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**** FLORIDA PUBLIC SERVICE COMMISSION ****

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DIVISION OF COMPETITIVE MARKETS AND ENFORCEMENT
CERTIFICATION

COMMISSION
CLERK

APPLICATION FORM

for

AUTHORITY TO PROVIDE
ALTERNATIVE LOCAL EXCHANGE SERVICE
WITHIN THE STATE OF FLORIDA

04 NOV 16 PM 1:05

DISTRIBUTION CENTER

Instructions

- ◆ This form is used as an application for an original certificate and for approval of the assignment or transfer of an existing certificate. In the case of an assignment or transfer, the information provided shall be for the assignee or transferee (See Page 12).
- ◆ Print or type all responses to each item requested in the application and appendices. If an item is not applicable, please explain why.
- ◆ Use a separate sheet for each answer which will not fit the allotted space.
- ◆ Once completed, submit the original and six (6) copies of this form along with a non-refundable application fee of **\$250.00** to:

Florida Public Service Commission
Division of the Commission Clerk and Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6770

- ◆ If you have questions about completing the form, contact:

Florida Public Service Commission
Division of Competitive Markets and Enforcement
Certification
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850
(850) 413-6600

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

Initials of person who forwarded check

DOCUMENT NUMBER-DATE

12203 NOV 16 3

FPSC-COMMISSION CLERK

APPLICATION

1. This is an application for (check one):

041313 -TX

Original certificate (new company).

Approval of transfer of existing certificate: Example, a non-certificated company purchases an existing company and desires to retain the original certificate of authority.

Approval of assignment of existing certificate: Example, a certificated company purchases an existing company and desires to retain the certificate of authority of that company.

Approval of transfer of control: Example, a company purchases 51% of a certificated company. The Commission must approve the new controlling entity.

2. Name of company:

The Hamilton Telephone Company

3. Name under which the applicant will do business (fictitious name, etc.):

Hamilton Telecommunications

4. Official mailing address (including street name & number, post office box, city, state, zip code):

1001 12th Street, Aurora, Nebraska 68818

5. Florida address (including street name & number, post office box, city, state, zip code):

The company does not currently have an office in Florida. The company's registered agent in Florida is CT Corporation System, 1200 South Pine Island Road, Plantation, Florida 33324.

6. Structure of organization:

- | | |
|---|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation |
| <input checked="" type="checkbox"/> Foreign Corporation | <input type="checkbox"/> Foreign Partnership |
| <input type="checkbox"/> General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Other | |

7. If individual, provide:

Name:

Title:

Address:

City/State/Zip:

Telephone No.:

Fax No.:

Internet E-Mail Address:

Internet Website Address:

8. If incorporated in Florida, provide proof of authority to operate in Florida:

(a) The Florida Secretary of State corporate registration number:

9. If foreign corporation, provide proof of authority to operate in Florida:

(a) The Florida Secretary of State corporate registration number:

F04000006193

10. If using fictitious name-d/b/a, provide proof of compliance with fictitious name statute (Chapter 865.09, FS) to operate in Florida:

(a) The Florida Secretary of State fictitious name registration number:

The company filed a Fictitious Name Application with the Florida Secretary of State on October 26, 2004 and a subsequent revision on November 8, 2004. The application is pending.

11. If a limited liability partnership, provide proof of registration to operate in Florida:

(a) The Florida Secretary of State registration number:

12. If a partnership, provide name, title and address of all partners and a copy of the partnership agreement.

Name:

Title:

Address:

City/State/Zip:

Telephone No.:

Fax No.:

Internet E-Mail Address:

Internet Website Address:

13. If a foreign limited partnership, provide proof of compliance with the foreign limited partnership statute (Chapter 620.169, FS), if applicable.

(a) The Florida registration number:

14. Provide F.E.I. Number(if applicable):

47-0181440

15. Indicate if any of the officers, directors, or any of the ten largest stockholders have previously been:

(a) adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings. Provide explanation.

None.

(b) an officer, director, partner or stockholder in any other Florida certificated telephone company. If yes, give name of company and relationship. If no longer associated with company, give reason why not.

None.

16. Who will serve as liaison to the Commission with regard to the following?

(a) The application:

Name:

John Nelson

Title:

Vice President

Address:

1001 12th St.

City/State/Zip:

Aurora, NE 68818

Telephone No.:

(402) 694-5101

Fax No.: (402) 694-5037

Internet E-Mail Address: john.nelson@hamiltontel.com
Internet Website Address: www.hamilton.net

(b) Official point of contact for the ongoing operations of the company:

Name: John Nelson
Title: Vice President
Address: 1001 12th St.
City/State/Zip: Aurora, NE 68818
Telephone No.: (402) 694-5101 Fax No.: (402) 694-5037

Internet E-Mail Address: john.nelson@hamiltontel.com
Internet Website Address: www.hamilton.net

(c) Complaints/Inquiries from customers:

Name: John Nelson
Title: Vice President
Address: 1001 12th St.
City/State/Zip: Aurora, NE 68818
Telephone No.: (402) 694-5101 Fax No.: (402) 694-5037
Internet E-Mail Address: john.nelson@hamiltontel.com
Internet Website Address: www.hamilton.net

17. List the states in which the applicant:

- (a) has operated as an alternative local exchange company.

Louisiana, Wisconsin (both states as a telecommunications relay service provider only)

- (b) has applications pending to be certificated as an alternative local exchange company.

None

- (c) is certificated to operate as an alternative local exchange company.

Louisiana, Wisconsin (both states as a telecommunications relay service provider only)

- (d) has been denied authority to operate as an alternative local exchange company and the circumstances involved.

None

- (e) has had regulatory penalties imposed for violations of telecommunications statutes and the circumstances involved.

None

- (f) has been involved in civil court proceedings with an interexchange carrier, local exchange company or other telecommunications entity, and the circumstances involved.

None

18. Submit the following:

- A. Managerial capability: give resumes of employees/officers of the company that would indicate sufficient managerial experiences of each.**

(Resumes are attached as Exhibit A)

- B. Technical capability: give resumes of employees/officers of the company that would indicate sufficient technical experiences or indicate what company has been contracted to conduct technical maintenance.**

(Resumes are attached as Exhibit B)

C. Financial capability.

The application **should contain** the applicant's audited financial statements for the most recent 3 years. If the applicant does not have audited financial statements, it shall so be stated.

The unaudited financial statements should be signed by the applicant's chief executive officer and chief financial officer **affirming that the financial statements are true and correct** and should include:

1. the balance sheet:
2. income statement: and
3. statement of retained earnings.

(Audited financial statements for fiscal years ending June 30, 2003 and 2004, Composite Exhibit "C" are attached under cover of a Request for Confidential Classification)

NOTE: *This documentation may include, but is not limited to, financial statements, a*

projected profit and loss statement, credit references, credit bureau reports, and descriptions of business relationships with financial institutions.

Further, the following (which includes supporting documentation) should be provided:

1. **written explanation** that the applicant has sufficient financial capability to provide the requested service in the geographic area proposed to be served.

The audited financial statements provide evidence of Hamilton's financial strength to provide service in the state of Florida. Hamilton's current ratio of current assets to current liabilities at June 30, 2004 and 2003 was 4.1 and 3.3 respectively. Both ratio figures are very strong indicators of the company's ability to meet current obligations. In addition, Hamilton has no long-term debt. Hamilton's total debt to equity ratio at June 30, 2004 and 2003 was .20 and .25 respectively. Both ratio figures are very strong indicators of the company's ability to operate without incurring substantial debt.

2. **written explanation** that the applicant has sufficient financial capability to maintain the requested service.

Hamilton Telecommunications only intends to provide telecommunications relay service in the State of Florida and only if it is awarded a contract by the Commission to be the telecommunications relay provider for the State of Florida. As evidenced by its audited financial statements, the company has experienced continually strong financial performance for several years and has the financial capability to maintain the requested service in Florida.

3. **written explanation** that the applicant has sufficient financial capability to meet its lease or ownership obligations.

Hamilton Telecommunications has sufficient financial capability to meet its lease or ownership obligations. The company owns virtually all of its operating assets and funds the addition of new capital assets and improvements from operations without the necessity to borrow funds.

THIS PAGE MUST BE COMPLETED AND SIGNED

APPLICANT ACKNOWLEDGMENT STATEMENT

- 1. REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of .15 of one percent of gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
- 2. APPLICATION FEE:** I understand that a non-refundable application fee of \$250.00 must be submitted with the application.

UTILITY OFFICIAL:

John Nelson
Print Name

Vice President
Title

(402) 694-5101 (402) 694-5037
Telephone No. Fax No.

Address: 1001 12th St., Aurora, NE 68818

John Nelson
Signature

11-11-04
Date

THIS PAGE MUST BE COMPLETED AND SIGNED

AFFIDAVIT

By my signature below, I, the undersigned officer, attest to the accuracy of the information contained in this application and attached documents and that the applicant has the technical expertise, managerial ability, and financial capability to provide alternative local exchange company service in the State of Florida. I have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 and s. 775.083."

UTILITY OFFICIAL:

John Nelson
Print Name

John Nelson
Signature

Vice President
Title

11-11-04
Date

(402) 694-5101 (402) 694-5037
Telephone No. Fax No.

Address: 1001 12th St., Aurora, NE 68818

INTRASTATE NETWORK (if available)

Not applicable.

Chapter 25-24.825 (5), Florida Administrative Code, requires the company to make available to staff the alternative local exchange service areas only upon request.

1. **POP:** Addresses where located, and indicate if owned or leased.

1) _____

2)

3) _____

4) _____

2. **SWITCHES:** Address where located, by type of switch, and indicate if owned or leased.

1) _____

2)

3) _____

4)

3. **TRANSMISSION FACILITIES:** POP-to-POP facilities by type of facilities (microwave, fiber, copper, satellite, etc.) and indicate if owned or leased.

POP-to-POP

OWNERSHIP

1) _____

2) _____

3) _____

4) _____

CERTIFICATE SALE, TRANSFER, OR ASSIGNMENT STATEMENT

Not applicable.

I, (Name)
(Title) _____ of (Name of Company)

and current holder of Florida Public Service Commission Certificate Number #
_____, have reviewed this application and join in the petitioner's request for
a:

- () sale
- () transfer
- () assignment

of the above-mentioned certificate.

UTILITY OFFICIAL:

Print Name

Signature

Title

Date

Telephone No.

Fax No.

Address:

Index of Appendix A and Appendix B

Appendix A – Resumes of Managerial Capability

Phillip C. Nelson, President

John Nelson, Vice President

Gary Warren

Dixie Ziegler

Appendix B – Resumes of Technical Capability

Wayne Hinerman

Pat Shaw

Phillip C. Nelson

Education

University of Nebraska
Bachelor of Arts, 1965

Experience

Hamilton Telecommunications • Aurora, Nebraska • 1967 to Present
President and Chief Operating Officer

- Oversees all services which Hamilton provides including cable television, internet services, telemarketing and telecommunications relay services.

President of Mid-State Community TV

President of Hamilton Telephone Company

Pennsylvania State University • 1965 to 1967

Producer/Director – Educational Television Station WPSX-TV

Activities

- Past member of the Board of Directors for OPASTCO
- Past president and past Chairman of the Board of Directors for Nebraska Telephone Association
- Member of the Board of Directors and founding president of Nebraska Cellular Telephone Company
- USTA Board of Directors
- Past Chairman USTA Member of Benefits Committee
- Past Chairman USTA Insurance Trust
- President of Edgerton Educational Center

John A. Nelson

135 Donegal Road • Aurora, Nebraska • (402) 694-4321 • john.nelson@hamiltontel.com

Education

Southern Methodist University
Bachelor of Arts, History 1991

Experience

Hamilton Telecommunications • Aurora, Nebraska •
May, 2002 to Present

Nedelco Vice President of Operations

- Provide support and direction to members of Hamilton Telecommunications management
- Provide support and direction to members of technical staff
- Strategic Planning and management

Hamilton Telecommunications • Baton Rouge, Louisiana
March, 1998 to May 2002

Computer Telephony Systems Specialist

- Provide on-site support for all equipment and software related to Hamilton's Baton Rouge, Louisiana relay center and all administrative hardware and software
- Assist in developing and troubleshooting software for Hamilton's relay services

The Village at Breckenridge, a Wyndham Resort • Breckenridge Colorado • 1991 to 1998

System Administrator

- Maintained IBM RS-6000 Unix based file server
- Provided first-line software support for server including interfaces to in-room video system, video check-out system, PBX system, call accounting system, and point of sales system in the resort's bars and restaurants.
- Served as the primary liaison to the software and hardware vendors who provided the system
- Provided software solutions to management and training to users
- Provided support as needed for PBX switch
- Produced short range occupancy forecasts to assist in the development of staffing projections
- Facilitated booking and scheduling of ground transfers and car rentals

Exhibit A

- Developed and maintained company web site
- Maintained resort's return guest database

PBX Supervisor

- **Supervised** four to eight hotel switchboard operators
- **Arranged** schedules, answered phones, and provided special customer support as needed

Hamilton Telephone Company • Aurora, Nebraska • 1987 to 1991

Computer Programmer/Consultant

- Developed and implemented a CAD/CAM system
- Researched existing systems, purchased equipment and customized software to render it compatible with established mapping formats
- Developed a dBase IV application shell to provide an on-line database system that enabled telephone operators to provide enhanced directory information services

Gary Warren

1910 O Street • Aurora, Nebraska 68818 • (402) 694-6241 • gary.warren@hamiltontel.com

Education

University of Nebraska College of Law
Law Degree, 1974

University of Nebraska
Bachelor of Science Degree, 1971

Experience

Hamilton Telecommunications • Aurora, Nebraska • 1988 to Present
*Vice President of Corporate Development, Executive Vice President and now
President of Services Corporation*

**Whitney, Newman, Mersch, Otto and Warren Law Firm • Aurora, Nebraska •
1975 to 1988**
Lawyer, general practice

Activities

- Active in a variety of relay industry teams including the Coin Sent Paid Team
- Served on NECA Relay Advisory Council for eight years, Chairman for two years
- Participant in numerous relay forums, NASRA activities and FCC meetings and filings over the past 10 to 12 years
- Past President and Board Member of Nebraska Diplomats, Ambassador Plenipotentiary
- Executive Board Member, Nebraska Chamber, Past Chairman, Economic Development Council
- Nebraska Industrial Competitive Alliance, Board Member
- University of Nebraska President's Advisory Council
- Kiewit Institute of Technology Advisory Board Member
- Past Board Member of Aurora Chamber of Commerce
- Fund for Rural Education and Development, Past Board Member and President
- Past Member Community Council, Information Technology Commission
- Past Board Member Nebraska Community Foundation
- Aurora Development Corporation, Board Member and Past President
- Aurora Housing Development Corporation, Past Board Member and Secretary/Treasurer
- Edgerton Explorit Center, Board Member
- Hamilton County Information Technology Corporation, Board Member and Past President
- Past President and Board Member of Nebraska Independent Telephone Association

Dixie J. Ziegler

1810 G Street • Aurora, Nebraska 68818 • (402) 694-2770 • dixie.ziegler@hamiltonrelay.com

Education

Dana College

Bachelor of Science in Marketing, Organizational Communications, and Print Media Communications (Valedictorian)

Experience

Hamilton Telecommunications • Aurora, Nebraska • 1994 to Present

Director, then Vice President of Relay Services

- Responsible for all relay operations
- Manage contract relations for State Relay Contracts
- Coordinate relay outreach activities with state relay representatives
- Represent Hamilton's relay service on the national level
- Coordinate the development of educational and promotional relay materials
- Analyze potential markets for new and existing products and services
- Deliver new products and services to the telecommunications marketplace
- Develop proposals, bids, and sales materials for all Hamilton business areas
- Manage all external and internal communication medias
- Act as Special Project Coordinator as applicable

HunTel Systems • Blair, Nebraska • 1992 to 1994

Marketing Assistant

- Designed marketing campaigns for new products and services
- Edited sales presentations and produced supporting materials
- Wrote and designed newsletters, bill inserts, advertisements, and brochures
- Coordinated telephone promotions and service projects
- Wrote procedures and policies for employees
- Informed customers of changes in the telephony industry

Activities

- Serves on the National Exchange Carrier Association (NECA) Relay Advisory Council
- Serves on the Consumer Advisory Committee (CAC) of the Federal Communications Commission
- Aurora Chamber of Commerce member
- Edgerton Educational Center Volunteer
- Aurora Jaycee
- Information Technology Task Force member

Wayne D. Hinerman

914 Waynoka Street • Hastings, Nebraska • (402) 461-4712 • wayne.hinerman@hamiltontel.com

Education

Colorado State University

Bachelor of Science Degree, Mathematics/Computer Science, 1972

Digital Equipment Corporation

Smartstar Corporation

Modular Computer Systems

Computer Training Classes, 1974 - 1996

Experience

Hamilton Telecommunications • Aurora, Nebraska • 1995 to Present

LAN Administrator

- Responsible for the implementation and support of computer technology into all parts of a diverse telecommunications company including telephone, relay, cable, and telemarketing
- Networks currently employed include Windows for Workgroups and Windows 95, Windows NT, Novell, Internet, Pathworks, Decnet, and PC-NCFS
- System management for a telemarketing predictive dialing network and a VAX 3100 Model 90 utilized for a complete billing, accounting, and customer support system
- Shared in the responsibility of the creation, upgrading and maintenance of all new relay related software and hardware

MacroLogic, Inc • Aurora, Colorado • 1993 to 1995

Director of Operations

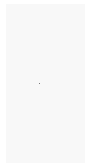
- Direct the operation of a long-distance telephone billing service
- Coordinate services to many concurrent clients and utilization of telephone switch records from multiple sources
- Coordinate operation with program development and customer support
- Responsible for a VAX 4500/3400 cluster including all system software/hardware, communications, PCs, networking, and maintenance
- Supervise all operations personnel, direct and coordinate all program development and programmer staff

Tri-State Generation & Transmission Association • Thornton, Colorado 1988 to 1993

Application Development Supervisor

Exhibit B

- Supervise the development and maintenance of all software applications for the cooperate-based electric utility of Tri-State Generation and Transmission
- Determine priorities, evaluated estimates, and provided/monitored schedules for all development staff
- Responsible for the development of requirements and RFPs for a payroll/human resources package and a complete financial accounting system
- Coordinated the search, evaluation, and final selection of both packages
- Heavily involved in the configuration, customization, and testing of the payroll/human resources package



Pat Shaw

819 16th Street • Aurora, NE 68818 • (402) 694-2828 • pat.shaw@hamiltontel.com

Education

Aurora High School

High School Diploma, 1982

Experience

Hamilton Telecommunications, Aurora, NE • October 2004 - Present

Plant Manager

- Supervises all plant and central office personnel
- Oversees the installation, maintenance and repair of telephone cable and switching facilities, as well as a cable TV distribution system
- Develops the short and long term plans for telephone and cable television
- Develops and guides a continuous improvement plan for the outside plant and central office which is customer focused
- Oversees the efficient operation of a reliable telephone network in order to maintain the availability of the network at the lowest long-term cost
- Maintains proper records of all outside plant and service department records
- Participates in facility and network planning, including coordination with other carriers and large customers
- Oversees the maintenance and repair of buildings and grounds in the Hamilton Telephone Company's service area, as well as vehicle upkeep

Hamilton Telecommunications, Aurora, NE • October 1995 – October 2004

Central Office and Transmission Technician

- Installed, repaired, tested and maintained hardware and software for local telephone company central office digital switch, operator and relay switch, and work station terminals
- Installed, repaired and maintained all transmission facilities on both copper and fiber optic cable, along with digital cross-connect equipment and digital loop carrier equipment
- Installed, repaired and maintained central office data lines and customer high capacity circuit in central offices and on customer premise
- Installed, repaired and maintained all Central Office Power, Back-up power and Ground equipment, including gas and natural gas generators

Exhibit B

- Communicated with internal and external customers to resolve questions and service concerns

Hamilton Telecommunications, Aurora, NE • January 1988 – October 1995

Troubleshooter/Installer

- Communicated with internal and external customers to resolve service concerns and service questions
- Installed, tested, repaired and maintained outside plant facilities for telephone
- Installed, repaired and maintained copper and fiber facilities
- Installed, repaired, operated and maintained necessary test equipment for the testing of the outside plant
- Obtained schooling and attended seminars relating to technical skills, customer service skills and management skills
- Installed, tested, repaired and maintained cable TV facilities
- Bonded and grounded all types of telephone and coaxial cable
- Participated and developed understanding of quality of service concepts in conjunction with overall company continuous improvement efforts
- Responsible for buildings and grounds maintenance and appearance

Activities

Aurora Public Schools, Board Member

Aurora Optimist Club, Member