

Company ID: 126385  
EZ Phone, Inc.  
1095 Home Avenue  
Akron, OH 44310

BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, TN September 24, 1997

IN RE: CASE NUMBER: 97-1230

Application for Authority to Provide Operator Services and/or Resell  
Telecommunications Services in Tennessee Pursuant to Rule 1220-4-2-.57.

---ORDER---

This matter is before the Tennessee Regulatory Authority upon the application of the above-mentioned company for certification as a reseller or telecommunication operator service provider in Tennessee. The TRA considered this application at a Conference held on 9/23/97, and concluded that the applicant has met all the requirements for certification and should be authorized to provide operator services and/or resell telecommunications services on an intrastate basis.

IT IS THEREFORE ORDERED:

1. That the above-mentioned company is issued a Certificate of Convenience and Necessity as an operator service provider and/or reseller of telecommunications services for state-wide service in Tennessee as specified in its application on file with the Authority.
2. That said company shall comply with all applicable state laws and TRA rules and regulations.
3. That this order shall be retained as proof of certification with this Authority, and may be used to obtain appropriately tariffed service and billing arrangements from Authority authorized telecommunications service providers.

ATTEST:

  
Executive Secretary

  
Chairman

  
Director

  
Director

# TENNESSEE REGULATORY AUTHORITY

Lynn Greer, Chairman  
Sara Kyle, Director  
Melvin Malone, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

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

RECEIVED  
TELECOMMUNICATIONS SECTION  
TENNESSEE REGULATORY AUTHORITY

JUL 15 1997

## SECTION A

### Part 1: General Information

A. Name of Applicant EZ Phone, Inc.

Address 1095 Home Avenue City Akron  
State OH Zip Code 44310 Phone No. (330) 434 - 6666

B. Owner, Partners, or Corporate Officer

NAME	ADDRESS	CITY	STATE	ZIP CODE
Daniel Coulter	1095 Home Avenue	Akron	OH	44310

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

Daniel Coulter (330) 434-6666 (330) 434 2401  
Name 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) 745-4824 800 865 4617

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

☒ Resell Interexchange long distance services  
☐ Resell Local Exchange 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.  
Not applicable

G. List the state(s) you are authorized to operate in at this time. None

(To be filled out by TRA)  
Company ID Number 126385  
Date Approved \_\_\_\_\_  
Evaluator \_\_\_\_\_

# TENNESSEE REGULATORY AUTHORITY

Lynn Greer, Chairman  
Sara Kyle, Director  
Melvin Malone, Director

460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

APPLICATION FOR CERTIFICATE  
TO PROVIDE OPERATOR SERVICES  
AND/OR RESELL  
TELECOMMUNICATION SERVICES IN TENNESSEE  
[RULE 1220-4-2.57]

SECTION A

Part 1: General Information

A. Name of Applicant EZ Phone, Inc.  
Address P.O. Box 4656, Akron  
State Ohio Zip Code 44310 Phone No. (330) 434 - 6666

B. Owner, Partners, or Corporate Officer

NAME	ADDRESS	CITY	STATE	ZIP CODE
Daniel J. Coulter President Vice President Secretary Treasurer	P.O. Box 4656	Akron	Ohio	44310
Coulter Family Trust(10/27/94) 100% owner of company stock				

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

Daniel J. Coulter (330) 434 - 6666 (330) 434 - 2401  
Name 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. A toll-free number will be provided when it becomes available.

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

☐ Resell Interexchange long distance services

☒ Resell Local Exchange Services

☐ Operator Services

☐ Other (describe below) \_\_\_\_\_

(To be filled out by TRA)  
Company ID Number 97-1230  
Date Approved 126385  
Evaluator \_\_\_\_\_

- 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. None
- H. List any states that you have been denied authority to provide service.  
None
- I. Areas in Tennessee to be served.  
Applicant seeks authority to provide local resold exchange services throughout the State. Applicant intends to provide local exchange telecommunications services in those areas currently served by South Central Bell and any other relevant incumbent facilities- based local exchange carriers ("LECs"). To the extent this includes areas in Tennessee which are serviced by incumbent rural LECs that have obtained an exemption from the requirements of §251 of the Federal Telecommunications Act, Applicant does not seek to provide service in these areas.
- 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. 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 \_\_\_\_\_ N/A
- 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? South Central Bell
- Q. Will the applicant be utilizing the local telephone company's billing system or billing customer direct<sup>2/</sup>? Applicant will be billing customers directly.

<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.

- 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.  
Applicant will market its telecommunication services through independent representatives and agents. Both the representative and the agent will be paid a commission for each customer to whom the agent sells Applicant's services. Applicant may, from time to time, offer additional incentives to agents and/or representatives.
- S. Describe the procedures the applicant will use to switch a consumer's preferred interexchange service. N/A
- 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 offering only resold local services.
- U. Applicant gives permission to the local telephone company to provide the Authority 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 carriers' tariffed rates. Yes \_\_\_\_\_ No \_\_\_\_\_  
N/A. Applicant is offering only resold local services.

## 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.

**See Exhibit A attached hereto.**

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

**See Exhibit B attached hereto.**

## 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. **See Exhibit C attached hereto.**

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 Regulatory Authority (TRA, formerly 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 TRA Interexchange Reseller Rules and all other applicable Authority 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.

EZ PHONE, INC. 6/2/97  
Company Name Date

[Signature]  
Company Official Title

Subscribed and sworn  
before me this 3<sup>rd</sup> Day  
of June 1997

[Signature]  
Notary Public

AIMÉE J. POPOVICH, Notary Public  
Residence - Summit County  
State Wide Jurisdiction, Ohio  
My Commission Expires May 1, 2001

Seal



# The State of Ohio

Bob Taft

Secretary of State

962906

## Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: ARF MIS TIC

of:

EZ PHONE, INC.

United States of America  
State of Ohio  
Office of the Secretary of State

Recorded on Roll 5702 at Frame 0425 of  
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 26TH day of DEC ,

A.D. 19 96 .



*Bob Taft*  
Bob Taft  
Secretary of State

**ARTICLES OF INCORPORATION  
OF  
EZ PHONE, INC.**

**APPROVED**By LO  
Date 12.26.96Amount \$155.  
96122631601

The undersigned, desiring to form a corporation for profit under the General Corporation Law of Ohio, do hereby certify:

**FIRST:** The name of the corporation is: EZ PHONE, INC.

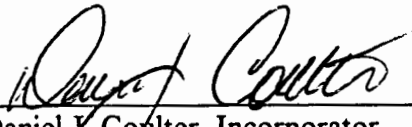
**SECOND:** The place in Ohio where the principal office of the corporation is to be located is 1095 Home Ave., Akron, Ohio 44310. Summit CO.

**THIRD:** The purpose for which the corporation is formed is to provide local telephone service to be marketed nationwide, and doing any and all things necessary or incident thereto and to engage in any other lawful act or activity for which corporations may be formed under Sections 1701.01 to 1701.98, inclusive, of the Ohio Revised Code.

**FOURTH:** The number of shares which the corporation is authorized to have outstanding is 100, all of which shall be common shares with a par value of \$5.00 each.

**FIFTH:** The corporation by action of its Board of Directors may purchase its own shares at any time and from time to time and at such price and upon such terms as may be agreed upon between the corporation and the selling shareholder or shareholders to the extent permitted by law.

**IN WITNESS WHEREOF,** the undersigned incorporators have signed these Articles of Incorporation on this 16<sup>th</sup> day of December, 1996.

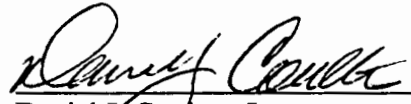
  
Daniel J. Coulter, Incorporator



ORIGINAL APPOINTMENT OF AGENT  
OF  
EZ PHONE, INC.

The undersigned, being all of the incorporators of EZ Phone, Inc. hereby appoint Daniel J. Coulter, a natural person resident in this State, as its agent upon whom any process, notice or demand required or permitted by statute to be served upon the corporation may be served. The complete address of the agent is: 3253 Carriage Way, Stow, Ohio 44224.

Date: December 17, 1996

  
Daniel J. Coulter, Incorporator

ACCEPTANCE OF APPOINTMENT

To: EZ Phone, Inc.

Gentlemen:

The undersigned hereby accepts appointment as agent of your corporation upon whom process, notice and demands may be served.

12/17/96  
Date

  
Daniel J. Coulter, Agent

Secretary of State

Corporations Section

James K. Polk Building, Suite 1800

Nashville, Tennessee 37243-0306

DATE: 01/25/97

REQUEST NUMBER: 3272-2661

TELEPHONE CONTACT: (615) 741-0537

FILE DATE/TIME: 01/17/97 1400

EFFECTIVE DATE/TIME: 01/17/97 1400

CONTROL NUMBER: 0324460

TO:  
WALKLEY & KENNEDY CO., L.P.A.  
P O BOX 1080

NORTON, OH 44203

RE:  
EZ PHONE, 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: 01/23/97

FROM:  
WALKLEY & KENNEDY CO., L.P.A.  
PO BOX 1080

NORTON, OH 44203-9480

	FEES	
RECEIVED:	\$300.00	\$300.00
TOTAL PAYMENT RECEIVED:		\$600.00

RECEIPT NUMBER: 00002057584  
ACCOUNT NUMBER: 00252164



*Riley C. Darnell*

RILEY C. DARNELL  
SECRETARY OF STATE

# APPLICATION FOR CERTIFICATE OF AUTHORITY FOR

EZ Phone, Inc.

RECEIVED  
STATE OF TENNESSEE  
97 JAN 17 PM 2:00

To the Secretary of State of the State of Tennessee:

Pursuant to the provisions of Section 48-25-103 of the Tennessee Business Corporation Act, the undersigned corporation hereby applies for a certificate of authority to transact business in the State of Tennessee, and for that purpose sets forth:

FILED

1. The name of the corporation is EZ Phone, Inc.

If different, the name under which the certificate of authority is to be obtained is n/a

[NOTE: The Secretary of State of the State of Tennessee may not issue a certificate of authority to a foreign corporation for profit if its name does not comply with the requirements of Section 48-14-101 of the Tennessee Business Corporation Act. If obtaining a certificate of authority under an assumed corporate name, an application must be filed pursuant to Section 48-14-101(d).]

2. The state or country under whose law it is incorporated is Ohio

3. The date of its incorporation is 12-26-96 (must be month, day, and year), and the period of duration, if other than perpetual, is n/a

4. The complete street address (including zip code) of its principal office is \_\_\_\_\_

1095 Home Ave.	Akron	Ohio	44310
Street	City	State/Country	Zip Code


5. The complete street address (including the county and the zip code) of its registered office in this state is

530 Gay Street	Knoxville, TN	Knox	37902
Street	City/State	County	Zip Code

The name of its registered agent at that office is

C T Corporation System

6. The names and com

 SS-4431 (Rev. 7

UNITED STATES OF AMERICA,  
STATE OF OHIO,  
OFFICE OF THE SECRETARY OF STATE.

RECEIVED  
97 JAN 17 PM 2:00  
JES. SMALL  
SECRETARY OF STATE

*I, Bob Taft, do hereby certify that I am the duly elected, qualified and present acting Secretary of State for the State of Ohio, and as such have custody of the records of Ohio and Foreign corporations and Miscellaneous filings; that said records show EZ PHONE, INC., an Ohio Corporation, having its principal location in Akron, County of Summit, was incorporated on December 26, 1996, is currently in GOOD STANDING upon the records of this office.*



WITNESS my hand and official  
seal at Columbus, Ohio this  
27th day of December, A.D. 1996

*Bob Taft*

Bob Taft  
Secretary of State