below) \_\_\_\_\_

F. If providing operator services, list company name, address and contact person for all reseller carriers you serve in Tennessee. Provide the above information on Appendix I.

G. List the state(s) you are authorized to operate in at this time. AL, AZ, AR, CO, DE, DC, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, MD, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, ND, OH, OK, OR, PA, SC, TX, UT, VA, WA, WV, and WI

(To be filled out by PSC)  
Company ID Number 95-2368  
Date Approved 11/10/00  
Evaluator \_\_\_\_\_

Mail the completed application and a check for \$50.00 to: Tennessee Public Service Commission, P.O. Box 3412, Nashville, TN 37219-0412. Should you have any questions, call (615) 741-3939.

H. List any states that you have been denied authority to provide service.

\_\_\_\_\_

I. Areas in Tennessee to be served.

THE ENTIRE STATE.

J. What type of customers will the company serve?

- a. Business X
- b. Residential X
- c. Aggregators \_\_\_\_\_  
(e.g. Hotels, Payphones)
- d. Other (specify) \_\_\_\_\_

K. Do you allow a property imposed fee (PIF) to be added to the price of intrastate telephone calls over your network? If yes, specify amount. NO

L. Are your prices for intrastate services plus any PIF equal to or less than the dominant carriers price for similar services? Yes \_\_\_\_\_ No X

M. Describe the type of services and price that the applicant will be offering in Tennessee on the Informational Tariff Form found in Appendix II<sup>1</sup>.

N. What is the applicant's 10XXX or 800 access code? 10882

O. Does the applicant now have or plan to have any telecommunication's facilities (e.g. switches, fiber lines) in Tennessee? NO

P. What facility-based network will the applicant be reselling? LDDS/METROMEDIA & MCI

Q. Will the applicant be utilizing the local telephone company's billing system or billing customers direct<sup>2</sup>? WILL UTILIZE LOCAL TELEPHONE COMPANY'S BILLING SYSTEM

R. Describe briefly how the applicant plans to market their services in Tennessee? If an independent telemarketer is going to be used, state company name and address.  
DISPLAY BOXES CONTAINING HOLD APPLICATIONS ARE PLACED THROUGH OUT THE STATE FOR CONSUMERS TO COMPLETE ON THEIR OWN COERCION.

S. Describe the procedures the applicant will use to switch a consumer's preferred interexchange service. HOLD, INC. WILL VERIFY ALL APPLICANT INFORMATION AND ENSURE THE CHANGE IN LONG DISTANCE SERVICE VIA "WELCOME LETTER" AND WILL THEN SUBMIT TO BELL SOUTH FOR PROCESSING VIA DATA TRANSMISSION.

<sup>1</sup>Applicant is required to fill out an Informational Tariff form. Failure to fill out this form will cause the applicant's request to be rejected.

<sup>2</sup>A copy of a bill is required if the applicant is going to bill the customer direct.

- T. Applicant has the ability and agrees to honor the form of call blocking that the consumer has subscribed to with their local telephone company. Yes X No \_\_\_\_\_
- U. Applicant gives permission to the local telephone company to provide the Commission a periodic sample of the reseller's intrastate toll calls. The purpose of this analysis is to audit the reseller's rates to assure they are at or below the dominant carrier's tariffed rates. Yes X No \_\_\_\_\_

## Part II: Organization Structure

### A. Type of Organization

\_\_\_\_\_ Individual      X Corporation

\_\_\_\_\_ Partnership      \_\_\_\_\_ Other (Explain on separate sheet)

### B. If partnership and/or Non-resident

- (1) Attach a copy of Articles of Incorporation and current by-laws.
- (2) Attach a copy of Certification of Authority issued by Tennessee Secretary of State showing corporation's authority to engage in business in Tennessee.

## Part III: Financial Information

- A. Attach a current financial statement showing in detail the applicant's financial condition, including balance sheet and income statement, or a copy of IRS form 1120 or 1065 filed by your business for the previous year. Attach, if available, a copy of your company's 10K and/or stockholder reports.

## Part IV: Display Card

Attach a copy of the display card to be placed on the aggregators telephone which shows what operator services are to be provided. The card must contain all required information listed in the attached Rule (1220-4-2-.57, B)<sup>3</sup>, which includes a toll-free number consumers can call for service problems and refunds.

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<sup>3</sup>It is the responsibility of the reseller or operator service provider to assure that the appropriate display card is affixed to the aggregates telephones.

Part V: Rule Compliance Agreement

A. The Interexchange Reseller or Operator Service Provider applicant, hereby, affirms the following:

- Has received, read, and understands the Tennessee Public Service Commission's (TPSC) Interexchange Reseller Rules and Regulations, (Appendix III)
- Understands the penalties for non-compliance, and all associated fees to provide such service.
- Will comply with the TPSC Interexchange Reseller Rules and all other applicable Commission Rules and state laws, including T.C.A. Section 65-5-206 (Appendix IV),
- That all information provided in the attached registration document is true to the best of my knowledge.

HOME OWNERS LONG DISTANCE, INC. 5-31-95

Company Name

Date

*Dana Wilson*

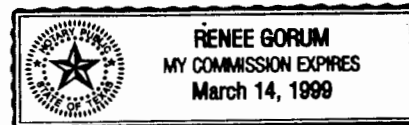
VP OPERATIONS

Company Official

Title

Subscribed and sworn  
before me this 2 day  
of June, 1995

*Renee Gorum*  
Notary Public



seal

## HOMEOWNERS LONG DISTANCE CORPORATION

FILED  
In the Office of the  
Secretary of State of Texas

APR 03 1989

Corporations Section

The undersigned, Bradley J. Dann, a natural person of the age of 18 years or more, acting as incorporator of a corporation under the Texas Business Corporation Act, hereby adopts the following Articles of Incorporation of such corporation.

## ARTICLE ONE

The name of the corporation is Homeowners Long Distance Corporation.

## ARTICLE TWO

The period of its duration is perpetual.

## ARTICLE THREE

The purposes for which the corporation is organized are:

- (1) The transaction of any or all lawful business for which corporations may be incorporated under the Texas Business Corporation Act.
- (2) To buy, sell, lease, and deal in services, personal property, and real property subject to Part Four of the Texas Miscellaneous Corporation Laws Act.

## ARTICLE FOUR

The corporation is authorized to issue one hundred thousand (100,000) shares of common stock with a par value of each such share of one dollar (\$ 1.00).

## ARTICLE FIVE

The corporation will not commence business until it has received for the issuance of its shares consideration in the amount of at least One Thousand Dollars (\$ 1,000.00) consisting of money, labor performed or property actually received.

## ARTICLE SIX

The address of its registered office is 6914 Falling Waters Drive, Spring, Texas 77379, and the name of its registered agent at such address is Bradley J. Dann.

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ARTICLE SEVEN

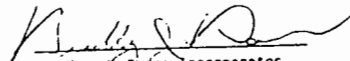
The number of initial directors is one, and the name and address  
of said director is:

Bradley James Dann  
6914 Falling Waters Drive  
Spring, Texas 77379

ARTICLE EIGHT

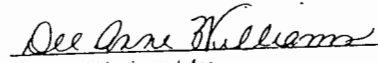
The name and address of the incorporator is Bradley J. Dann,  
6914 Falling Waters Drive, Spring, Texas 77379.

IN WITNESS WHEREOF, the undersigned has executed these Articles  
of Incorporation on this 3<sup>rd</sup> day of April, 1989.

  
Bradley J. Dann, Incorporator

STATE OF TEXAS  
COUNTY OF HARRIS

I, a Notary Public, do hereby certify that on this 3<sup>rd</sup>  
day of APRIL, 1989, personally appeared before me BRADLEY JAMES DANN,  
who being by me first duly sworn, declared that he is the person who  
signed the foregoing document as Incorporator, and the statements  
therein contained are true.

  
Notary Public in and for  
Harris County Texas

My Commission expires: 03-03-90

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# The State of Texas

## SECRETARY OF STATE

The undersigned, as Secretary of State of the State of Texas, **HEREBY CERTIFIES** that the attached is a true and correct copy of the following described instruments on file in this office:      **HOMEOWNERS LONG DISTANCE CORPORATION**

Articles of Incorporation

April 03, 1989

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*IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused to be impressed hereon the Seal of State at my office in the City of Austin, this*

15TH day of APRIL, A.D. 1993

*John Hannah Jr.*  
Secretary of State

JA



ARTICLES OF CORRECTION

JAN 2 1990

These articles are adopted to correct a document which is an inaccurate record of corporate action, contains an inaccurate or erroneous statement or was defectively or erroneously executed, sealed, acknowledged, or verified. <sup>Corporations Section</sup>

ARTICLE ONE

The name of the corporation is HOME OWNERS LONG DISTANCE INCORPORATED

ARTICLE TWO

The document to be corrected is Certificate of Incorporation  
which was filed in the Office of the Secretary of State on the 3rd day of  
April, 1989.

ARTICLE THREE

(Identify the error to be corrected)  
Corporate name was incorrectly listed as HOMEOWNERS LONG DISTANCE CORPORATION

ARTICLE FOUR

(Set forth a statement in corrected form of the portion of the document to be corrected) Corporate name should read as HOME OWNERS LONG DISTANCE INCORPORATED

By: [Signature]  
Its Ed. L. DUNN  
An Authorized Officer or  
Director of the corporation

Date: 12/14/89

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# The State of Texas

## Secretary of State

### CERTIFICATE OF CORRECTION

OF

HOMER JAMES LONG DISTANCE INCORPORATED  
CHARTER NUMBER 01109879  
FOLLOWS  
HOMER JAMES LONG DISTANCE CORPORATION

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS,  
HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF CORRECTION, DULY SIGNED  
HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

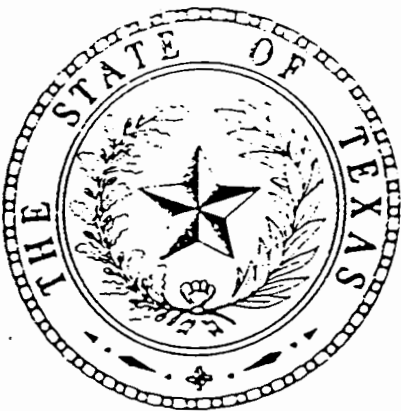
ACCORDINGLY THE UNDERSIGNED, AS SUCH SECRETARY OF STATE, AND BY  
VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, ISSUES THIS  
CERTIFICATE AND ATTACHES HERETO A COPY.

DATED JAN. 2, 1990

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*John S. Bayard Jr.*  
Secretary of State



# The State of Texas

## SECRETARY OF STATE CERTIFICATE OF INCORPORATION

OF

HOMEOWNERS LONG DISTANCE CORPORATION  
CHARTER #1109879

The undersigned, as Secretary of State of Texas, hereby certifies that Articles of Incorporation for the above corporation duly signed pursuant to the provisions of the Texas Business Corporation Act, have been received in this Office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Incorporation and attaches hereto a copy of the Articles of Incorporation.

Issuance of this Certificate of Incorporation does not authorize the use of a corporate name in this State in violation of the rights of another under the Federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated APRIL 3, 1989



*Paul M. Rogers*

Secretary of State

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