

**SAMPLE**

**This document is presented for guidance only and does not completely state either Oklahoma law or OCC regulations.**

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**BEFORE THE  
STATE OF OKLAHOMA CORPORATION COMMISSION**

In the Matter of the Application of [Company Name] )  
[Company Name] for a Certificate of Convenience )  
and Necessity To Provide Local Exchange )  
Services Within the State of Oklahoma ) Cause No. PUD \_\_\_\_\_

**APPLICATION**

Comes now [Company Name] ("Applicant") hereby files this Application for a Certificate of Public Convenience and Necessity from the Oklahoma Corporation Commission ("OCC") for authority to provide competitive local exchange services on a [facilities-based, UNE-based and/or resold] basis within the State of Oklahoma. Accordingly the Applicant submits the following information in accordance with OAC 165:55-3-1, regarding Telecommunications Services:

- (A) The applicant's legal name is [Company Name]. The applicant will be conducting business under the name of [Company Name including all trade names, etc].

Applicant may be reached at its principal place of business:

[Company Name]  
[Street Address]  
[City, State, Zip]  
[Telephone Number]  
[Toll Free Number]  
[Email Address]

The names and addresses of the corporate officers of [Company Name] are as follows:

- (B) **Attachment 1** contains a written affirmation, signed before a Notary Public by someone with authority to bind the applicant pursuant to OAC 165:55-3-1(c)(1)(C)

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Pursuant to OAC 165:55-3-1(c)(2) of the OCC's rules, attached are the following documents:

**Exhibit A** A copy of the applicant's [Articles of Incorporation, partnership agreement, and/or Joint Venture agreement] and by-laws of the applicant and of any entity owning a whole or controlling interest in the applicant.

OAC 165:55-3-1(c)(2)(A)

**Exhibit B** A copy of the applicable certificate, issued by Oklahoma's Secretary of State, to transact business in the State of Oklahoma.

OAC 165:55-3-1(c)(2)(B)

**Exhibit C** A copy of the Corporate Trade Name Report, issued by Oklahoma's Secretary of State, for each and every trade name utilized by the applicant.

OAC 165:55-3-1(c)(2)(C)

**Exhibit D** A copy of the third-party surety bond, surety bond or letter of credit if applicable, or a statement that the company will neither require nor accept customer deposits.

OAC 165:55-3-1(c)(2)(D) and 55-3-1(g)

**Exhibit E** Financial statements OAC 165:55-3-1(c)(2)(E)

**Exhibit F** A brief description of applicant's history of providing the requested telecommunications service, or other telecommunications services, in order to demonstrate its managerial experience. OAC 165:55-3-1(c)(2)(F)

**Exhibit G** A description of the applicant's education and/or experience in providing telecommunications services in order to demonstrate its technical abilities.

OAC 165:55-3-1(c)(2)(G)

**Exhibit H** The name, address and toll-free telephone number that an end-user may contact concerning repairs and maintenance, complaints, billing questions, refunds and any other customer service-related inquiries.

OAC 165:55-3-1(c)(2)(H)

**Exhibit I** The contact name, address and telephone number of the individual with overall responsibility for repairs and maintenance, complaints, billing questions, refunds, and any other customer service-related inquiries.

OAC 165:55-3-1(c)(2)(I)

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- Exhibit J** The contact name, address and telephone number of the principal contact to be utilized by the Commission's Public Utility Division regarding any questions which are not related to customer service. OAC 165:55-3-1(c)(2)(J)
- Exhibit K** A list of all other states, if any, where: OAC 165:55-3-1(c)(2)(K)
- a) The applicant is authorized to operate;
  - b) Authorization to operate is pending;
  - c) A request for authorization has been denied, including the reason stated for denial, with a certified copy of the denial document attached; and/or,
  - d) Authorization has been revoked, with a certified copy of the revocation document attached.
- Exhibit L** A complete set of proposed initial tariffs which include the terms and conditions of service and all rates and charges for each service classification in a format consistent with Subchapter 5 of OAC 165:55 or a statement that the applicant will file tariffs pursuant to OAC 165:55-3-3. OAC 165:55-3-1(c)(2)(L)
- Exhibit M** A description of the applicant's proposed service territory. OAC 165:55-3-1(c)(2)(M)
- Exhibit N** A description of the deposit and disconnection rules to be applied to end-users by the applicant, all of which shall conform to Subchapters 9 and 11 of OAC 165:55 or a statement that the applicant will neither require nor accept deposits. OAC 165:55-3-1(c)(2)(N)
- Exhibit O** A statement setting forth the accounting system to be utilized by the applicant (the FCC-approved Uniform System of Accounts or another accounting system) and a Chart of Accounts. OAC 165:55-3-1(c)(2)(O)
- Exhibit P** A listing of the complete name(s), including any trade name(s), corporate or primary headquarters street address(es) and names/addresses of principal officers of any affiliates and/or subsidiaries providing telecommunications and/or other services to the entity making the application proposing to sell the requested telecommunications service to the public in the State of Oklahoma, unless otherwise ordered by the Commission. OAC 165:55-3-1(c)(2)(P)

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- Exhibit Q** A copy of the applicant's proposed complaints report form, including codes, which is consistent with OAC 165:55-3-23. OAC 165:55-3-1(c)(2)(Q)
- Exhibit R** A copy of the applicant's proposed letter of authorization to be used by the telecommunications service provider to obtain written authorization from an end-user to switch telecommunications service providers or a copy of the text of the proposed script of the verification. OAC 165:55-3-1(c)(2)(R)
- Exhibit S** A statement regarding whether the applicant intends to utilize the services of a billing agent to issue bills to end-users. OAC 165:55-3-1(c)(2)(S)
- Exhibit T** The text of the Public Notice to be published once a week for two consecutive weeks in newspapers of general circulation in the State of Oklahoma where service will be provided.

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Therefore, [Company Name] respectfully requests that the Oklahoma Corporation Commission issue a Certificate of Public Convenience and Necessity authorizing [Company Name] to provide local exchange service in the State of Oklahoma.

Respectfully submitted,

Name  
Title  
Bar Information  
Address  
Telephone Number

Dated:

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## SAMPLE ATTACHMENT 1 VERIFICATION

I, [Representative of Company], do hereby state that as [Title of Representative] of [Company Name], I have authority to bind [Company Name], and hereby affirm that:

- (i) I have read the foregoing Application and know the contents thereof; that said contents are true and correct in substance and in fact to the best of my knowledge, information and belief;
- (ii) [Company Name] is familiar with and will comply with all applicable federal and state laws, and the rules and orders of the Oklahoma Corporation Commission;
- (iii) For each area or exchange proposed to be served, [Company Name] agrees to offer the provisioning of service to all end-users within that area or exchange on a non-discriminatory basis;
- (iv) [Company Name] understands the Commission's contempt authority;
- (v) [Company Name] will contribute to the Oklahoma Universal Service Fund, pursuant to OAC 165:59;
- (vi) [Company Name] will comply with the provisions of OAC 165:55-13-10.1 and will include a statement to this effect in its tariffs;
- (vii) [Company Name] will comply with the requirements of 17 O.S. 131 and will collect and disburse the 911 fee prior to providing local exchanges services. [Company Name] will provide proof to the Commission of such compliance within 30 days following the initial provisioning of local service;
- (viii) [Company Name] understands that before it ceases, discontinues, or curtails operations and/or service, it must file with the Commission and provide each affected customer notice of the intended action and notice to any 911 Database Management Service Provider;
- (ix) [Company Name] is not currently under investigation in any state for violation of any deceptive trade or consumer protection law or regulation; and
- (x) [Company Name] has not been fined, sanctioned, or penalized in any state for violation of any consumer protection law or regulation.

By: \_\_\_\_\_  
[Company Representative]  
[Company Name]

Subscribed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

Seal: \_\_\_\_\_

Notary Public

My Commission expires: \_\_\_\_\_

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**SAMPLE EXHIBIT T**

**BEFORE THE  
STATE OF OKLAHOMA CORPORATION COMMISSION**

In the Matter of the Application of [Company Name] )  
[Company Name] for a Certificate of Public Convenience and Necessity To Provide Local Exchange Services Within the State of Oklahoma )

Cause No. PUD \_\_\_\_\_

NOTICE IS HEREBY GIVEN that the Applicant, [Company Name], has filed an Application, pursuant to OAC 165:55-3-1, seeking a Certificate of Convenience and Necessity authorizing it to provide local exchange services within the State of Oklahoma. The service areas designated by [Company Name] in the Application as its initial service territory include [service territory names].

NOTICE IS HEREBY GIVEN that any person desiring to file an objection to the Application must do so by [Date]. Objections must be filed with the Court Clerk at the Oklahoma Corporation Commission, Room 130, Jim Thorpe Office Building, 2101 North Lincoln Blvd., Oklahoma City, OK 73105, and served on counsel for Applicant and on any intervenors.

NOTICE IS FURTHER GIVEN that this Cause shall be set for hearing before the Administrative Law Judge on [Date, Time, Courtroom, Address].

NOTICE IS FURTHER GIVEN that all interested persons may appear and be heard, and the Commission shall, after hearing and taking evidence, issue such orders and grant such relief as it deems fair, reasonable, necessary, proper, and lawful. For further information concerning this Cause contact [Company Contact Person, Address, City, State, Zip, Telephone Number] or the Office of the General Counsel, Oklahoma Corporation Commission, Room 400, 2101 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105, (405) 521-2255.