

BEFORE THE TENNESSEE REGULATORY AUTHORITY
September 26, 2000 Nashville, Tennessee

In Re: Network Telephone Corporation)
for Cancellation of Authority to Provide) Docket No. 98-00349
Resold Telecommunication) Co. ID: 128160
Services In Tennessee)

ORDER GRANTING CANCELLATION OF
AUTHORITY TO PROVIDE RESOLD TELECOMMUNICATION SERVICES


This matter is before the Tennessee Regulatory Authority (hereafter "Authority") upon the request of **Network Telephone Corporation** to cancel their authority to provide Resold Telecommunications services in Tennessee. This matter was considered by the Authority at a regularly scheduled Authority Conference held on September 26, 2000.

WHEREFORE, having considered the request of **Network Telephone Corporation** to cancel their authority, the Authority finds that such a cancellation should be granted.

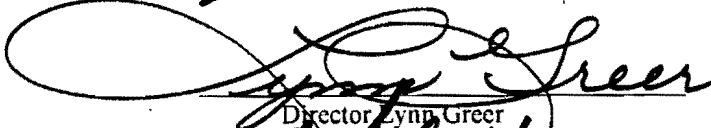
IT IS THEREFORE ORDERED:

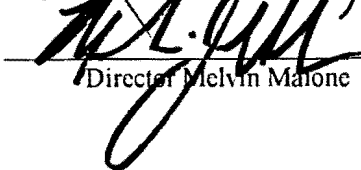
- 1) That the request of **Network Telephone Corporation** to cancel their authority to provide Resold Telecommunication services in Tennessee, Docket No. 98-00349 is hereby granted; and
- 2) That this docket is herewith closed.

ATTEST:


K. David Waddell


Chairman Sara Kyle


Director Lynn Greer


Director Melvin Malone

Company ID: 128160
Network Telephone, Inc.
804 S. Palafox
Pensacola, FL 32501

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, TN

February 2, 1999

IN RE: CASE NUMBER: 98-00349

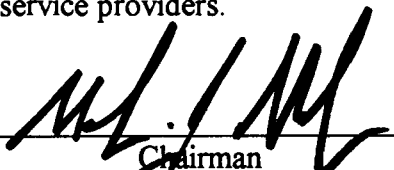
Application for Authority to Provide Operator Services and/or Resell Telecommunications Services in Tennessee Pursuant to Rule 1220-4-2-.57.

---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 February 2, 1999 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.

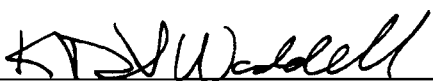
IT IS THEREFORE ORDERED:

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.


Chairman


Director

ATTEST:


Executive Secretary


Director

NOWALSKY, BRONSTON & GOTHARD, L.L.P.

ATTORNEYS AT LAW

LEON L. NOWALSKY

BENJAMIN W. BRONSTON

EDWARD P. GOTHARD

3500 N. CAUSEWAY BOULEVARD, SUITE 1442

METairie, LOUISIANA 70002

TELEPHONE: (504) 832-1984

FACSIMILE: (504) 831-0892

REC'D TN

REGISTRY AUTH.

MONICA R. BORNE

JEFFREY T. GREENBERG
of Counsel

OFFICE OF THE
EXECUTIVE SECRETARY

May 12, 1998

Executive Secretary's Office
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

VOUCHER NO. 777-728503
CH 2765 SRC. 281.03
AMT. REC. 50.00
DEPOSIT DATE 5-15-98

RE: NETWORK TELEPHONE, INC.

Dear Sirs:

Enclosed please find an original and thirteen (13) copies of the application for certificate to provide resell telecommunication services in Tennessee which is submitted on behalf of Network Telephone, Inc. The requisite \$50.00 filing fee is also enclosed.

Please acknowledge receipt of this filing by returning a date stamped copy of this cover letter in the self-addressed envelope provided.

If you should have any questions regarding this filing, please do not hesitate to call. Thank you.

Sincerely,



Monica R. Borne

Enclosure

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 Network Telephone, Inc.
Address 804 S. Palafox City Pensacola
State FL Zip Code 32501 Phone No. (850) 432-4855

B. Owner, Partners, or Corporate Officer

NAME	ADDRESS	CITY	STATE	ZIP CODE
Eric Landry, COO	804 S Palafox	Pensacola	FL	32501

C. Name and telephone number of contact person authorized to respond to Authority inquiries regarding company operations Monday through Friday.
Eric P. Landry (850) 432-4855 (850) 470-9641
Name Phone No. Fax No.

Name and telephone number of contact person authorized to respond to Authority inquiries regarding this filing Monday through Friday.
Monica R. Borne (504) 832-1984 (604) 831-0892
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. 1-888-432-4855

E. Check the type of telecommunication services you plan to provide in Tennessee.
☒ Resell Interexchange long distance services
☐ Operator Services
☒ Resell local services
☐ Other (describe) _____

(To be filled out by TRA) 128160
Company ID Number _____ 98.00349
Date Approved _____
Evaluator _____

Mail the completed application and a check for \$50.00 to: Tennessee Regulatory Authority, P.O. Box 198907, Nashville, TN 37219-8907. Should you have any questions, call (615) 741-7489, ext. 163.

- 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.
n/a
- G. List the state(s) that the applicant is authorized to operate in at this time. _____
Florida (ALEC)

For the above states, list the number and types of complaint(s) filed against applicant, and the complaint(s)' current status. Provide this information on a separate attachment, if necessary. None.

If applicant has affiliate(s) engaged in providing telecommunications services, provide the above requested information for the affiliate(s), as well as for the applicant.
None.

- H. List any states that the applicant has been denied authority to provide service.
None.

If applicant has affiliate(s) engaged in providing telecommunications services, provide the above requested information for the affiliate(s), as well as for the applicant.
n/a

- I. Areas in Tennessee to be served.
Statewide.

- J. What type of customers will the applicant serve?

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

- K. Does the applicant allow a property imposed fee (PIF) to be added to the price of intrastate telephone calls over its 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 II¹. IXC Tariff - Exhibit F
LEC Tariff - Exhibit G.

- N. What is the applicant's 10XXX or 800 access code, if applicable? _____

- 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(s) will the applicant be reselling? _____
BellSouth (local) WorldCom, Frontier, or LCI (Long distance)

- Q. Will the applicant be utilizing the local telephone company's billing system or billing customers directly²? Will bill direct. Sample bill - Exhibit E.

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 directly.

- 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.
The Company will use in-house sales representatives and/or sales agents.
- S. Describe the procedures the applicant will use to switch a consumer's preferred interexchange service, if applicable. The Company will use written LOAs.
- 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 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 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. Exhibits A & B.
(2) Attach a copy of Certification of Authority issued by Tennessee Secretary of State showing corporation's authority to engage in business in Tennessee.
Exhibit C.

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.

Exhibit D.

Part IV: Display Card

If applicable, 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.

n/a

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 [REDACTED] Reseller or Operator Service Provider applicant, hereby, affirms the following:

- Has received, read, and understands the Tennessee [REDACTED] Regulatory Authority (TRA) [REDACTED] Reseller Rules and Regulations, (Appendix III)
- Understands the penalties for non-compliance, and all associated fees to provide such service.
- Will comply with the [REDACTED] TRA 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.

Network Telephone, Inc.
Company Name Date

E. P. G. G. C.O.O.
Company Official Title

Subscribed and sworn
before me this 8 day
of may, 1998

Susan W Forehand
Notary Public

seal

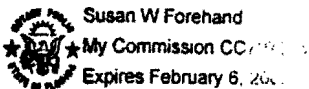


EXHIBIT A

ARTICLES OF INCORPORATION FILED
WITH THE FLORIDA SECRETARY OF STATE



FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State

October 24, 1997

DANIEL R. LOZIER, ESQ.
125 W. ROMANA ST., STE. 224
PENSACOLA, FL 32501

The Articles of Incorporation for NETWORK TELEPHONE, INC. were filed on October 22, 1997 and assigned document number P97000091366. Please refer to this number whenever corresponding with this office regarding the above corporation. The certification you requested is enclosed.

PLEASE NOTE: COMPLIANCE WITH THE FOLLOWING PROCEDURES IS ESSENTIAL TO MAINTAINING YOUR CORPORATE STATUS. FAILURE TO DO SO MAY RESULT IN DISSOLUTION OF YOUR CORPORATION.

A CORPORATION ANNUAL REPORT MUST BE FILED WITH THIS OFFICE BETWEEN JANUARY 1 AND MAY 1 OF EACH YEAR BEGINNING WITH THE CALENDAR YEAR FOLLOWING THE YEAR OF THE FILING DATE NOTED ABOVE AND EACH YEAR THEREAFTER. FAILURE TO FILE THE ANNUAL REPORT ON TIME MAY RESULT IN ADMINISTRATIVE DISSOLUTION OF YOUR CORPORATION.

A FEDERAL EMPLOYER IDENTIFICATION (FEI) NUMBER MUST BE SHOWN ON THE ANNUAL REPORT FORM PRIOR TO ITS FILING WITH THIS OFFICE. CONTACT THE INTERNAL REVENUE SERVICE TO RECEIVE THE FEI NUMBER IN TIME TO FILE THE ANNUAL REPORT AT 1-800-829-3676 AND REQUEST FORM SS-4.

SHOULD YOUR CORPORATE MAILING ADDRESS CHANGE, YOU MUST NOTIFY THIS OFFICE IN WRITING, TO INSURE IMPORTANT MAILINGS SUCH AS THE ANNUAL REPORT NOTICES REACH YOU.

Should you have any questions regarding corporations, please contact this office at the address given below.

John Nedeau, Document Specialist
New Filing Section

Letter Number: 897A00051810



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of NETWORK TELEPHONE, INC., a Florida corporation, filed on October 22, 1997, as shown by the records of this office.

The document number of this corporation is PS7000091363.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Twenty-fourth day of October, 1997



CR2EC22 (2-95)

Sandra B. Florham

Sandra B. Florham
Secretary of State

Secretary of State

Corporations Section

James K. Polk Building, Suite 1800

Nashville, Tennessee 37243-0306

DATE: 03/13/98
REQUEST NUMBER: 3467-1469
TELEPHONE CONTACT: (615) 741-0537
FILE DATE/TIME: 03/13/98 0951
EFFECTIVE DATE/TIME: 03/13/98 0951
CONTROL NUMBER: 0347356

TO:
NETWORK TELEPHONE, INC.
804 S PALAFOX PL

PENSACOLA, FL 32501

RE:
NETWORK TELEPHONE, 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.

OR: APPLICATION FOR CERTIFICATE OF AUTHORITY -
FOR PROFIT

ON DATE: 03/13/98

FROM:
SIO (BOX 120598)
P.O. BOX 120598

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

ASHVILL E, TN 37212-0000

RECEIPT NUMBER: 00002267540
ACCOUNT NUMBER: 00000499



Riley C. Darnell

RILEY C. DARNELL
SECRETARY OF STATE

FILED

APPLICATION FOR CERTIFICATE OF AUTHORITY FOR

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:

1. The name of the corporation is Network Telephone, Inc.

If different, the name under which the certificate of authority is to be obtained is _____

Network Telephone, Inc.

(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 Florida

3. The date of its incorporation is 10/22/97 (must be month, day, and year), and the period of duration, if other than perpetual, is _____

4. The complete street address (including zip code) of its principal office is 804 S. Palafox Place,

<u>Pensacola</u>	<u>FL</u>	<u>32501</u>
Street	City	State/Country

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

<u>500 Tallan Building, Two Union Square</u>	<u>Chattanooga, TN</u>	<u>Hamilton</u>	<u>37402-2571</u>
Street	City/State	County	Zip Code

The name of its registered agent at that office is
Corporation Service Company

6. The names and complete business addresses (including zip code) of its current officers are: (Attach separate sheet if necessary.)

Ray Russenberger, President, 804 S. Palafox Place, Pensacola, FL 32501
Johnny Matthews, VP/S/T, 804 S. Palafox Place, Pensacola, FL 32501

7. The names and complete business addresses (including Zip code) if its current board of directors are: (Attach separate sheet if necessary.)

Ray Russenberger, 804 S. Palafox Place, Pensacola, FL 32501

8. The _____ for profit.

9. If _____ filing by the Secretary of State, the delayed effective date/time is _____

APPLICATION FOR CERTIFICATE OF AUTHORITY FOR

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:

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<u>Pensacola</u>	<u>FL</u>	<u>32501</u>
Street	City	State/Country
		Zip Code

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<u>500 Tallan Building, Two Union Square</u>	<u>Chattanooga, TN</u>	<u>Hamilton</u>	<u>37402-2571</u>
Street	City/State	County	Zip Code

The name of its registered agent at that office is
Corporation Service Company

6. The names and complete business addresses (including zip code) of its current officers are: (Attach separate sheet if necessary.)



NETWORK TELEPHONE

NOW YOU HAVE A CHOICE

August 31, 2000

VIA OVERNIGHT MAIL

K. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

RE: Network Telephone Corporation
Company ID 128486
Company ID 128160

Dear Mr. Waddell:

Attached pursuant to Section 3, Tennessee Code Annotated, Section 65-4-125(j), please find documentary evidence that the above referenced company owns and operates equipment facilities in Tennessee valued at more than \$5,000,000. Under the provision of the Code, this documentation will exempt Network Telephone from providing a bond or letter of credit.

Network Telephone is listed with the Commission under both ID numbers above. Company ID 128160 was issued with Network Telephone's original certificate to resell telecommunications services in Tennessee (Docket No. 98-00349). Subsequently, Network Telephone applied for and was issued certification as a facilities-based local exchange telecommunications provider (Company ID 128486 – Docket No. 00-00009). It is my understanding that the facilities-based certification provides authority for both local exchange and interexchange service provision within the State of Tennessee on a facilities-based and resale basis. If this is the case, the Company ID 128160 associated with the original resale certification can be eliminated.

Thank you for your assistance in this matter. If you have any questions, please let me know.

Sincerely,

Margaret H. Ring
Regulatory Affairs

Encl.