

# TENNESSEE REGULATORY AUTHORITY

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



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

## APPLICATION FOR AUTHORITY TO PROVIDE CUSTOMER-OWNED COIN (OR COINLESS) OPERATED TELEPHONE SERVICE IN TENNESSEE [RULE 1220-4-2-.43 to .54]

### SECTION A

VOUCHER NO. 777-728680  
dc 3569 SRC. 281.03  
AMT. REC. 25.00  
DEPOSIT DATE 6-5-98

### Part 1: General Information

Name of Applicant Cherokee Payphone, Inc.  
Address PO Box 1776 Frontier Shopping City Cherokee  
State NC Zip Code 28719 Phone No. (828) 497-9213

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

Tracey L Parker (828 ) 497 -9213  
Name Telephone No.

PO Box 1776 Frontier Shopping Ctr Cherokee, NC 28179 Jackson  
Address City State ZIP County

(To be filled out by TRA) 98-00398

Company ID Number 128179

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

Evaluator \_\_\_\_\_

Mail the completed application and a check for \$25.00 to: Tennessee Regulatory Authority, P.O. Box 198907, Nashville, TN 37219-8907. Should you have any questions, call (615)741-7489, ext. 163.

Part II Organization Structure

A. Type of Organization

       Individual      XX 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 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.

Part IV Repair and Maintenance Information

A. Describe the Pay Phone instrument to be installed.

<u>Elcotel, Inc. Series 5 Smart Payphone w/applicable Booth</u>		
<u>Manufacturer</u>	<u>Model Number</u>	<u>FCC Number</u>
<u>6428 Parkland Drive</u>	<u>Sarasota</u>	<u>Fl 34243</u>
<u>Manufacturer's Address</u>	<u>City</u>	<u>State</u>

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<u>Manufacturer's Address</u>	<u>City</u>	<u>State</u>

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(Attach extra sheet if additional space is required)

**Schedule L Balance Sheets per Books**

	Beginning of tax year		End of tax year	
	(a)	(b)	(c)	(d)
<b>Assets</b>				
1 Cash		-316		5,778
2a Trade notes and accounts receivable				
b Less allowance for bad debts		0		0
3 Inventories		0		0
4 U. S. government obligations				
5 Tax-exempt securities (see instructions)				
6 Other current assets (attach schedule)		0		0
7 Loans to stockholders				
8 Mortgage and real estate loans				
9 Other investments (attach schedule)		0		0
10a Buildings and other depreciable assets	110,313		179,184	
b Less accumulated depreciation	47,474	62,839	93,393	85,791
11a Depletable assets				
b Less accumulated depletion		0		0
12 Land (net of any amortization)				
13a Intangible assets (amortizable only)				
b Less accumulated amortization		0		0
14 Other assets (attach schedule)		0		0
15 Total assets		62,522		91,569
<b>Liabilities and Stockholders' Equity</b>				
16 Accounts payable				
17 Mortgages, notes, bonds payable in less than 1 year		27,422		24,362
18 Other current liabilities (attach schedule)		0		0
19 Loans from stockholders				
20 Mortgages, notes, bonds payable in 1 year or more		5,157		27,857
21 Other liabilities (attach schedule)		0		0
22 Capital stock:				
a Preferred stock				
b Common stock	23,100	23,100	23,100	23,100
23 Additional paid-in capital		29		29
24 Retained earnings - Appropriated (attach schedule)				
25 Retained earnings - Unappropriated		6,814		16,221
26 Adjustments to shareholders' equity (attach schedule)				
27 Less cost of treasury stock				
28 Total liabilities and stockholders' equity		62,522		91,569

Note: You are not required to complete Schedules M-1 and M-2 below if the total assets on line 15, col. (d) of Schedule L are less than \$25,000.

**Schedule M-1 Reconciliation of Income (Loss) per Books With Income per Return**

1 Net income (loss) per books	9,407	7 Income recorded on books this year not included on this return (itemize):	
2 Federal income tax	1,083	Tax-exempt interest \$	
3 Excess of capital losses over capital gains		\$	
4 Income subject to tax not recorded on books (this year (itemize):		\$	0
NONDEDUCTIBLE EXP \$ 375	375	8 Deductions on this return not charged against book income this year:	
5 Expenses recorded on books this year not deducted on this return (itemize):		a Depreciation \$	
a Depreciation \$		b Contributions carryover \$ 0	
b Contributions carryover \$ 0		\$	
c Travel and entertainment \$ 0		\$	0
\$	0	9 Add lines 7 and 8	0
6 Add lines 1 through 5	10,865	10 Income (line 28, p. 1)-line 6 less line 9	10,865

**Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (Line 25, Schedule L)**

1 Balance at beginning of year	6,814	5 Distributions:	a Cash	
2 Net income (loss) per books	9,407		b Stock	
3 Other increases (itemize):			c Property	
\$		6 Other decreases	\$	0
\$		\$		
\$		7 Add lines 5 and 6		0
\$	0			

Part IV (contd)

**B. Maintenance of COCOT**

(1) How does applicant intend to service and maintain COCOTs.

\_\_\_\_\_ Personally  
XX Full-time Technician  
\_\_\_\_\_ Part-time Technician  
\_\_\_\_\_ Service/repair contract with 3rd party

(2) Identify names and qualifications of the party/parties responsible for service and repair of COCOTs.

Cherokee Payphone, Inc.- We have been in the payphone  
business since 5-95

Part V Display Card

A. Attach a copy of the display card to be posted on the pay telephone. The card must contain all required information listed in the attached Rule (1220-4-2-.49,F).

B. An example of a TPSC approved display card is below:

**Out of Change?**  
Use Your Telephone  
Calling Card Or Call  
Collect To Place  
**Local Calls.**  
Dial Area Code + Number

**South Central Bell**  
A BELLSOUTH Company

Handles **Long Distance Calls** outside this calling zone (including International calls) from this telephone.

For assistance or rate information dial ..... 00

To use another long distance service, dial the access code provided by that company.

Address FCC Complaints To: FCC Common Carrier Bureau, 205 M Street, N.W., Washington, D.C. 20554.

1760-D-A (8-92)

<b>No coin needed for Charge, Emergency &amp; Free calls.</b>		<b>South Central Bell</b> A BELLSOUTH Company	
<b>Local Calls</b> Deposit 25¢ before dialing. Change not provided	<b>Directory Assistance</b> Charges may apply. Coin Calls Local.....  411 Coin Calls Long Distance.... .....  Area Code+555-1212 Charge Calls Local.  411 Charge Calls Long Distance.. ...  Area Code+555-1212 <b>For South Central Bell</b> <b>assistance.....0</b>	<b>Other Calls</b> Additional Charges May Apply Dial Area Code for all calls <b>Coin Calls</b> Area Code+Number <b>Calling Card, Collect &amp; Person-to-Person Calls</b> Area Code+Number <b>Free Calls</b> 800+Number	<b>International Calls</b> Coin calls...011+Country Code+City Code+Number Other calls...01+Country Code+City Code+Number <b>Emergency</b> Dial 911 for help <b>Repair Service</b> 557-6111 (Free)

1731-E-A (12-93)

(Display information must also include COCOT phone number).

# STATE OF NORTH CAROLINA



Department of The  
Secretary of State

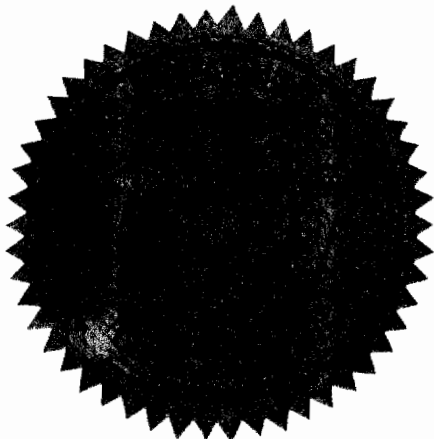
To all whom these presents shall come, Greetings:

I, **Rufus L. Edmisten**, *Secretary of State of the State of North Carolina*, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF INCORPORATION  
OF  
CHEROKEE PAYPHONE, INC.

*the original of which is now on file and a matter of record in this office.*

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 18th day of December, 1995.



*Rufus L. Edmisten*

Secretary of State

FILED

9:00 AM

SEP 08 1995

State of North Carolina  
Department of the Secretary of State

EFFECTIVE: \_\_\_\_\_  
RUFUS L. EDMISTEN  
SECRETARY OF STATE  
NORTH CAROLINA

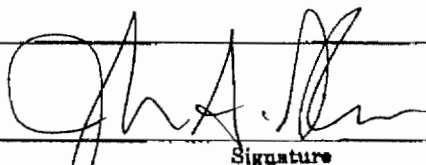
## ARTICLES OF INCORPORATION

Pursuant to §55-2-02 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Incorporation for the purpose of forming a business corporation.

1. The name of the corporation is: CHEROKEE PAYPHONE, INC.
2. The number of shares the corporation is authorized to issue is: 100,000 NO PAR  
These shares shall be: (check either a or b)  
a. X all of one class, designated as common stock; or  
b. --- divided into classes or series within a class as provided in the attached schedule, with the information required by NCGS §55-6-01.
3. The street address and county of the initial registered office of the corporation is:  
Number and Street HWY 19 FRONTIER SHOPPING CENTER  
City, State, Zip Code CHEROKEE, NC 28719 County JACKSON
4. The mailing address if different from the street address of the initial registered office is:  
P.O. BOX 1776, CHEROKEE, NC 28719
5. The name of the initial registered agent is: JP INTERPRISES, INC.
6. Any other provisions which the corporation elects to include are attached.
7. The name and address of each incorporator is as follows:  

JP INTERPRISES, INC.	P.O. BOX 1776	CHEROKEE, NC 28719
JOHN A. PARKER	P.O. BOX 1776	CHEROKEE, NC 28719
SMOKY Mtn. SYSTEMS, INC.	359 W. MAIN ST	FRANKLIN, NC 28734
JERRY DICUS	20042 BUCKLAND-HOLDEN RD	CRIDERSVILLE, OH 45806
8. These articles will be effective upon filing, unless a date and/or time is specified: \_\_\_\_\_

This the 31 day of AUGUST, 1995

  
Signature

JOHN A. PARKER PRESIDENT  
Type or Print Name and Title

## NOTES:

1. Filing fee is \$100. One executed original and one exact or conformed copy of these articles must be filed with the Secretary of State.



CHEROKEE PAYPHONE, Inc



**CHANGE NOT PROVIDED**

Local Calls .....35¢  
Service/Refund .....211

**CALL  
ANYWHERE  
CONTINENTAL  
USA!**



This Location is:  
This Phone Number is:

P-31898

**CALLING CARD CALLS**

Within This Area Code .....0 + Area + Number  
Outside This Area Code.....0 + Area + Number  
International Calls .....\*00\* For Operator

**COLECT & THIRD PARTY BILLING**

Within This Area Code .....0 + Area + Number  
Outside This Area Code.....0 + Area + Number

**DIRECTORY ASSISTANCE CALLS**

Local .....411  
In This Area Code .....1 - 828 - 555 - 1212  
Outside This Area Code .....1 + Area + 555 - 1212

**EMERGENCY** DIAL 911 or 0

This phone is owned and operated by:

**Cherokee Payphone, Inc.**  
Hwy 19, Frontier Shopping Center  
Cherokee, NC 28719  
828-497-9213  
COCOT \*917



Operator services provided by:

**AT&T**  
P.O. Box 723  
Basking Ridge, NJ 07920  
(800) 243-1288

Rates are available upon request without charge.  
For rates and other information dial 00.

You have the right to use the interstate long distance carrier of your choice.  
Contact your preferred interstate long distance company for information on  
how to use that carrier from this telephone.

Direct complaints to: Enforcement Division, Common Carrier Bureau/FCC  
2025 M Street, RM 6202, NW, Washington, DC 20554

P-30693

Part VI Rule Compliance Agreement

A. The Customer Owned Coin or Coinless Operated Telephone (COCOT) authorization applicant, hereby, affirms the following:

- \* Has received, read, and understands the Tennessee Public Service Commission's (TPSC) COCOT Rules and Regulations...
- \* Understands the penalties for non-compliance, and all associated fees to provide COCOT service...
- \* Will comply with the TPSC COCOT Rules and all applicable state state laws, including Public Chapter 675 (Appendix E)...
- \* Will submit to the TPSC monthly reports indicating any COCOT addition accompanied with the proper fee...
- \* That all information provided in the attached COCOT registration document is true to the best of my knowledge...

Cherokee Payphone, Inc. 5/27/98  
Company Name Date

\_\_\_\_\_  
Company Name Date

Subscribed and Sworn  
before me this day MAY,  
of 19 98.

Nancy L. Parker  
Notary Public

SEAL



NC SEC OF STATE

919 733 1837

09/04 '98 11:42 NO.780 02/02

08/31/1995 08:41 7044566478

GC BUSINESS SERVICE 0-0377472 PAGE 01

FILED  
9:00 AM

SEP 08 1995

State of North Carolina  
Department of the Secretary of StateEFFECTIVE:  
RUFUS L. EDMISTEN  
SECRETARY OF STATE  
NORTH CAROLINA

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