

# 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: 00112384  
Federal TransTel, Inc.  
2 Chase Corporate Dr. Ste. 170  
Birmingham, AL 35244

BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSION  
Nashville, Tennessee August 23, 1995

IN RE: CASE NUMBER: 95-02771

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.


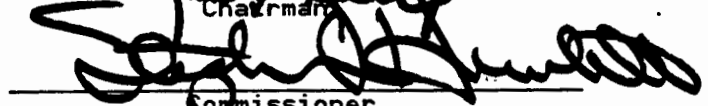

---ORDER---

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 August 22, 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

**TENNESSEE PUBLIC SERVICE COMMISSION**

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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 Federal TransTel, Inc.  
Address 2 Chase Corporate Drive, Suite 170  
City Birmingham State AL Zip Code 35244 Phone No. (205) 985-4422

B. Owner, Partners, Or Corporate Officer

NAME	ADDRESS	CITY	STATE	ZIP CODE
J. Patrick Herold	2 Chase Corporate Drive	Birmingham	AL	35244
	Suite 170			

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

Jason O'Brien (205) 985-4422 (205) 985-0910  
Name Tennessee Phone No. Fax No.

D. List a toll-free telephone number that consumers can call to report service problems and/or request refunds or adjustments. (800) 388-8111

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. Colorado, New Jersey, Utah, Virginia

(to be filled out by PSC)

Company ID Number 112384/95-2771

Date Approved \_\_\_\_\_

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.  
None.
- I. Areas in Tennessee to be served.  
Entire state
- J. What type of customers will the company serve?  
a. Business ✓  
b. Residential ✓  
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 you network? If yes, specify amount. N/A
- L. Are your prices for intrastate services plus any PIF equal to or less than the dominant carriers price for similar services? Yes X No \_\_\_\_\_
- 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? N/A
- 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? US Sprint
- Q. Will the applicant be utilizing the local telephone company's billing system or billing customers direct? Compnay will use LEC billing initially for all customers.
- 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.  
Services will be marketed directly by the company and through independent sales agents. In the future, the Company may employ the services of an independent telemarketer, and will advise the Commission at that time of their name and address.
- S. Describe the procedures the applicant will use to switch a customer's preferred interexchange service. The Applicant will obtain a signed Letter of Agency in compliance with F.C.C. guidelines. Should applicant decide to telemarket its services in the future, Applicant will employ third party verification procedures in compliance with FCC and state guidelines.

<sup>1</sup> Applicant is required to fill out an Informational Tariff form. Failure to fill out this form will cause the applicants 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\_\_\_ No\_\_\_ N/A  
**Applicant is a switchless reseller. Call blocking is controlled by the LEC.**
- U. Applicant gives permission to the local telephone company to provide the Commission a periodic sample of the resellers 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 ☒ No\_\_\_

Part II: Organization Structure

A. Type of Organization

\_\_\_ Individual    ☒ 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 Certificate 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 customers can call for service problems and refunds.

**N/A. All services are only available to presubscribed customers.**

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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.

Federal TransTel, Inc. 7/21/95  
Company Name Date

Todd Souler Vice President  
Company Official Title

Subscribed and sworn  
before me this 21 day  
of July, 1995

James L. Shepherd  
Notary Public  
MY COMMISSION EXPIRES APRIL 21, 1999

seal

# Secretary of State

Corporations Division

Suite 315, West Tower

2 Martin Luther King, Jr. Dr.

Atlanta, Georgia 30334-1530

DOCKET NUMBER : 951920483  
CONTROL NUMBER : 9306674  
DATE INC/AUTH/FILED: 03/23/1993  
JURISDICTION : GEORGIA  
PRINT DATE : 07/11/1995  
FORM NUMBER : 0215

LIBERTY CORPORATE SERVICES, INC.  
TAYLOR BLALOCK  
3998 ASHFORD-DUNWOODY ROAD  
ATLANTA, GA 30319

## CERTIFIED COPY

I, **MAX CLELAND**, Secretary of State of the State of Georgia, do hereby certify under the seal of my office that the attached documents are true and correct copies of documents filed under the name of

**FEDERAL TRANSTEL, INC.**  
**A DOMESTIC PROFIT CORPORATION**

Said entity was formed in the jurisdiction set forth above and has filed in the office of Secretary of State on the date set forth above its certificate of limited partnership, articles of incorporation, articles of association, articles of organization or application for certificate of authority to transact business in Georgia.

This certificate is issued pursuant to Title 14 of the Official Code of Georgia Annotated and is prima-facie evidence of the existence or nonexistence of the facts stated herein.



*Max Cleland*

MAX CLELAND  
SECRETARY OF STATE

**Secretary of State**  
**Business Services and Regulation**  
**Suite 315, West Tower**  
**2 Martin Luther King Jr. Dr.**  
**Atlanta, Georgia 30334-1530**

CONTROL NUMBER: 9306674  
EFFECTIVE DATE: 03/23/1993  
COUNTY : DEKALB  
REFERENCE : 0069  
PRINT DATE : 03/23/1993  
FORM NUMBER : 311

KING & SPALDING  
MICHAEL J. EGAN III  
191 PEACHTREE STREET  
ATLANTA, GEORGIA 30303

**CERTIFICATE OF INCORPORATION**

I, MAX CLELAND, Secretary of State and the Corporation Commissioner of the State of Georgia, do hereby certify under the seal of my office that

**FEDERAL TRANSTEL, INC.**

has been duly incorporated under the laws of the State of Georgia on the effective date stated above by the filing of articles of incorporation in the office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on the date set forth above.



*Max Cleland*

MAX CLELAND  
SECRETARY OF STATE

*Verley J. Spivey*

VERLEY J. SPIVEY  
DEPUTY SECRETARY OF STATE

ARTICLES OF INCORPORATION  
OF  
FEDERAL TRANSTEL, INC.

1.

The name of the Corporation is Federal TransTel, Inc.

2.

The Corporation is authorized to issue 100,000 shares of stock, designated as "Common Stock." Each share of Common Stock shall have one vote on each matter submitted to a vote of the shareholders of the Corporation. The holders of shares of Common Stock shall be entitled to receive, in proportion to the number of shares of Common Stock held, the net assets of the Corporation upon dissolution.

3.

The street address and county of the initial registered office of the Corporation in the State of Georgia is 3288 Breton Circle, Atlanta, DeKalb County, Georgia 30319. The initial registered agent of the Corporation at such address is J. Patrick Herold.

4.

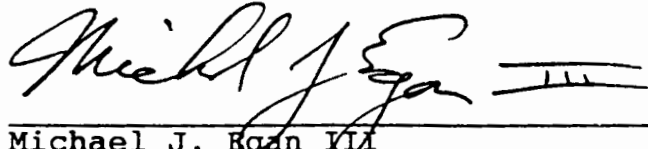
The name and address of the Incorporator are Michael J. Egan III, King & Spalding, 191 Peachtree Street, Atlanta, Georgia 30303.



5.

The mailing address of the initial principal office of the Corporation is 3288 Breton Circle, Atlanta, Georgia 30319.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation.

  
\_\_\_\_\_  
Michael J. Egan III  
Incorporator

(1) 1180  
MAR 23 11 21 AM '93  
SECRETARY OF STATE

**Secretary of State**  
**Business Services and Regulation**  
**Suite 315, West Tower**  
**2 Martin Luther King Jr. Dr.**  
**Atlanta, Georgia 30334-1530**

RESERVATION NUMBER: 930670134  
EFFECTIVE DATE : 03/08/1993  
EXPIRATION DATE : 06/06/1993  
LICENSE NO. : N/A  
CONSENT ON FILE : N/A  
PRINT DATE : 03/09/1993  
FORM NUMBER : 506

KING & SPALDING/ HOLLY LAYNE  
191 PTREE ST NE  
ATLANTA GA 30303

**NAME RESERVATION CERTIFICATE**

I, **MAX CLELAND**, Secretary of State and the Corporation Commissioner of the State of Georgia, do hereby certify under the seal of my office that the records of the Secretary of State have been reviewed and the name

**FEDERAL TRANSTEL, INC.**

is not identical to, and appears to be distinguishable from, the name of any other existing corporation, limited partnership or professional association on file pursuant to Title 14 of the Official Code of Georgia Annotated.

This certificate shall be valid for a nonrenewable period of ninety days from the date of this certificate for profit and nonprofit corporations, professional associations or limited partnerships. Please submit this original certificate with any subsequent formation filing for a corporation, limited partnership or professional association.

Name reservations are not renewable after expiration of the statutory reservation period stated above.



*Max Cleland*

MAX CLELAND  
SECRETARY OF STATE

*Verley J. Spivey*

VERLEY J. SPIVEY  
DEPUTY SECRETARY OF STATE

SECURITIES  
656-2894

CEMETERIES  
656-3079

CORPORATIONS  
656-2817

CORPORATIONS HOT LINE  
404-656-2222  
Outside Metro-Atlanta



MAX CLELAND  
Secretary of State  
State of Georgia

Suite 315, West Tower  
2 Martin Luther King Jr., Drive  
Atlanta, Georgia 30334-1530  
(404) 656-2817

J. F. GULLION  
Director

TRANSMITTAL INFORMATION FOR GEORGIA  
PROFIT OR NONPROFIT CORPORATIONS

DO NOT WRITE IN SHADED AREA - SOS USE ONLY

DOCKET #	<u>930820208</u>	PENDING CONTROL #	<u>P033009</u>	CONTROL #	<u>9306674</u>
Docket Code	<u>311</u>	Corporation Type	<u>DP</u>		
Date Filed	<u>3/23/93</u>	Amount Received \$	<u>160.00</u>	Check/Receipt #	
Jurisdiction (County) Code	<u>44</u>				
Examiner	<u>69</u>	Date Completed	<u>3/23/93</u>		

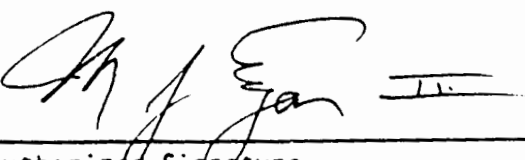
NOTICE TO APPLICANT: PRINT PLAINLY OR TYPE REMAINDER OF THIS FORM.  
INSTRUCTIONS ARE ON THE BACK OF THIS FORM.

1.	<u>930670134</u> Corporate Name Reservation Number <u>Federal TransTel, Inc.</u> Corporate Name (exactly as appears on name reservation)		
2.	<u>Michael J. Egan III</u> Applicant/Attorney <u>King &amp; Spalding, 191 Peachtree Street</u> Address <u>Atlanta,</u> City	<u>Georgia</u> State	<u>572-4753</u> Telephone Number <u>30303</u> Zip Code

3. NOTICE: THIS FORM DOES NOT REPLACE THE ARTICLES OF INCORPORATION. MAIL OR DELIVER DOCUMENTS AND THE SECRETARY OF STATE FILING FEE TO THE ABOVE ADDRESS. DOCUMENTS SHOULD BE SUBMITTED IN THE FOLLOWING ORDER. (A COVER LETTER IS NOT REQUIRED.)

1. FORM 227 - TRANSMITTAL FORM (ATTACH SECRETARY OF STATE FILING FEE OF \$60.00 TO THIS FORM)
2. ORIGINAL ARTICLES OF INCORPORATION
3. ONE COPY OF ARTICLES OF INCORPORATION

I understand that the information on this form will be entered in the Secretary of State business registration database. I certify that a Notice of Intent to Incorporate and a publishing fee of \$40.00 has been mailed or delivered to the authorized newspaper as required by law.

  
Authorized Signature

3/23/93  
Date

# Secretary of State

## Corporations Section

James K. Polk Building, Suite 1800

Nashville, Tennessee 37243-0306

DATE: 05/05/95  
REQUEST NUMBER: 3008-1115  
TELEPHONE CONTACT: (615) 741-0537  
FILE DATE/TIME: 05/05/95 1028  
EFFECTIVE DATE/TIME: 05/05/95 1028  
CONTROL NUMBER: 0294428

TO:  
UNISEARCH, INC.  
P.O. BOX 40189

ST. PAUL, MN 55104-0189

RE:  
FEDERAL TRANSTEL, INC.  
APPLICATION FOR CERTIFICATE OF  
AUTHORITY - FOR PROFIT

WELCOME TO THE STATE OF TENNESSEE. THE ATTACHED CERTIFICATE OF  
AUTHORITY HAS BEEN FILED WITH AN EFFECTIVE DATE AS INDICATED ABOVE.

A CORPORATION ANNUAL REPORT MUST BE FILED WITH THE SECRETARY OF STATE  
ON OR BEFORE THE FIRST DATE OF THE FOURTH MONTH FOLLOWING THE CLOSE OF THE  
CORPORATION'S FISCAL YEAR. PLEASE PROVIDE THIS OFFICE WITH WRITTEN  
NOTIFICATION OF THE CORPORATION'S FISCAL YEAR. THIS OFFICE WILL MAIL THE  
REPORT DURING THE LAST MONTH OF SAID FISCAL YEAR TO THE CORPORATION AT THE  
ADDRESS OF ITS PRINCIPAL OFFICE OR TO A MAILING ADDRESS PROVIDED TO THIS  
OFFICE IN WRITING. FAILURE TO FILE THIS REPORT OR TO MAINTAIN A REGISTERED  
AGENT AND OFFICE WILL SUBJECT THE CORPORATION TO ADMINISTRATIVE REVOCATION  
OF ITS CERTIFICATE OF AUTHORITY.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR  
FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE.

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FOR: APPLICATION FOR CERTIFICATE OF  
AUTHORITY - FOR PROFIT

ON DATE: 05/05/95

FROM:  
UNISEARCH, INC. (MN)  
475 W. UNIVERSITY AV  
#103  
ST. PAUL, MN 55103-0000

	FEE	
RECEIVED:	\$300.00	\$310.00
TOTAL PAYMENT RECEIVED:		\$610.00
RECEIPT NUMBER:	00001804510	
ACCOUNT NUMBER:	00202444	



*Riley C. Darnell*

RILEY C. DARNELL  
SECRETARY OF STATE