

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: 00113049
DeltaCom, Inc.
113 South Main St.
P.O. Box 1233
Arab, AL 35016

BEFORE THE TENNESSEE PUBLIC SERVICE COMMISSION
Nashville, Tennessee September 8, 1995

IN RE: CASE NUMBER: 95-02826

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.

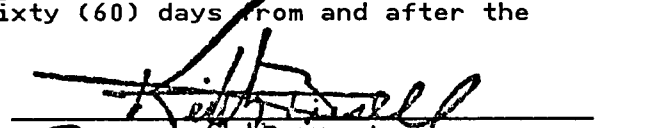
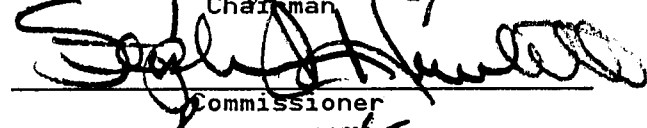
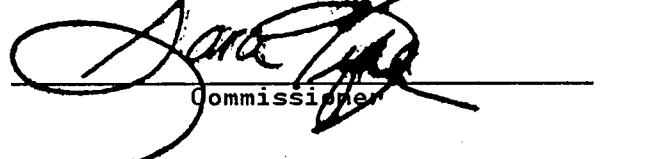
---ORDER---

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

RECEIPT COPY

July 25, 1995

Tennessee Public Service Commission
P.O. Box 3412
Nashville, TN 37219-0412

Re: Application for Certificate to Provide Operator Services and/or
Resell Interexchange Telecommunication Services in Tennessee

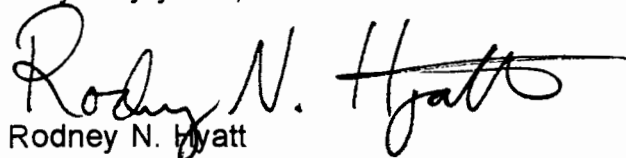
Dear Commissioners:

Enclosed please find one (01) original and (01) copy of the above referenced application of DeltaCom, Inc., d/b/a DeltaCom Long Distance Services for your review and consideration. Also enclosed is DeltaCom, Inc.'s check in the amount of \$50.00 for payment of the application fee.

Please date stamp the enclosed copy of the application and return the same to me in the enclosed stamped, self-addressed envelope provided for your convenience.

Please contact me should you have any questions regarding this matter or require additional information.

Very truly yours,



Rodney N. Hyatt
Assistant General Counsel

/rnh

Enclosures

TENNESSEE PUBLIC SERVICE COMMISSION

460 JAMES ROBERTSON PARKWAY
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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 DeltaCom, Inc. (d/b/a DeltaCom Long Distance Services)
Address 113 South Main Street, P.O. Box 1233, Arab
State AL Zip Code 35016 Phone No. (800) 239-3000

B. Owner, Partners, or Corporate Officer

NAME	ADDRESS	CITY	STATE	ZIP CODE
Foster O. McDonald President	P.O. Box 1233	Arab	AL	35016

C. Name and telephone number of Tennessee contact person authorized to respond to Commission inquiries Monday through Friday. No administrative personnel in Tennessee.
Rodney N. Hyatt (800) 239 - 3000 (205) 586-1363
Name Assistant General Tennessee Phone No. Fax No.
Counsel

D. List a toll-free telephone number that consumers can call to report service problems and/or request refunds or adjustments. 800-239-3000

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, AK, CO, FL, GA, ID,
IN, KS, KY, LA, MI, MS, ND, NJ, NY, OK, OR, TX, UT, VA, WA, WV

(To be filled out by PSC) 1130491
Company ID Number _____
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.
State-wide
- J. What type of customers will the company serve?
a. Business X
b. Residential X
c. Aggregators X
(e.g. Hotels, Payphones)
d. Other (specify) Reseller of long distance interexchange services.
- 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. 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 No X Operat Services - Yes
- M. Describe the type of services and price that the applicant will be offering in Tennessee on the Informational Tariff Form found in Appendix II¹.
- N. What is the applicant's 10XXX or 800 access code? 10233/800-239-1233
- 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? MCI Telecommunications Corporation, SP Telcom (formerly Quest Communications), and WilTel
- Q. Will the applicant be utilizing the local telephone company's billing system or billing customers direct²? Billing customer direct (see bill copy) and LEC billing
- 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.
Direct sales by employees, agents, independent contractors and direct marketing media.
- S. Describe the procedures the applicant will use to switch a consumer's preferred interexchange service. A consumer's primary interexchange carrier (PIC) change must be in writing, signed by the consumer or authorized representative, list the telephone numbers to be affected by the change and inform the consumer of the LEC fee for changing PIC. Upon receipt of the afore-
described and written authorization and a signed request for DeltaCom service, DeltaCom will request the LEC to make the appropriate PIC change.

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

²A 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)³, which includes a toll-free number consumers can call for service problems and refunds.

³It 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.

DeltaCom, Inc. 7/21/95
Company Name Date

Forrest A. L. 7/21/95
Company Official Title

Subscribed and sworn
before me this 25th day
of July, 1995

Rodney N. Hyatt
Notary Public

seal

My Commission Expires April 23, 1996